

MILLCREEK TOWNSHIP
LEBANON COUNTY, PENNSYLVANIA
ORDINANCE NO. 031109

PROHIBITING NOISE DISTURBANCE BY ANIMALS;
DESIGNATING SUCH NOISE DISTURBANCE AS A
NUISANCE; AND PRESCRIBING PENALTIES FOR
VIOLATIONS THEREOF.

IT IS HEREBY ORDAINED AND ENACTED by the Board of
Supervisors of Millcreek Township as follows:

SECTION ONE. For purposes of this ordinance the word "Owner" when applied to the proprietorship of a dog or other animal and shall include every person or legal entity having a right of property in such dog or other animal, every person who keeps or harbors such dog or other animal or has it in his or her care, and every person who permits such dog or other animal to remain on or about any premises occupied by him or her.

SECTION TWO. It shall be unlawful for the Owner of any dog or other animal to cause or permit such dog or other animal to bark or otherwise make any noise or disturbance that results in a nuisance as hereinafter defined; provided,

however, that at the time such dog or animal is barking or making such noise no person is trespassing or threatening to trespass upon the private property in or upon which the dog or other animal is situated, nor is there any other legitimate cause that justifiably provoked the dog or animal.

SECTION THREE. For the purposes of this ordinance the word "nuisance" is defined as the unreasonable barking or making of noise by a dog or other animal that interferes with or deprives any person of the peace, quiet, rest, sleep, or legitimate enjoyment of their property within Millcreek Township

SECTION FOUR: Unreasonable barking or other noise making by a dog or other animal shall be presumed by the proof of continuous and/or incessant barking or making of noise for a period of fifteen (15) minutes or by proof of intermittent barking or making of noise for thirty (30) minutes or more, at any time of the day or night and irrespective of whether the dog or other animal is physically situated in or upon private property.

SECTION FIVE. Any person, firm, or corporation who shall violate any provision of this ordinance, upon conviction thereof in an action brought before a Magisterial District Judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000.00, plus costs, in default of payment of said fine and

costs, to a term of imprisonment not to exceed 90 days. Each day a violation of this ordinance continues shall constitute a separate offense.

SECTION SIX. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION SEVEN. This ordinance shall become effective five (5) days after the date of enactment.

ORDAINED AND ENACTED this 11th day of March, 2009.

MILLCREEK TOWNSHIP
BOARD OF SUPERVISORS
LEBANON COUNTY, PENNSYLVANIA

Donald R. Lutz
Don K. Hoge
Noel Hartog

ATTEST:

Lorie J. Kupp
Secretary