

**ORDINANCE NO. 2013-14**

**RADNOR TOWNSHIP**

**AN ORDINANCE OF RADNOR TOWNSHIP, DELAWARE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 115, ANIMALS, OF THE CODE OF THE TOWNSHIP OF RADNOR, BY PROVIDING FOR NEW REGULATIONS PERTAINING TO THE VACCINATION OF DOGS AND CATS, SEIZURE OF UNLICENSED AND/OR UNVACCINATED DOGS AND CATS, PROCEDURES FOR RABIES VACCINATION AND THE QUARANTINE OF HIGH RISK ANIMALS, AND PROCEDURES FOR THE CONTROL OF DOGS AND CATS RUNNING AT-LARGE.**

*WHEREAS*, the Radnor Township Board of Health has recommended revisions to Chapter 115 pertaining to animals-at-large, rabies prevention, and the licensing of dogs; and

*WHEREAS*, the Radnor Township Board of Commissioners has determined that it is in the interest of the public's health and safety to amend Chapter 115 based upon the recommendations of the Board of Health.

*NOW, THEREFORE*, be it *ENACTED* and *ORDAINED* by the Radnor Township Board of Commissioners, as follows:

**Section 1.** Chapter 115, Animals, of the Code of the Township of Radnor is revised as follows:

**ARTICLE I Definitions**

**§115-1. Definitions.**

The following words and terms, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise:

**ANIMALS**

Dogs, cats and other mammals susceptible to rabies.

**ANIMAL WARDEN**

The Animal Warden of Radnor Township.

**BOARD OF HEALTH**

The Board of Health of Radnor Township.

**DEPARTMENT**

The Community Development Department of Radnor Township.

**DIRECTOR**

The Director of Community Development of the Township of Radnor.

**FERAL CAT**

A domesticated cat that has returned to the wild, or the offspring of such a cat.

**HEALTH OFFICER**

The Radnor Township Health Officer who is responsible to oversee compliance with all local ordinances pertaining to health, environmental and sanitation concerns, and to advise both the Township administration and residents about National and State requirements for these matters.

**LICENSED**

The animal is registered with Delaware County as having an owner, address, and rabies vaccination.

**NASPHV**

The National Association of State Public Health Veterinarians.

**OWNER**

Includes any person having a right of property in any animal and any person who keeps or harbors an animal or has it in his/her care, or allows it to remain on or about any premises occupied by him/her.

**POLICE DEPARTMENT**

The Radnor Township Police Department.

**STRAY ANIMALS**

Any animal running at large unaccompanied by the owner or keeper with no visible means of identification.

**TOWNSHIP**

The Township of Radnor.

**TRAP-NEUTER-RETURN (TNR)**

A nonlethal approach to feral cat population control where Feral Cats are humanely trapped, sterilized and vaccinated, fitted with a collar with the NASPHV recommended tag attached thereto or implanted with a microchip or other permanent marking or tag approved by the Board of Health, and then returned to the location where they were originally trapped.

**VACCINATED**

A previously unvaccinated animal which has now been vaccinated for at least 14 days and the duration of immunity has not expired; a previously vaccinated animal for which the duration of immunity has not expired.

VETERINARIAN

A person qualified and authorized to practice veterinary medicine, which is the prevention, cure, or alleviation of disease and injury in animals.

**ARTICLE II Rabies Control**

**§115-2. Required vaccination of dogs and cats and licensure of dogs.**

- A. Two months after the effective date of this Article, it shall be unlawful for any person, firm or corporation to own, possess, maintain, regularly feed, house or keep any dog or cat over three months of age within the Township, unless such dog or cat is identified as having a current rabies vaccination by one of the following means: a collar with the NASPHV recommended tag attached thereto which is worn at all times; implantation of a microchip; or some other permanent marking or tag approved by the Board of Health.
- B. Within two months after the effective date of this Article, every owner of a dog or cat in the Township of Radnor which is over three months of age shall have such dog or cat vaccinated against rabies by or under the supervision of a veterinarian, unless such dog or cat has a vaccination whose duration of immunity has not expired.
- C. Within 10 days after any dog in the Township of Radnor becomes three months of age, the owner of any dog shall have such dog licensed by the appropriate agency of Delaware County and shall have such animal vaccinated against rabies by or under the supervision of a veterinarian.
- D. Within 10 days after any cat in the Township of Radnor becomes three months of age, the owner of such cat shall have such animal vaccinated against rabies by or under the supervision of a veterinarian.
- E. Within 30 days after the arrival in the Township of any dog or cat over three months of age, the owner of such dog shall comply with Subsection C above and the owner of such cat shall comply with Subsection D above. The vaccination requirements of this Subsection E shall not apply to any dog or cat which has a vaccination whose duration of immunity is still in effect.
- F. Within the time span recommended by NASPHV, the owner of any previously vaccinated dog or cat in the Township of Radnor shall have such dog or cat revaccinated against rabies by or under the supervision of a veterinarian, except in the case of a local epidemic, at which time more frequent vaccination may be required by the Township.
- G. Licensure requirements for dogs and cats belonging to Radnor Township residents or dogs and cats present in Radnor Township shall, at a minimum, be in strict conformity with the licensing requirements of Delaware County.

