

**FAWN TOWNSHIP  
YORK COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 4-2008**

**AN ORDINANCE REGULATING THE BARKING OF DOGS,  
MAKING THE UNREASONABLE BARKING OF DOGS A NUISANCE,  
AND PRESCRIBING PENALTIES FOR VIOLATION**

**WHEREAS**, Fawn Township (Township) is a second class township, governed by the Second Class Township Code; and

**WHEREAS**, the Second Class Township Code authorizes the Township to enact ordinances for public health, safety, and welfare; and

**WHEREAS**, as the population of the Township has increased, the barking of dogs has become more of a disturbance to residents of the Township, affecting their health, safety and welfare; and

**WHEREAS**, the Township has determined that it is necessary to enact an ordinance to protect against the unnecessary and unreasonable barking of dogs:

**NOW THEREFORE, BE IT ORDAINED AND ENACTED** and it is hereby ordained and enacted as follows:

**SECTION 1:** This Ordinance shall be known as the "Fawn Township Dog Barking Ordinance".

**SECTION 2:** For purposes of this Ordinance, the following words shall have the following definitions:

"DAY" – A twenty-four (24) hour period as set forth in SECTION 4.

"DOG" – Any canine, whether a domestic breed or otherwise, which is in whole or in part a recognized breed of dog, whether kept for breeding, as a pet, for show, or for any other purpose, whether legal or illegal. For purposes of this Ordinance, this term shall also include wolves, coyotes, or other wild animals classified in the canine family by the federal or state governments or agencies.

"NUISANCE" – The barking or making of noise by dogs, which noise interferes with or deprives any person of the piece, quiet, rest, sleep, or legitimate enjoyment of his or her property within the Township, and which barking has no reasonable or legitimate purpose.

“OWNER” – Every person having a right of property in a dog, and every person who keeps or harbors such dog or has it in his or her care, and every person who permits such dog to remain on or about any premises occupied by him or her.

**SECTION 3:** It shall be unlawful and a violation of this Ordinance for the owner of any dog to cause or permit a dog or dogs to bark or otherwise make any noise or disturbance which results in a nuisance as defined in this Ordinance. A nuisance shall be presumed by proof of the continual barking or making of such noise for two periods, each of which is in excess of fifteen (15) minutes, and both of which periods occur within twenty-four (24) hours of each other. In the event an owner has more than one dog on his or her property, it shall not be necessary, in proving a violation of this Ordinance, to prove that a specific dog created the nuisance. Rather, it shall be sufficient to prove that the barking which created the nuisance as defined in this Ordinance emanated from a dog of an owner.

**SECTION 4:** Any police force which is duly authorized to serve the Township, and the Township’s duly appointed Codes Enforcement Officer and Zoning Officer all shall have the power to enforce this Ordinance.

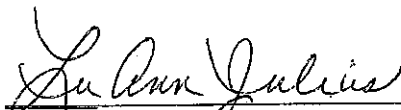
**SECTION 5:** Anyone found in violation of any of the provisions of this Ordinance by a district justice of competent jurisdiction in a summary proceeding shall be ordered to pay a penalty not to exceed \$1,000.00. Each day of violation of any of the provisions of this Ordinance shall constitute a separate violation and shall be subject to separate and distinct penalties.

**SECTION 6:** This Ordinance shall be effective five (5) days after its enactment.

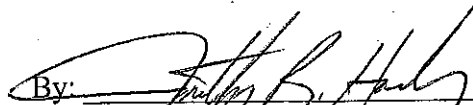
**ORDAINED AND ENACTED** by the Board of Supervisors of Fawn Township, York County, Pennsylvania, on the 11<sup>th</sup> day of February, 2008.

ATTEST:

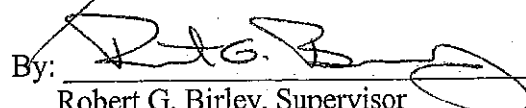
FAWN TOWNSHIP BOARD OF SUPERVISORS

  
\_\_\_\_\_  
LuAhn Julius, Secretary

By: \_\_\_\_\_  
Robert E. Lloyd, Chairman

By:   
\_\_\_\_\_  
Jonathan R. Hash, Supervisor

(SEAL)

By:   
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Robert G. Birley, Supervisor