

**BARRETT TOWNSHIP  
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 140

**AN ORDINANCE OF THE TOWNSHIP OF BARRETT REGULATING  
THE KEEPING OF ANIMALS TO PREVENT AND PROHIBIT CERTAIN PUBLIC  
NUISANCES AND PRESCRIBING PENALTIES FOR VIOLATION HEREOF.**

**WHEREAS**, the Board of Supervisors of Barrett Township (“Supervisors”) deems it to be in the best interests, and for the general welfare, of the citizens and residents of Barrett Township (“Township”) to regulate the keeping of certain animals in order to prevent and prohibit public nuisances in the Township; and

**NOW, THEREFORE BE IT ORDAINED AND ENACTED** by the Board of Supervisors of Barrett Township, Monroe County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

**SECTION 1: Definitions.** As used in this Ordinance, the following terms, shall have the meanings indicated, unless a different meaning clearly appears from the context:

ANIMAL - wild or domesticated animals of all species.

PERSON - any person, firm, partnership, association, or corporation.

**SECTION 2: Sanitary Maintenance.** Every person owning or occupying any property in Barrett Township shall be responsible for the sanitary maintenance of the premises on which any animals or pets are housed, maintained or kenneled.

**SECTION 3: Number of Animals or Pets Limited.** The number of animals or pets housed or maintained within a structure, or upon any premises, shall be limited only to those animals or pets that can be adequately maintained in a clean and sanitary condition as determined by any official or employee of the Township designated for such purpose.

**SECTION 4: Animal Shelters.** Shelters, or areas in which animals are maintained shall be constructed in such manner so as not to create a health hazard or nuisance to the adjoining property owners.

**SECTION 5: Animal Excreta Removal.** All animal excreta shall be removed and disposed of at least one time each day.

**SECTION 6: Animal Food Control.** Excess animal food shall not be allowed to accumulate in such manner so as to create a food source for bacteria, insects or rodents.

**SECTION 7: Animals Running At Large.** It shall be unlawful for any person to permit any animal owned by him/her or under his/her supervision or control, to run at large either upon the public streets, sidewalks, alleys and property of the Township, or upon the property of persons other than the owner of such animals.

**SECTION 8. Owner's Responsibilities.** No person having possession, custody or control of any animals shall knowingly or negligently permit any animal to commit any nuisance, i.e. defecation/urination, upon any gutter, street, driveway, alley, curb, public park, playground, recreation area or sidewalk in Barrett Township, or upon any private property other than the property of the owner of such animal.

**SECTION 9: Violation of State Law.** Any violation of this Ordinance that would also violate any state law shall be prosecuted under that state law and not under this Ordinance.

**SECTION 10: Penalties.**

- A. Any person, firm or corporation who shall violate any provision of this Ordinance shall, upon conviction thereof in an action brought before a district justice 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 one thousand dollars (\$1,000.00), together with costs of prosecution, and, in default of payment of said fines and costs, to a term of imprisonment not to exceed thirty (30) days. Each day that a violation continues or each section of this Ordinance that shall be found to have been violated shall constitute a separate offense.
- B. The Barrett Township Zoning Officer, or any other person or entity chosen by the Board of Supervisors, shall enforce this Ordinance.
- C. This section shall not be deemed to restrict and/or limit the Township from enforcing this Ordinance in any other fashion whether at law or in equity in various Courts of the Commonwealth of Pennsylvania.

**SECTION 11: Savings Clause.** This Ordinance shall not be constructed to prohibit "normal agricultural operations" as defined by the act of June 10, 1982 (P.L. 454, No. 133), known as the "Act Protecting Agricultural Operations From Nuisance Suits and

Ordinances,” and sometimes known as the Pennsylvania “Right to Farm ” Law.

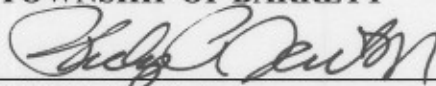
**SECTION 12: Repealer.** All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

**SECTION 13: 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 Barrett Township Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

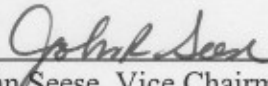
**SECTION 14: Effective Date.** This Ordinance shall become effective five (5) days after enactment.

**ORDAINED AND ENACTED** into an Ordinance at a regular meeting of the Board of Supervisors of Barrett Township, Monroe County, Pennsylvania, this 14<sup>th</sup> day of September, 2005.

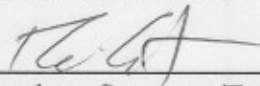
**TOWNSHIP OF BARRETT**



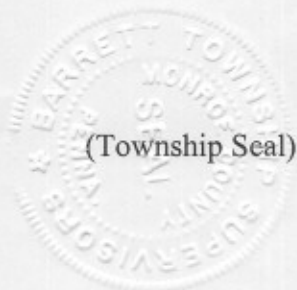
Phil Dente, Chairman



John Seese, Vice Chairman



Rick Scrudato, Secretary/Treasurer



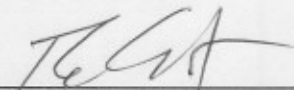
**In Re:            AN ORDINANCE OF THE TOWNSHIP OF BARRETT REGULATING  
THE KEEPING OF ANIMALS TO PREVENT AND PROHIBIT CERTAIN  
PUBLIC NUISANCES AND PRESCRIBING PENALTIES FOR  
VIOLATION HEREOF.**

**CERTIFICATION**

I hereby certify that the within Ordinance is a true and correct copy of an Ordinance enacted by the Board of Supervisors of Barrett Township, Monroe County, Pennsylvania, on the 14<sup>th</sup> day of September, 2005.



(TOWNSHIP SEAL)

  
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Rick Scudato, Secretary  
Barrett Township Board of Supervisors  
RR 2, Box 2337  
Cresco, PA 18326