

ORDINANCE NO. 3

An ordinance Prohibiting owners, Custodians and Keepers of Licensed Dogs From Allowing Such Dogs To Run At Large; Providing For The Seizure And Impounding Of Such Dogs When At Large; Requiring the Reimbursement Of **Changes** Incurred By Reason Of Such Detention Of Dogs; And Prescribing Penalty For Violation.

Be it enacted and ordained by the Borough Council of the Borough of Mill Village, County of Erie and State of Pennsylvania, And it is hereby enacted and ordained by the authority of the same, and pursuant to the authority granted by the Borough Code and various amendments thereto, as follows:

SECTION I

It shall be unlawful for the owner, Custodian or keeper of any dog, bearing the current license tag, to allow such dog to run at large at anytime, either upon any streets, alleys, or public grounds in the Borough of Mill Village, or upon the property of another than the owner, Custodian or keeper of such dog, unless accompanied by and under the immediate **control** of such owner, custodian or keeper.

SECTION II

It shall be the duty of any police officer of the Borough of Mill Village who witnesses any dog or dogs running at large in conflict with the provisions of the first Section of this Ordinance, or who receives information of any dogs so running at large, to seize such dog and to convey it to the place designated by the Borough Council as a pound. Notice of such seizure shall be sent to the owner of such dog in the manner prescribed by law, and such dog may be redeemed by the owner thereof within the time specified by law, upon payment of the charges incurred by reason of such detention. Rate for such charges shall be determined from time to time by the Borough Council.

SECTION III

Any owner, Custodian, or keeper of any dog who shall violate any of the provisions of the first section of the Ordinance May, Upon the Conviction thereof be sentenced to pay a fine of not more Than Ten Dollars (\$10.00), and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than five (5) days. Provided such fine and costs may be in addition to any payments required to be made under the Second Section of this **Ordinance**.

SECTION IV

If the within Ordinance shall be in conflict in any way with a law of the Commonwealth of Pennsylvania Legislature known as "Dog Law of 1965", then the State Law shall prevail and its requirements fulfilled and otherwise carried out. If any sentence, clause, or provision of this Ordinance shall be found to be involved for any reason, such validity shall not affect any other provision of said Ordinance. It **is** the intention of the Borough Council of Mill Village that this Ordinance would have been enacted without such invalid provision.

SECTION V

All ordinances of the Borough of Mill Village or parts of Ordinances of said Borough, which shall conflict with the provisions of this Ordinance are hereby repealed.

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Enacted and Ordained this **Seventy** day of July, 1967.

Borough of Mill Village

David D. Carnahan
President

Susan E. Kerr
Secretary