

EAST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING ARTICLE III. OF CHAPTER 87. OF THE
EAST NORRITON TOWNSHIP CODE DEALING WITH THE COMMISSION OF A
NUISANCE BY AN ANIMAL OR FOWL BY DELETING EXISTING
SECTION 87-6, SECTION 87-7 AND SECTION 87-9 AND
SUBSTITUTING THEREFORE NEW SECTIONS,
AND BY ADDING SECTION 87-10.

The Board of Supervisors of East Norriton Township,
Montgomery County, Pennsylvania does hereby enact and ordain the
following:

Section 1. Section 87-6, Section 87-7 and Section 87-9
of the East Norriton Township Code are hereby amended by
substituting the following therefore:

Section 87-6, Harboring of Certain Animals and Their
Activities Restricted.

(a) Any animal or fowl, domestic or otherwise is
hereby declared to be committing a nuisance
if such animal or fowl:

(1) repeatedly barks, howls, crows, cockles, yelps or
makes other similar or offensive sounds for a
continuous, unabated period of one (1) hour between the
hours of 10:00 p.m. and 7:00 a.m. or for a continuous,
unabated period of two (2) hours during all other
hours.

(2) bites without provocation or molests any person
without provocation or;

(3) runs unrestrained, or trespasses upon, or
scratches, digs or defecates upon, or otherwise causes
damage to any lawn, tree, shrub, plant, building or any
other public or private property, other than the
property of the owner or person in charge or control of
such animal or fowl.

(4) creates any condition emitting foul, offensive or
noxious odors or which may allow vectors (insects and
rodents capable of carrying disease) to have access to
excrementitious matter whether upon the property of the
owner or other private or public property any of which
may be deleterious or detrimental to the public health.

(b) It shall be unlawful for any owner or person having
custody, control or charge of such animal or fowl to

permit it to commit or fail to prevent it from committing any nuisance described in Section (a), above. It shall be unlawful for any owner or person having control, custody or charge of any such animal or fowl to permit the excrement of such animal or fowl to flow upon, seep, leak or otherwise travel to and upon any lawn, tree, shrub, plant, building or any other public or private property, other than the property of the owner or person in charge or control of such animal or fowl (except as limited by Section (a)(4)) The nuisance shall be considered abated, if applicable, when the owner or person in charge or control of such animal or fowl immediately removes all excrement deposited by such animal and disposes of the same in a sanitary manner, or completely repairs the damage done by such animal or fowl.

- (c) It shall be unlawful for any owner or custodian, or person having control of any dog, to fail to restrain it by means of a leash of not more than six feet in length, while it is on any public or private property, other than the private property of the owner, custodian or person in charge or having control of the dog.

Section 87-7 [repealed]

Section 87-9 In all cases where a police officer, the Code Enforcement Officer, or animal control officer of East Norriton Township shall first give notice of the offense to the owner or person having custody or control of the animal or fowl in question on a form noting the time and place of the offense and the nature of the offense charged, and such notice is the first notice served upon such owner or other person for the offense cited therein, no prosecution shall be instituted for seventy-two (72) hours thereafter for the offense set forth in such notice. If, during said seventy-two (72) hour period, the offender shall abate and correct the offense for which notice was issued and shall voluntarily appear at the office of the township during regular business hours and voluntarily enter a plea of guilty and pay a fine of fifteen dollars (\$15.00) to the township, no prosecution for such offense shall thereafter be brought. However, the foregoing shall not preclude the enforcement of these provisions for continuing or future offenses. In the case of offenses continuing or occurring after 72 hours following notice of the first offense, each day and incident of violation of the provisions of this Ordinance shall constitute a separate offense subject to a separate fine not to exceed one thousand (\$1,000.00) dollars for each separate offense.

Section 87-10 If any sentence, clause, Section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining

provisions, sentences, clauses, Sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of East Norriton Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or Section or part thereof not been included therein.

Section 2. Except as specifically amended hereby, the East Norriton Township Code is otherwise ratified and confirmed in its entirety.

ENACTED AND ORDAINED by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, this 26th day of June, 1989.

BOARD OF SUPERVISORS
EAST NORRITON TOWNSHIP

Attest: John Z...
Secretary

By: John W. ...
Chairman