

CHAPTER 2

ANIMALS

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KEEPING AND MAINTAINING PETS

Section 101. Title

This ordinance shall be know and may be cited as the “Township of Ontelaunee Ordinance providing Standards of Responsibility for Keeping and Maintaining Pets.”

Ord. 2007-2, 7/5/2007, §1.

Section 102. Definitions

As used in this Ordinance, the below listed terms shall have the following meanings:

- A. **PERSON** – shall mean any natural person, partnership, association, firm or corporation. The singular plural and the masculine shall include the feminine.
- B. **PET** – shall mean domestic, non-domesticated, or wild or feral animal, feathered vertebrate, air breathing vertebrate and invertebrates maintained, cared for or kept at least in part for pleasure.
- C. **OWNER** – shall mean any person having right of possession, having custody or control, or having an interest in or care of a pet.
- D. **DOMESTIC FARM ANIMAL** – shall mean any animal typically associated with agriculture or animal husbandry, including but not limited to horses, chickens, ducks, cows, goats, sheep, pigs, llamas and alpacas.
- E. **LIVESTOCK GUARDIAN DOG** – shall mean a dog type bred for the purpose of protecting livestock from predators. Livestock guardian dogs stay with the group of animals they protect as a full-time member of the flock or herd.

Ord. 2007-2, 7/5/2007, §2; as amended by Ord. 2011-1, 3/3/2011, §1; as amended by Ord. 2022-2, 4/7/2022, §2.

Section 103. Custody, Supervision or Control

It shall hereafter be unlawful for any person to permit any pet owned by or under the custody, supervision, or control of such person to:

- A. Be at large or without controlled restraint upon the public streets, alleys or sidewalks in the Township of Ontelaunee or upon property not owned by the owner of the pet, including property of the Township of Ontelaunee or any school district. This section shall not apply to dogs engaged in lawful hunting activities

in which the Owner accompanies the dogs and controls the dogs by voice command.

- B. Continuously, persistently, intermittently or regularly cause any loud, unpleasant, obnoxious, intense, annoying or unseemly sound or noise for an extended period of time which is audible to natural persons so as to disturb said persons rightful peace and tranquility.
- C. Deposit fecal matter upon the public streets, alleys or sidewalks in the Township of Ontelaunee or upon the property of another, including the property of the Township of Ontelaunee or of any school district without immediately removing the same and depositing of the same in a sanitary manner; or
- D. Permit fecal matter to accumulate or remain on property owned or occupied by such person or persons for a period in excess of twenty-four (24) hours, without removing the same and disposing of the same in a sanitary manner.
- E. Domestic farm animals used for any agricultural operation conducted in accordance with normal agricultural operations shall be excluded from the regulations set forth in this Section, provided the agricultural operation does not have a direct adverse effect on the public health, welfare and safety.
- F. Livestock guardian dogs shall be excluded from the regulations set forth in this Section.

Ord. 2007-2, 7/5/2007, § 3; as amended by Ord. 2011-1, 3/3/2011, §2; as amended by Ord. 2022-2, 4/7/2022, §2.

Section 104. Violations

Persons violating the Ordinance shall be subject to the following:

- A. A warning, or
- B. Upon conviction before a Magisterial District Judge, a minimum fine of Fifty Dollars (\$50.00) to a maximum fine of Five Hundred Dollars (\$500.00) in addition to the costs of prosecution, and in default of payment such person shall be committed to the Berks County Prison for a period of up to thirty (30) days. Each day or portion thereof shall be deemed a separate offense and is punishable as such.

Ord. 2007-2, 7/5/2007, §4.

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Section 105. Notice of Required Correction

The person or persons responsible for any violations of the ordinance shall immediately upon receipt of notice from the Township of Ontelaunee, take the necessary measures rectify such condition to conform to the requirements of the ordinance. Notice may be:

- A. Certified Mail
- B. Personal service

Ord. 2007-2, 7/5/2007, §5.