

ORDINANCE NO. 358

**EAST LAMPETER TOWNSHIP,
LANCASTER, COUNTY, PENNSYLVANIA**

**AN ORDINANCE DEFINING AND REGULATING DOGS RUNNING AT LARGE IN
EAST LAMPETER TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA**

Background

WHEREAS, many residents within the Township own and house animals, including dogs. The Board of Supervisors is concerned about the safety and privacy issues that may arise when residents allow their dog(s) to run onto the property of another person or onto public property, to include schools, highways, and parks. Such behavior threatens the privacy interests of other residents whose property on which these stray dogs roam as well as the safety interests of individuals who frequent these public areas. Due to these concerns, the Board developed this Ordinance to require dog owners and their handlers to properly secure and control their dog(s). The Board further seeks to ensure individuals who allow their dog(s) to run astray are responsible for the costs incurred by the Township to capture and provide shelter for the stray dog(s).

WHEREAS, the Board of Supervisors is authorized, pursuant to Section 1530 of the Second Class Township Code, to adopt ordinances to prohibit and regulate the running at large of dogs.

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors of the Township of East Lampeter, Lancaster County, Pennsylvania, as follows:

Section 1. Purpose.

The purpose of this Ordinance is to secure the safety of persons and their property in the Township by regulating the running of stray dogs onto public property and the property of other residents within the Township of East Lampeter.

Section 2. Definitions.

As used herein, the following terms shall have the meaning indicated:

- A. OWNER. Any person having a right of property or having custody of any dog governed by this Ordinance or any person who harbors or permits a dog governed by this Ordinance to remain on or about any premises occupied by the person.

- B. **HANDLER.** Any person other than an Owner having custody of any dog governed by this Ordinance and who harbors or permits a dog governed by this Ordinance to remain on or about any premises occupied by the person. A Handler is not a person who keeps a lost or stray dog on a temporary, emergency basis.
- C. **PUBLIC PROPERTY or THE PROPERTY OF ANOTHER PERSON.** Any highway, public street, alley, park, school, sidewalk, or other land to which the public is invited or upon the property of a person other than the Owner of the dog or Handler.

Section 3. Regulation of Dogs Running at Large.

- A. **Running at Large of Dogs Prohibited.** It shall be unlawful for any dog to be upon any public property or the property of another person unless the dog is accompanied by and under the immediate control of the Owner or Handler.
- B. **Containment of Dogs.** It shall be unlawful for the Owner or Handler of any dog to fail to keep at all times the dog contained within the property or premises of the Owner or Handler so that it cannot stray beyond the property or premises, or under the reasonable control of some person, or when engaged in lawful hunting, exhibition, performance events or field training.

Section 4. Enforcement.

- A. This Ordinance shall be enforced by the East Lampeter Township Police Department or its designated agent.
- B. Any police officer or designated agent may seize a dog whose Owner or Handler is violating the terms of this Ordinance and may detain and dispose of such dog in accordance with the law.
- C. The Police Department shall maintain a record of all occasions the Department must detain a stray dog and/or provide or pay for shelter for a dog. The Board of Supervisors prescribes the following administrative fees to be charged to Owners and Handlers to partially offset the costs incurred by the Township for detaining and providing shelter to the dog:
 - 1. \$100.00 administrative fee when a police officer or designated agent returns a dog to its Owner or Handler without having to transport the dog to a shelter.

2. \$200.00 administrative fee for the first and second occasions when a police officer or any other person transports the dog to a shelter and the shelter returns the dog to its Owner or Handler.
3. \$300.00 administrative fee for the third and subsequent occasions when a police officer or any other person transports a dog that has at least twice been previously detained and transported to the shelter.
4. All administrative fees shall be payable by the Owner or Handler to East Lampeter Township.

Section 5. Penalty.

Any person found guilty of violating the terms of this Ordinance on four (4) or more occasions or any person who shall fail to pay the administrative fee when due shall, upon conviction in a summary proceeding, be subject to a fine of not more than three hundred dollars (\$300) or imprisonment for a period not to exceed ninety (90) days or both.

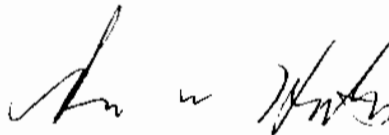
Section 6. Miscellaneous.

- A. All Ordinance or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.
- B. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance.
- C. This Ordinance shall be effective five (5) days following its enactment.

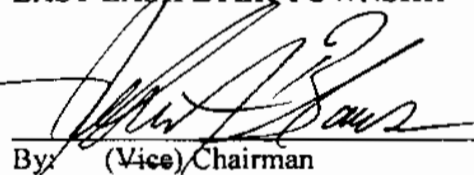
ENACTED and ORDAINED this 11th day of July 2022.

ATTEST:

**BOARD OF SUPERVISORS OF
EAST LAMPETER TOWNSHIP**



(Assistant) Secretary



By: (Vice) Chairman

[SEAL]

I, Ralph M. Hutchison, Secretary of the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of East Lampeter Township held on 7/11, 2022, at which meeting a quorum was present and voted in favor thereof.



Ralph M. Hutchison, Secretary