

AN ORDINANCE TO PROHIBIT OR RESTRICT THE RUNNING-AT-LARGE OF DOGS AND PROVIDING FOR A PENALTY THEREFOR

WEST BRADFORD TOWNSHIP ORDINANCE NO. 72-1

BE IT AND IT HEREBY IS ORDAINED BY THE BOARD OF SUPERVISORS OF WEST BRADFORD TOWNSHIP:

Section 1. Short Title. This Ordinance shall be known as the West Bradford Township Dog Restraint Ordinance.

Section 2. From and after the effective date of this Ordinance, it shall be unlawful for the owner or the keeper of any dog or any person in whose care, custody or control such dog may be to fail to keep at all times such dog under the reasonable and proper control of its owner or handler.

Section 3. Presumptions:

The finding of any one or more of the following facts or conditions shall conclusively establish the violation of Section 2 of this Ordinance, and such violation shall be deemed conclusively established both with respect to the owner and with respect to the person in whose care, custody or control the dog was placed.

(a) The finding of the dog upon the public ways of West Bradford Township, or upon any public place within West Bradford Township, or upon the lands of any person within West Bradford Township when said dog is unaccompanied by its owner, handler, or a person in whose care, custody and control the dog shall be. Provided, however, that this presumption (a) shall apply in and only in those areas of West Bradford Township designated from time to time by resolution of the Board of Supervisors as densely populated areas.

(b) The doing by the dog of any damage to any public property or to the property of any person other than the owner, handler, or person in whose care, custody and control the dog shall be within the limits of West Bradford Township.

(c) The causing of any injury to any person within the limits of West Bradford Township unless that injury be caused upon the premises of the owner, handler, or person in whose care, custody or control the dog might be.

Section 4. Removal of Dogs:

Any police officer, or other person under the direction of the West Bradford Police Commissioner, who finds a dog not properly confined as required by Section 2 may apprehend such dog using such force as may be deemed reasonably necessary under the circumstances without any liability on the part of such officer,

or damage or injury to such dog, and shall place the dog in any available and reasonably appropriate S.P.C.A. facility, pound, or kennel, at the cost and expense of the owner, keeper and/or person in whose care, custody or control the dog may be. The liability for such costs and expenses for care and maintenance of the dog shall be and hereby is imposed upon the owner, keeper and person in whose care, custody and control the dog should have been, which said liability shall be deemed joint and several.

Section 5. Nothing herein contained shall be construed to impose any liability, civil or criminal, upon any officer for apprehending or failing to apprehend a dog running-at-large in violation of Section 2.

Section 6. Summary Offense:

Any person violating the provisions of Section 2 of this Ordinance shall, upon conviction by summary proceedings before a Justice of the Peace or District Justice of the Peace, be subject to a fine not exceeding \$300.00 plus costs of prosecution for each violation thereof, and be subject to imprisonment not to exceed thirty (30) days in default of payment of such fine. A new and separate offense shall be deemed to have been committed for each day that said violation exists. The fines hereby imposed shall be paid to the use of the Township.

Section 7. In addition to the fine and costs of prosecution, provided in Section 6 above, the Justice of the