**§115-3. Seizure of unlicensed and/or unvaccinated dogs and cats; redemption.**

- A. If a dog which does not have a current license and a dog or cat that does not have a current vaccination certificate is seized by a police officer or other authorized official of the Township of Radnor, such dog or cat shall be detained for a time period not exceeding 10 days. If claimed by the owner, the owner shall ensure that the dog or cat is vaccinated against rabies by or under the supervision of a veterinarian, and a rabies vaccination certificate signed by said veterinarian must be presented to the Director within 24 hours after such dog or cat is released to the owner or his representative. If unlicensed, the owner shall obtain a license from Delaware County prior to release.
- B. The owner of a dog or cat detained as aforesaid shall pay all reasonable expenses incurred by reason of its detention before it is released to the owner or representative. Any dog or cat not claimed in accordance with this Article shall be disposed of in a humane manner and in accordance with all applicable statutes of the Commonwealth of Pennsylvania.

**§115-4. Reports of persons bitten or injured; confinement procedures.**

- A. It shall be the duty of any person who has firsthand knowledge that a dog, cat or other animal has bitten or injured any person in the Township of Radnor to immediately report the facts and the whereabouts of such dog, cat or other animal to the Department, Animal Warden, or Police Department, and it shall be the duty of the owner of any dog, cat or other animal to immediately confine and isolate it in such a manner as will prevent it from escaping or running at large. Upon receipt of such information, the Department, Animal Warden, or Police Department shall advise the owner as to the procedure to be followed with respect to further confinement and examination of the dog, cat or other animal.
- B. Confinement procedure of a currently vaccinated biting animal.
  - (1) If the animal is currently vaccinated against rabies and proof of such vaccination is provided to the Department within 24 hours, the animal must be confined by the owner for an observational period of 10 days from the date on which the bite occurred. Confinement may be at the home of the owner or at some other location approved by the Director and shall be in such a manner as will prevent it from running at large.
  - (2) If at any time during said 10-day observation period the dog, cat or other animal develops sign indicative of illness, such fact shall be communicated at once to the Department and the dog, cat or other animal shall immediately be removed to a veterinary hospital acceptable to the Department.
  - (3) If at any time after the dog, cat or other animal is placed in confinement and it develops signs of rabies, it shall be disposed of in a manner as the Director shall deem appropriate.

- (4) At the end of the 10-day observation period, the dog, cat or other animal shall be examined by a duly licensed veterinarian employed by the owner and a written result of such examination shall be submitted by the owner within 24 hours to the Director. If the report reveals no signs indicative of rabies, the dog, cat or other animal shall be released from confinement.

C. Confinement procedures for an unvaccinated biting animal.

- (1) Animals which are unvaccinated shall be confined for an observation period of 10 days from the date when the bite occurred in a veterinary hospital acceptable to the Director. The owner, if any, shall submit the receipt for such an animal to the Department or Police Department upon the same day it is placed in the hospital.
- (2) If at any time during the 10-day observation period the dog, cat or other animal develops signs indicative of rabies, such fact shall be communicated by the owner (or, if no owner, by the head of the veterinary hospital) at once to the Department and the dog, cat or other animal shall be tested in a manner the Director deems appropriate.
- (3) At the end of the 10-day observation period the dog, cat, or other animal will be examined by a duly licensed veterinarian employed by the owner and a written report of the results of such examination shall be submitted by the owner (or, if no owner, by the head of the veterinary hospital) within 24 hours to the Department. If the report reveals no signs indicative of rabies, the dog, cat or other animal may be released from confinement to the owner after having been properly vaccinated. If there is no owner of the dog, cat or animal, it shall be disposed of in a humane manner and in accordance with applicable statutes of the Commonwealth of Pennsylvania.

