

ORDINANCE NO. 4-97

**AN ORDINANCE 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.**

The Borough hereby ordains as follows:

**Section 1. Animal Defecation on Public and Private Property Restricted.** No person, having possession, custody or control of any animal, 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 Borough, 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 six hundred dollars (\$600.00), or to imprisonment for a term not to exceed thirty (30) days.

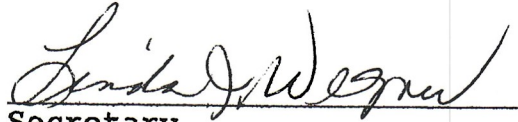
**Section 5. Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed:

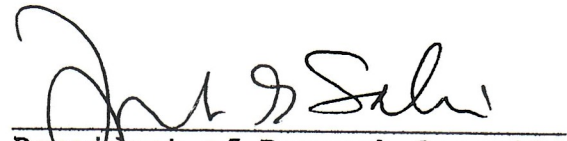
**Section 6. Severability.** If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the

Borough 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. Effective Date. This ordinance shall become effective on September 8, 1997.

BE IT SO ORDAINED

  
Secretary

  
President of Borough Council

  
Mayor of Harrisville Borough