

ORDINANCE NO. 205

**AN ORDINANCE FOR CONTROLLING
DOG DEFECATION ON MUNICIPAL
AND PRIVATE PROPERTY; AUTHORIZING
INVESTIGATION & ENFORCEMENT BY
TOWNSHIP OFFICIALS; PRESCRIBING PENALTIES
FOR VIOLATIONS; AND
ALLOWING FOR CERTAIN EXCEPTIONS.**

BE IT ENACTED AND ORDAINED by The Board of Supervisors of Perkiomen Township, a Township of the Second Class, in Montgomery County, Pennsylvania, as follows:

Section 1. Dog Defecation on Municipal and Private Property Restricted. No person having ownership, possession, custody or control of any dog in Perkiomen Township shall knowingly or negligently permit said dog to defecate upon any property owned by Perkiomen Township or any private property in Perkiomen Township. For purposes of this Ordinance, private property shall include, but is not limited to, property owned by the Perkiomen Valley School District and property owned by Homeowner Associations. It shall not include property owned by Montgomery County nor property owned by Philadelphia Electric Company (PECO).

Section 2. Removal and Disposal of Dog Feces. In order to protect the health, safety and general welfare of the public, any person having ownership, possession, custody or control of any dog which defecates upon property owned by Perkiomen Township, or upon any private property in Perkiomen Township, as defined above, shall immediately remove said feces from such property and either:

- A. Carry same away in a non-leaking container for prompt disposal in a toilet, or
Place same in a non-leaking container and promptly deposit same in a trash, litter, or
other appropriate or designated receptacle.

Section 3. Dogs Accompanying Blind or Handicapped Persons Exempted. The provisions of Sections 1 and 2 hereof shall not apply to a trained guide dog accompanying a blind person, nor to a dog trained and used to assist a physically handicapped person.

Section 4. Citizen's Complaint Form. In order to aid in the enforcement of this Ordinance, anyone who witnesses a violation of Section 1 or 2 hereof shall notify the Township Code Enforcement Officer by filing a Perkiomen Township Citizen's Complaint Form in person, or by mail, fax or electronic means. The Complaint Form is available at the Perkiomen Township Administration Building and on the Township's website.

Section 5. Inspection and Enforcement. The Township Code Enforcement Officer will promptly investigate all written complaints and determine whether the complaint has merit. If the Township Code Enforcement Officer determines that a violation of this Ordinance has occurred, said Officer shall issue a written warning to the person(s) violating this Ordinance.

Section 6. Penalties. Any person who violates the provisions of this Ordinance within six (6) months of receiving a warning pursuant to Section 5 above shall be subject to enforcement action initiated by the Township Code Enforcement Officer before the District Justice having jurisdiction for summary offenses under the Pennsylvania Rules of Criminal Procedure; and, upon conviction thereof, shall be sentenced to pay a fine not to exceed One Thousand Dollars (\$1,000) per violation and/or imprisonment for a term allowed by law for the punishment of summary offenses. The Township Solicitor shall assume charge of any such prosecution.

Section 7. 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 Perkiomen Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

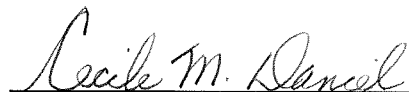
Section 8. Repealer. All ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

Section 9. Effective Date. This Ordinance shall become effective five (5) days after enactment hereof.

ENACTED AND ORDAINED, this 3rd day of November, 2009.

**PERKIOMEN TOWNSHIP
BOARD OF SUPERVISORS**

By: 
Edward J. Savitsky, Chairman

Attest: 
Cecile M. Daniel, Secretary