

SCHUYLKILL COUNTY, PENNSYLVANIA

ORDINANCE NO. 299

AN ORDINANCE OF THE BOROUGH OF ORWIGSBURG, SCHUYLKILL COUNTY, PENNSYLVANIA, FOR CONTROLLING ANIMAL DEFECATION ON PUBLIC PROPERTY, PRESCRIBING PENALTIES FOR OWNERS WHO ALLOW ANIMALS TO LEAVE EXCREMENT ON PUBLIC, OR OTHER PERSON'S PROPERTY: AND ALLOWING FOR CERTAIN EXCEPTIONS.

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ORWIGSBURG, SCHUYLKILL COUNTY, PENNSYLVANIA, and it is hereby ORDAINED and ENACTED by the Authority of the same, as follows:

SECTION 1.00

Animal Defecation on Public and Private Property Restricted.

No person having possession, custody, or control of any animal, shall knowingly or negligently permit any dog or other animal to commit any nuisance, i.e. defecation, or urination, upon any gutter, street, driveway, alley, curb or sidewalk in the Borough of Orwigsburg, or upon the floors or stairways of any building or place frequented by public or used in common by the tenants, or upon the outside walls, walkways, driveways, alleys, curbs, or stairways of any building abutting on a public street or park, or upon the grounds of any public park or public area, or upon any private property other than the property of the owner of such animal.

SECTION 2.00

Disposal of Animal Feces. Any person having possession, custody, or control of any dog or other animal which commits a nuisance, i.e. defecation or urination, in any area other than the private property of the owner of such dog or other animal, as prohibited in Section 1.00, shall be required to immediately remove any feces from such surface and either:

- a. Carry same away for disposal in a toilet; or
- b. Place same in a nonleaking container for deposit in a trash or litter receptacle.

SECTION 3.00

Dogs Accompanying Blind or Handicapped Persons Exempted. The provisions of Section 1.00 and 2.00 hereof shall not apply to a guide dog accompanying any blind person, or to a dog used to assist any other physically handicapped person.

SECTION 4.00

Penalties. Any person, firm or corporation which shall violate any provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00), or to imprisonment for a term not to exceed thirth (30) days.

SECTION 5.00

Repealer. All Ordinances of parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 6.00

Severability. 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 Borough of Orwigsburg that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

SECTION 7.00

Effective Date. This Ordinance shall become effective on December 12, 1990.

DULY ENACTED AND ORDAINED INTO AN ORDINANCE this 12TH
day of DECEMBER, A.D., 1990, by the Council of the Borough of
Orwigsburg, Schuylkill County, Pennsylvania, in lawful session duly
assembled.

BOROUGH OF ORWIGSBURG

BY: *Cris E. Styer Pres.*
President of Council
Borough of Orwigsburg

ATTEST:

Kathleen M. Consugar, Bur Secy
Secretary of the Borough Council
Borough of Orwigsburg

EXAMINED AND APPROVED this 12TH day of DECEMBER, A.D., 1990.

W.A. Bunn
Mayor of the Borough of Orwigsburg
Schuylkill County, Pennsylvania