



# West Pikeland Township

WEST PIKELAND TOWNSHIP, CHESTER COUNTY, PA  
ORDINANCE NO. 2025-02

## AN ORDINANCE OF WEST PIKELAND TOWNSHIP, CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA INSTITUTING PROVISIONS GOVERNING ANIMAL CONTROL.

**WHEREAS**, the Second Class Township Code authorizes the West Pikeland Township Board of Supervisors to take action necessary to secure the health and safety of the traveling public and persons or property within the Township; and

**WHEREAS**, West Pikeland Township, finding that excessive levels of sound and nuisances are detrimental to the physical, mental and social well-being of the people, as well as to their comfort, living conditions, general welfare and safety, hereby determines that it is necessary for the public interest to provide for the greater control and regulation of excessive sound and sources of excessive sound within the Township with respect to animals and birds.

**AND NOW**, this 6<sup>th</sup> day of January 2025, it is hereby **ENACTED** and **ORDAINED** by the Board of Supervisors of West Pikeland Township, Chester County, Pennsylvania as follows:

**Section 1.** The following definitions shall apply to this Ordinance:

a. *Animal Control Officer*: Any person designated as such whose duty it shall be to control animals within West Pikeland Township, pursuant to the terms hereinafter set forth.

b. *Excessive Noise*: Barking by a dog or the making of other noise by any animal, including dogs, which although intermittent, is generally continuous and sustained over a period of 15 minutes or more.

c. *Kenel*: Any establishment wherein animals are kept for the purpose of breeding, boarding, sale or show purposes, and which is so constructed that animals cannot stray therefrom.

d. *Owner*: When applied to the proprietorship of an animal, the term shall include every person having a right of property in such animal, and every person who keeps or harbors such animals, or has it in his care, and every person who permits such animal to remain on or about any premises occupied by him.

**Section 2.** Running at Large Prohibited. It shall be unlawful for the owner, custodian or keeper of any animal to allow such animal to run at large at any time upon any of the streets or public property and parks in West Pikeland Township. Further, it shall be unlawful for the owner, custodian or keeper of any animal to allow such animal to run at large or trespass, whether under the immediate control of the owner or not, upon private property in West Pikeland Township or upon property other than the owner, custodian or keeper. Immediate control shall be defined as the

effective use of leash or a leash used in combination with a harness, halter, muzzle and/or similar device, except hunting dogs accompanying a duly licensed hunter in regular hunting season upon property where hunting is not prohibited by the owner or by law.

**Section 3. Duty to Seize and Impound Animals.**

a. It shall be the duty of any police officer, authorized dog control officer or contracted animal control agency of West Pikeland Township who witnesses any animal running at large or trespassing in conflict with the provisions of this article, or who receives information of any animal so running at large or trespassing, to seize such animal and dispatch it to a place designated by the Board of Supervisors as a pound.

b. Notice of such seizure shall be sent to the owner of such animal (if the owner can be determined) in the manner prescribed by law, and such animal may be redeemed by the owner thereof within the time specified by law. The owner of an animal so seized and detained shall reimburse the Township for all costs and expenses that it incurs by reason thereof within sixty (60) days of the release or other disposition of the animal. Rates for such charges shall be determined from time to time by the Board of Supervisors. In the event that an unlicensed animal is seized and detained, there shall be no obligation hereunder to notify or determine the owner of said animal unless the name and address of the owner of the said animal is properly affixed to the animal.

c. The police officer, authorized dog control officer or contracted animal control agency of West Pikeland Township shall cause any animal so seized to be properly kept and fed.

**Section 4. Nuisance to Adjacent Property and Excessive Noise.** Owners will be responsible for their animals, including cleanliness of pounds and kennels and yards to prevent any nuisance or health hazard to adjacent property owners. No animal shall be allowed to create excessive noise. Owners will be responsible for any noise disturbance caused by their animal(s), pursuant to Section 8, "Violations and Penalties," of this Ordinance.

**Section 5. Confinement.** It shall be unlawful for the owner or keeper of any animal to fail to keep such animal at all times either:

- a. Confined within the premises of the owner and/or keeper;
- b. Firmly secured by means of a collar, leash, harness, or other device, so that it cannot stray beyond the premises on which it is secured;
- c. Under reasonable control of some person or when engaged in lawful hunting or field training accompanied by the owner or handler;
- d. Confined within a pasture of the owner with the fencing in good repair; or
- e. Within the boundaries of a designated "dog park" or other park that specifically permits animals to roam off-leash.

**Section 6.** Raising, Maintenance, or Breeding of Animals. Up to four dogs and/or cats over six months old may be kept as pets provided that any outside shelter or exercise area is enclosed and meets the Pennsylvania State Cruelty Law standards for adequate shelter and located in the rear yard area at least 10 feet from any lot line and not less than 50 feet from any dwelling other than that of the owner.

**Section 7.** Animal Defecation.

a. Animal Defecation on Public and Private Property is Restricted. No person having possession, custody or control of any animal shall knowingly or negligently permit any animal to commit any nuisance, i.e, defecation or urination, upon any gutter, street, driveway, alley, curb or sidewalk in the Township, 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 ground of any public park or public area, or upon any private property other than the property of the owner of such animal, without the use of immediate and proper disposal methods as discussed in Subsection 2.

b. Disposal of Animal Feces. Any person having possession, custody, or control of any 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 Subsection 1, shall be required to immediately remove any feces from such surface and either carry the nuisance away for disposal in a toilet or place the nuisance in a nonleaking container for deposit in a trash or litter receptacle.

**Section 8.** Violations and Penalties. Any person, firm or corporation that violates or permits the violation of any provision of this article shall be subject to a fine in an amount not to exceed \$600, plus all court costs, including reasonable attorneys' fees, incurred by the Township. If the penalty imposed for the violation of this article is not voluntarily paid to the Township, the Township shall initiate a civil enforcement proceeding before a Magisterial District Judge. Upon a finding of liability for committing said violation or permitting said violation in such civil enforcement proceeding commenced by the Township, the defendant shall pay the fine, including additional daily penalties for continuing violations, plus costs and attorneys' fees. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure.

**Section 9.** Exemption. The provisions of Section 2 of this Ordinance pertaining to dogs on private property under the immediate control of the owner shall not apply to any blind person owning a guide dog, any deaf person owning a hearing dog, any handicapped person who uses a dog for aid, or any municipal or state police department or agency using a dog in the performance of the functions or duties of such department or agency.

**Section 10.** Severability. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of any other section or provision of this Ordinance than the one so declared.

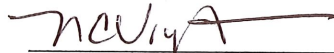
**Section 11.** Repealer. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of the said inconsistency.

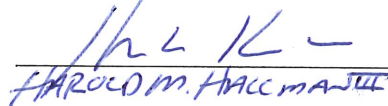
**Section 12.** Effective Date. This Ordinance shall be effective five (5) days from the date of enactment.

**RESOLVED** and **ADOPTED** this 6<sup>th</sup> day of January 2025.

West Pikeland Township  
Board of Supervisors

By:

  
\_\_\_\_\_  
NOREEN VIGILANTE Chair

  
\_\_\_\_\_  
HAROLD M. HACCMAN III Vice Chair

  
\_\_\_\_\_  
CARIN MITSUB Supervisor

  
\_\_\_\_\_  
STEVEN FUSTA Supervisor

  
\_\_\_\_\_  
THOMAS J. MCLAWER Supervisor

Attest:

  
\_\_\_\_\_  
THERESA STOCKDALE  
Assistant Secretary