

ORDINANCE NO. 487

AN ORDINANCE OF THE BOROUGH OF SPRING CITY, CHESTER COUNTY, PENNSYLVANIA, 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.

BE IT ENACTED by the Borough Council of the Borough of Spring City, in the County of Chester, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. Animal Defecation on Public and Private Property Restricted. No person having possession, custody or control of any animals, shall knowingly or negligently permit any dog or other animal to commit any nuisance, i.e., defecation upon any gutter, street, driveway, alley, curb, or sidewalk in the Borough of Spring City 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, driveway, alleys, curbs, or stairways or 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 must carry a device, container, or bag to immediately remove the defecation in any area other than the private property of the owner of such dog or other animal as prohibited in the above section of this Ordinance and shall be required to immediately remove any feces from such surface and either:

- A. Carry same away for disposal in a toilet; or
- B. Place same in a non-leaking container for deposit in a trash or litter receptacle.

SECTION 3. Dogs Accompanying Blind or Handicapped Persons Exempted.

The provisions of this Ordinance hereof shall not apply to a guide dog accompanying 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, upon conviction thereof, shall be sentenced to pay a fine of not less than Seventy-Five Dollars (\$75.00) nor more than Three Hundred Dollars (\$300.00), or to imprisonment for a term not to exceed ninety (90) days.

SECTION 5. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

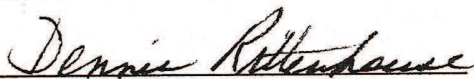
SECTION 6. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough Council for the Borough of Spring City that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

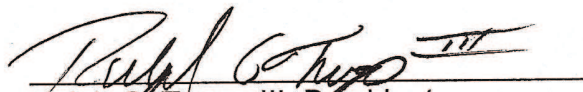
SECTION 7. Effective Date: This Ordinance shall be effective immediately after enactment.

ORDAINED AND ENACTED THIS FOURTH DAY OF DECEMBER, 2006.


BOROUGH OF SPRING CITY

Attest:


Dennis Rittenhouse, Administrator


Ralph G. Trego, III, President
Borough Council

Examined and approved by the Mayor this 4th day of December, 2006.


Michael A. Weiss, Mayor