

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 292A

(Duly Adopted August 12, 1992)

AN ORDINANCE MAKING IT UNLAWFUL FOR OWNERS OF ANIMALS OR PERSONS HAVING THE CARE, CUSTODY, AND CONTROL OF ANIMALS TO DISCHARGE OR DEPOSIT FECAL MATTER ON THE PROPERTY OF ANOTHER WITHOUT IMMEDIATELY REMOVING SUCH FECAL MATTER AND DISPOSING OF IT IN A SANITARY MANNER; AND ESTABLISHING CIVIL PENALTIES THEREFOR, AS WELL AS FOR OTHER VIOLATIONS OF THE ANIMAL CONTROL ORDINANCE, CHAPTER 49, ARTICLE II OF THE CODE OF THE BOROUGH OF ALBURTIS.

Be it ORDAINED and ENACTED by the Borough Council of the Borough of Alburdis, Lehigh County, Pennsylvania, as follows:

SECTION 1. Article II of Chapter 49 of the Code of the Borough of Alburdis, shall be amended by adding the following new Section 49-5a after existing Section 49-5 and before Section 49-6:

§ 49-5a Defecation of Animals.

It shall be unlawful for the owner of any animal, or any person having the care, custody, or control of any animal, to permit the same to discharge or deposit any fecal matter upon the property of another without immediately removing said matter and disposing of it in a sanitary manner. For purposes of this Section, the term “property of another” shall include, without limitation, property owned by private individuals, entities, or associations, and property owned by the Borough of Alburdis and other governmental entities.

SECTION 2. Section 49-6 of the Code of the Borough of Alburdis shall be amended and restated in its entirety to read henceforth as follows:

§ 49-6 Violations and penalties.

Any person who violates any provision of this Article shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Borough, pay a judgment of not more than Three Hundred Dollars (\$300.00), in the discretion of the District Magistrate, plus all court costs, including reasonable attorneys' fees incurred by the Borough as a result thereof. Nothing contained in this section shall be construed or interpreted to grant to any person or entity, other than the Borough, the right to commence any action for enforcement of any provision of this Article.

DULY ORDAINED and ENACTED by the Borough Council of the Borough of Alburdis, this 12th day of August, 1992, in lawful session duly assembled.

BOROUGH COUNCIL
BOROUGH OF ALBURDIS

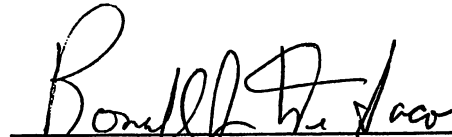


Carlton R. Raines, President

Attest:


Louise Staub, Secretary

AND NOW, this 12 day of August, 1992, the above Ordinance is hereby APPROVED.


Ronald J. DeLago, Mayor

LAW OFFICES
WEAVER, MOSEBACH,
PIOSA, HIXSON & MARLES
A PROFESSIONAL CORPORATION
ONE WINDSOR PLAZA, SUITE A-200
WINDSOR DRIVE
ALBURDIS, PA 18195-1014