

ORDINANCE NO. 96, 2001

**AN ORDINANCE OF THE TOWNSHIP OF CENTRE,
BERKS COUNTY, PENNSYLVANIA REGULATING THE
KEEPING OF CERTAIN ANIMALS AND PRESCRIBING
PENALTIES FOR VIOLATION**

WHEREAS, pursuant to Section 1527 of the Second Class Township Code, the Board of Supervisors of the Township of Centre, Berks County, Pennsylvania (the "Township") may adopt ordinances to secure the safety of persons or property within the township and define disturbing of the peace within the limits of the Township; and

WHEREAS, pursuant to Section 1530 of the Second Class Township Code, the Board of Supervisors of the Township may by ordinance prohibit and regulate the running at large of dogs; and

WHEREAS, pursuant to Section 1529 of the Second Class Township Code, the Board of Supervisors of the Township may by ordinance prohibit nuisances; and

WHEREAS, the Board of Supervisors of the Township, in order to protect the public health and safety of the residents of the Township, desire to adopt an ordinance regulating the keeping of certain animals; and

WHEREAS, the running at large of certain animals has been determined to be a public nuisance and a threat to the public health, safety and welfare.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Supervisors of the Township of Centre, Berks County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

Section 1. Definitions. As used in this Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

(a) Animal. Any domestic animal or fowl, any wild animal or any household pet.

(b) Domestic Animal. Any animal normally or ordinarily domesticated or raised in this area and climate as livestock or for work or breeding purposes, or normally or ordinarily kept as a household pet.

(c) Household Pet. Any dog, cat or other domestic animal normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.

(d) Large Animal. Any wild or domestic animal of the bovine, swine, equine or sheep family.

(e) Person. Any person, firm, partnership, association, corporation or other entity.

(f) Small Animal. Any wild or domestic animal such as a rabbit, hare, guinea pig, rat, mouse or chincilla; and any wild or domestic fowl such as a chicken, turkey, goose, duck or pigeon (excepting homing pigeons).

(g) Township. The Township of Centre, Berks County, Pennsylvania.

(h) Wild Animal. Any animal, including bird, fowl or reptile not normally or ordinarily domesticated, not normally or ordinarily raised in this area and climate as livestock or for work or breeding purposes, or not capable of being kept as a household pet.

In this Ordinance the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

Section 2. Keeping of Animals Regulated. It shall be unlawful for any person to keep any domestic animals, except household pets, except as provided in this Section:

(a) The keeper of every large animal and every small animal shall secure and control such animal sufficiently to prevent such animal from running at large over public or private properties and roads which are not owned or which are not in the legal possession or control of the owner of said animal.

Section 3. Violation of State Law. Any violation of this Ordinance that would also violate any State law shall be prosecuted under the State law and not under this Ordinance.

Section 4. Enforcement. This Ordinance may be enforced by the Police, Code Enforcement Officer or Zoning Officer of the Township.

Section 5. Penalties. Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine not exceeding Six Hundred Dollars (\$600.00), and in default of payment, to undergo imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Ordinance continues shall constitute a separate offense.

Section 6. 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 the 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 7. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 8. Effective Date. This Ordinance shall become effective five (5) days after enactment.

DULY ENACTED AND ORDAINED this 10th day of December, 2001.

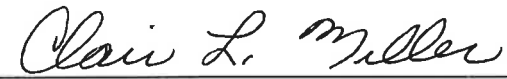
TOWNSHIP OF CENTRE



Ronald E. Knepp, Chairman

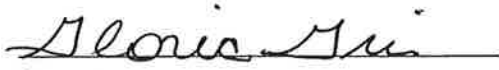


Lawrence C. Zimmerman



Clair Miller

Attest:



Secretary

SEAL