D. All expenses associated with the enforcement of Subsection C. shall be borne by the owner. If there is no owner, they shall be borne by the Township.

**§115-5. Reports of animals bitten or injured.**

It shall be the duty of any person who has firsthand knowledge that a dog or cat or other animal in Radnor Township has been bitten or otherwise injured by or been exposed to or been in contact with a dog, cat or other animal infected with or suspected of being infected with rabies to immediately report the whereabouts of such dog, cat or animal to the Department, Animal Warden, or Police Department.

**§115-6. Quarantine and examination of animals wounded by high-risk animals or having a wound of unknown origin.**

Any animal bitten or scratched by either a wild mammal or a bat that is not available for testing or that has sustained a wound of unknown origin should be regarded as exposed to rabies. It shall be the duty of the owner of such animal to follow the procedures set forth below:

- A. Animals that are currently vaccinated against rabies shall be revaccinated immediately and shall be kept at the owner's premises or at a licensed veterinary facility for a period of 90 days from the date the wound occurred. The observation period shall be carried out in such a manner as will prevent the animal from escaping or running at large.
- B. Unvaccinated animals, other than livestock, shall be euthanized immediately. If the owner is unwilling to have this done, the unvaccinated animal shall be vaccinated immediately and placed in strict isolation for a period of six months. The quarantine will take place in an approved animal facility or at home after inspection and approval by the Township Health Officer. The procedures required for approval of home quarantine are as follows:
  - (1) The animal must not have any possibility of getting outside of the designated room in the home which has been chosen for confinement.
  - (2) A quarantine sign, furnished by the Department, must be posted on the door of the room where the animal is confined.
  - (3) There must be only one designated caretaker for the animal. If at any time the caretaker becomes unable to care for the animal, the caretaker shall surrender the animal to a veterinarian until the caretaker can assume responsibility. The animal must not be able to have contact with anyone who comes into the home or with any other animal.
  - (4) The animal must wear a quarantine collar, or other acceptable identification, provided by the Department. The owner will be responsible for a fee to cover the agreed upon cost of identification. The collar (or other identification) must not be removed or changed until the quarantine period is over.
  - (5) The Township Health Officer will make periodic and unannounced visits to ensure that the quarantine is being done as directed. If it is discovered that the caretaker is not in compliance with Subsections B.(1), (2), and (4), the home quarantine will immediately be suspended and the animal must be brought to a veterinary facility for the duration of the quarantine or must be euthanized.
  - (6) At the end of the six-month quarantine period, the owner must have the animal examined by a veterinarian, and a certification that the animal is free of rabies and properly vaccinated must be signed by the veterinarian and sent to the Director, Department of Community Development.

- (7) It is recommended that the caretaker discuss with their personal physician the advisability of receiving rabies pre-exposure vaccine.
  - (8) The notice of quarantine will be published in a newspaper of general circulation within the Township, posted on the Radnor Township website, and/or included on the Community Bulletin Board of the Township's televised Government Access Channel.
  - (9) Costs associated with the quarantine shall be borne by the animal's owner.
- C. Livestock shall be handled in accordance with the current recommendations of the NASPHV *Compendium of Animal Rabies Control* and the Pennsylvania Department of Agriculture.
  - D. If at any time during the observation period an animal becomes ill, such fact shall be communicated at once to the Director.
  - E. If at any time during the observation period an animal should die, the owner shall immediately notify the Director and allow for the head of the animal to be submitted for testing of rabies.

**ARTICLE III Control of Dogs and Cats**

**§115-7. Dogs at large.**

It shall be unlawful for any owner of any dog, unlicensed or licensed, to permit such dog to run at large unaccompanied by the owner. The word "owner", as used in this Article, shall include every person having a right of proprietorship or ownership in a dog and every person who keeps or harbors or regularly feeds a dog, or has it in his care, and every person who permits a dog to remain on or about any premises occupied by him. A dog shall be deemed "at large" if unaccompanied by the owner and not on a leash.

**§115-8. Disposal of excrement.**

- A. It shall be unlawful for the owner of any dog or cat to allow excrement from such animal to remain on any public or private street, gutter, alley, tree, lawn, curb or sidewalk within the Township or upon the floors or stairways of any building or property frequented by the public or used in common by owners or tenants of such building. It shall be further unlawful for the owner of any dog or cat to allow excrement from such animal to remain on any private property or upon the grounds of any public park or public area.
- B. It shall be the responsibility of the owner of any animal to immediately pick up and remove in entirety any excrement from said animal from any public or private property and to provide for a sanitary means of disposal.

