

## LEGAL NOTICE

**NOTICE IS HEREBY GIVEN** that the Board of Supervisors of Tredyffrin Township will hold a public hearing at the Township Building, 1100 DuPortail Road, Berwyn, PA on **November 7, 2018**, as part of the agenda of the regularly scheduled public meeting of the Board of Supervisors, which begins at 7:00 p.m., to consider and possibly enact an ordinance, the full text for which is as follows:

**AN ORDINANCE OF TREDYFFRIN TOWNSHIP, CHESTER COUNTY,  
COMMONWEALTH OF PENNSYLVANIA AMENDING THE TOWNSHIP  
NUISANCES (CHAPTER 131) AND PARKS AND PLAYGROUNDS (CHAPTER 138)  
ORDINANCES.**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Tredyffrin Township, Chester County, Commonwealth of Pennsylvania, that Chapter 131, Nuisances, and Chapter 138, Parks and Playgrounds, of the Code of the Township of Tredyffrin (the “Code”) shall be amended and added as follows:

**SECTION I.** Chapter 131 - Nuisances, Section 131-1.G. of the Code is hereby amended to read as follows:

§131-1. Prohibited activities.

The following uses and activities upon real property in the Township of Tredyffrin are hereby declared to be nuisances and hereby prohibited:

....

**§131-1.G.** For the owner, custodian or keeper of any animal, to allow such animal to run loose at any time, either upon any of the streets, alleys or public grounds or upon the property of one other than the owner, custodian or keeper of such animal. The following shall be exempt from the prohibition set forth in this subsection G.:

- (1) Animals accompanied by and under the immediate physical control of such owner, custodian or keeper, by the use of a leash, harness, and/or similar device;
- (2) Dogs accompanying a duly licensed hunter in regular hunting seasons upon property where hunting is not prohibited by the owner or by law are exempt from this chapter; and
- (3) Dogs permitted to be off-leash, but under voice command and control, in compliance with §138.H.

**SECTION II.** Chapter 138 – Parks and Playgrounds, Section 138-3.H of the Code is hereby amended to read as follows:

**§138-3.H.** Excrement Disposal & Leash requirements. In all Township parks, owners or handlers shall be responsible for prompt and complete removal of their animal’s excrement.

No animals owned or possessed by people shall be permitted to run loose or otherwise uncontrolled within the confines of a Township park. Any animal while in the confines of a Township park must be under actual physical control in the form of a physical leash, harness, and/or similar device at all times except that dogs that are responsive to voice command and control of its owner or handler are permitted to be off-leash in areas of Township parks designated for off-leash activities as posted by the Township with signage, subject to strict compliance with each of the following regulations:

- (1) Annual Registration. As a condition to the applicability of the exception provided herein, each owner or handler seeking to have a dog off-leash shall register each dog with the Township's Parks and Recreation Department pursuant to registration forms promulgated by the Township and shall pay the required annual registration fee set by the Township per its fee schedule. In connection with registration under this subparagraph, an applicant will be required to provide evidence of current vaccinations and a valid license under the rules of the Pennsylvania Department of Agriculture Bureau of Dog Law Enforcement.
- (2) Registration Tag. Any owner or handler availing himself or herself of the exception provided in this Section shall cause any dog registered per subparagraph (1) above to wear on its dog collar the tag issued by the Township in connection with the registration required by subparagraph (1) above at all times that such owner or handler's dog is off-leash.
- (3) Time Restrictions.
  - (a) Subject to subparagraph (c) below, between the third Sunday of March and the third Sunday of November, dogs otherwise satisfying the requirements of this Subsection H. shall be allowed off-leash only between the hours of dawn and 4:00PM on Monday through Friday, between the hours of dawn and 8:30AM on Saturday, and between the hours of dawn and 11:30AM on Sunday.
  - (b) Subject to subparagraph (c) below, between the third Monday of November and the third Saturday of March, dogs otherwise satisfying the requirements of this Subsection H. shall be allowed off-leash between the hours of dawn and dusk.
  - (c) All dogs shall be under actual physical control in the form of a physical leash, harness, and/or similar device at any time there is a league-related athletic activity occurring at one of the athletic fields.
- (4) Voice Command and Control. Each off-leash dog shall at all times be under the voice command and control of its owner or handler, and shall at all times be wearing a collar or harness.
- (5) Notwithstanding anything in subparagraphs (1) or (2) to the contrary, no dogs shall be allowed inside any fenced or enclosed areas at any time.
- (6) In the event that the Township receives a report of aggressive or dangerous behavior of a dog registered in accordance with subparagraph (1) above, or in the event of any other violation of this Section, in addition to the penalties set forth in §138-7

of this Chapter, the Township shall have the right to revoke the permit issued pursuant to subparagraph (1) above.

**SECTION III.** 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 hereof. It is hereby declared as the intent of the Board of Supervisors that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**SECTION IV.** All other sections, parts or provisions of the Code of Tredyffrin shall remain unchanged.

**SECTION V.** This Ordinance shall become effective thirty (30) days from the date of enactment.

**DULY ORDAINED AND ENACTED** this \_\_\_\_\_ day of November, of 2018.

**BOARD OF SUPERVISORS  
TREDYFFRIN TOWNSHIP**

\_\_\_\_\_  
Heather Greenberg, Chair

[Seal]

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Murph Wysocki, Vice Chair

Attest:

\_\_\_\_\_  
Matthew Holt

\_\_\_\_\_  
William F. Martin  
Township Manager

\_\_\_\_\_  
Reaves C. Lukens, III

\_\_\_\_\_  
Paul W. Olson

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Kevin O’Nell