

AN ORDINANCE OF NEWBERRY TOWNSHIP,
YORK 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.

ORDINANCE NO. 218

BE IT ORDAINED AND ENACTED and it is hereby Ordained and Enacted by the Board of Supervisors of Newberry Township, York County, Pennsylvania, as follows:

SECTION 1. ANIMAL DEFECATION ON PUBLIC AND PRIVATE PROPERTY RESTRICTED. No person, having possession, custody or control of any animals, 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 Township of Newberry, or upon the floors or stairways of any building or place frequented by the 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. 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 shall be required to immediately remove any feces from such surface and either:

1. Carry same away for disposal in a toilet.
2. Place same in a nonleaking container for deposit in a trash or litter receptacle.

SECTION 3. DOGS ACCOMPANYING BLIND OR HANDICAPPED PERSONS EXEMPTED. The provisions of sections 1 and 2 hereof shall not apply to a guide dog accompanying any blind persons, or to a dog used to assist any other physically handicapped person.

SECTION 4. PENALTIES. Any person, firm or corporation who shall violate any provision of this ordinance, shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred (\$300.00) dollars, and/or to imprisonment for a term not to exceed ninety (90) days.

SECTION 4. REPEALER. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 5. 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 Board of Supervisors of Newberry Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 6. CODIFICATION. The within ordinance shall become part three of Chapter 2 of the Newberry Township Code of Ordinance.

SECTION 11. EFFECTIVE DATE. This ordinance shall become effective on the 8th day of May, 1989.

ORDAINED and ENACTED this 8th day of May, 1989.

ATTEST:

NEWBERRY TOWNSHIP
BOARD OF SUPERVISORS

Frederick L. Sanders
Secretary

BY: Reid Thomas
Chairman