**§115-9. Cats at large.**

Regular feeding of a Feral Cat is discouraged unless part of a regular TNR Program.

**§115-10. Applicability.**

The provisions of this Chapter shall not apply to any guide dogs accompanying any blind person, or to animals used in any Fire or Police Department activities of the Township, with the exception of licensing and vaccination requirements.

**§115-11. Public notification of confirmed rabies case(s)**

The Director of the Department shall immediately issue a notice informing the public when a case of rabies has been confirmed in Radnor Township or any contiguous municipality and emphasizing the prohibition against dogs from running at large and urging owners of cats to keep them indoors. The notice informing the public shall include publishing in a newspaper of general circulation within the Township, posting on the Radnor Township website, and/or including on the Community Bulletin Board of the Township's televised Government Access Channel.

**§115-12. Injury to humans.**

- A. It shall be unlawful for any animal to injure any human being by biting, jumping, knocking down, or attacking said human being, and the owner of such an animal shall be guilty of a violation under this Chapter.
- B. Any unvaccinated animal that bites or injures a person may be euthanized immediately, and the head shall be submitted for examination.

**§115-13. Seizure and redemption.**

It shall be the duty of the Animal Warden or Township Police to seize and detain any dog, whether licensed or unlicensed, which is found running at large either upon the streets or highways of the Township or upon the property of other than an owner of such dog.

- A. Right of entry. The Animal Warden and/or Police Department are hereby authorized and empowered to go upon any premises and enter any building to seize and detain any dog which has been found running at large unaccompanied by the owner or keeper, when the Animal Warden and/or Police Department are in the immediate pursuit of such dog.
- B. Notice of seizure. Any dog bearing a proper license tag seized by the Police or Animal Warden shall be detained and properly kept and fed, and immediate notice, whether personal or by certified mail, shall be given to the person in whose name the license was procured, or his agent to claim such dog within 10 days.



- C. Payment of expenses. The owner of a dog shall pay all reasonable expenses incurred by reason of its detention before the dog is returned.
- D. Disposition of unclaimed dogs and cats. Dogs and cats not claimed in accordance with the provisions of this Chapter shall be disposed of in a humane manner and in accordance with all applicable statutes of the Commonwealth of Pennsylvania.

**§115-14. Intent.**

It is the intent that this Chapter shall be supplemental to any laws of the Commonwealth of Pennsylvania hereinbefore or hereinafter adopted covering animals within the Commonwealth of Pennsylvania and specifically in the Township of Radnor.

**§115-15. Confinement of female dogs and cats in heat.**

It shall be unlawful for the owner or the keeper of any female dog or cat to permit such female dog or cat to go beyond the premises of her owner or keeper at any time she is in heat, unless such female dog or cat is properly confined or under control.

**§115-16. Noise.**

It shall be unlawful for the owner of any dog to permit said dog to cause annoyance to the citizens, residents or other persons lawfully in the Township of Radnor, by barking, yelping, howling or causing unseemly noise.

**§115-17. Enforcement.**

The provisions of this Article shall be enforced by the Animal Warden and/or Police Department. The owner of a dog or cat shall pay all reasonable expenses incurred by reason of its detention before the dog or cat is returned.

**§115-18. Violations and penalties.**

- A. Any person who shall violate any provisions of this Chapter shall be guilty of an offense and, upon conviction thereof, shall pay a minimum fine of \$300, up to a maximum of \$1,000, to the Township of Radnor, plus all court costs, including reasonable attorney fees incurred by the Township as a result of the enforcement proceeding. Each day during which any violation of this Chapter continues shall constitute a separate violation and shall be punishable as such.
- B. The Board of Commissioners or the Township Health Officer, with the approval of the Board of Commissioners, may institute in the name of the Township any appropriate action or proceedings to restrain, correct or abate continuing violations of this Ordinance, or to prevent any violations, any illegal act, conduct, or use in violation of this Ordinance. The rights and remedies provided in this Article are cumulative and in addition to all other remedies provided by law.

**Section 2.**

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

**Section 3.**

Severability. If any section, paragraph, sub-section, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

**Section 4.**

Effective Date. This Ordinance shall become effective in accordance with the Radnor Township Home Rule Charter.

***ENACTED AND ORDAINED*** this 26<sup>th</sup> day of August, 2013.

RADNOR TOWNSHIP


By:



Name: Elaine P. Schaefer

Title: President

ATTEST:

  
Robert A. Zienkowski, Secretary