

TOWNSHIP OF HALIFAX  
DAUPHIN COUNTY, PENNSYLVANIA

ORDINANCE NO. 2015-6

**AN ORDINANCE OF HALIFAX TOWNSHIP TO REGULATE KENNELS  
WITHIN HALIFAX TOWNSHIP**

**WHEREAS**, the Second Class Township Code, 53 P.S. §66527 authorizes the adoption of Ordinances to secure the safety of persons within the Township;

**AND WHEREAS**, the Board of Supervisors finds it necessary and in the best interests of the Township residents and for the public safety, health and welfare to regulate kennels with Halifax Township;

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Halifax Township, Dauphin County, Pennsylvania as follows:

**SECTION 1 – Definitions**

- A. Kennel – Any establishment in or through which at least twenty-six (26) dogs are kept or transferred in a calendar year.
- B. Owner – The owner or lessee/licensee in possession of real property situated in Halifax Township.
- C. Structure – Any man made enclosure, including but not limited to, a fence, which is used for the temporary containment of dogs or items in use by a Kennel.
- D. Exercise Yard – An outdoor enclosed area for dogs to exercise.

**SECTION 2 – Pennsylvania Dog Law**

- A. All Kennels shall be maintained in a sanitary and humane condition and in accordance with standards and sanitary codes promulgated under Pennsylvania Code, Title 7, Agriculture, Part II, Dog Enforcement Bureau, Chapter 21, General Provisions: Kennels, Licensure; Dog Causes Damages.
- B. All real property operated as a Kennel in Halifax Township shall comply with the provisions of the Pennsylvania Dog Law, 3 P.S. §455.101 et seq.
- C. An Owner must, as applicable, demonstrate compliance upon request from the Township with the Pennsylvania Dog Law and the regulations promulgated thereunder (3 P.S. §455-101 et seq; 7 Pa Code, Part II, Chapter 21) or any successor law or regulations regulating Kennels.

### **SECTION 3 – Real Property and Structures**

- A. Any structure used by a Kennel, including but not limited to, (1) buildings; (2) any unenclosed outdoor runways; or (3) an enclosed Exercise Yard, pen or stall shall be a minimum of three hundred (300) feet from any property line.
- B. The minimum lot area for real property in the Township which may be allowed to be used as a Kennel is five (5) acres.
- C. Any Exercise Yard shall be surrounded by a six (6) foot, non-see-through fence.

### **SECTION 4 – Miscellaneous Provisions**

- A. The number of different breeding females in a Kennel in any one (1) calendar year may not exceed four (4).
- B. The Owner must submit a written plan to the Township to explain all measures to be used to ensure all animal wastes shall be regularly cleaned-up and properly disposed of to prevent odors and unsanitary conditions which plan, will be kept on file at the Township.
- C. The Owner must submit a written plan to the Township for the storage and disposal of deceased animals which disposal shall occur within twenty-four (24) hours of an animal's death and which plan will be kept on file at the Township.
- D. Kennels are subject to the Township's Nuisance Law, Ordinance 2013-8.

### **SECTION 5 - PENALTY FOR VIOLATION; SUIT IN EQUITY; REMEDIES**

- A. An Owner who refuses to comply with this Ordinance may be prosecuted before the local Magisterial District Judge or in the Court of Common Pleas and if he or she shall be found guilty of a violation of this ordinance, shall, upon conviction thereof, pay a fine of not more than Three Hundred Dollars and No Cents (\$300.00) for each day in which the Owner is in violation of this Ordinance plus costs including but not limited to the costs incurred by the Township in prosecuting the violation, including attorney fees.
- B. The Township, by means of a Complaint in Equity may compel the Owner of any Kennel to comply with this Ordinance or seek any such other relief as any such court of competent jurisdiction is empowered to afford including but not limited to costs, attorney fees and injunctive relief.
- C. The remedies above are cumulative and not subject to any election of remedies by the Township.

### **SECTION 6 – Severability**

The provision of this Ordinance are severable. If any sentence, clause or section 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 or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Halifax Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not been included herein.

### **SECTION 7 – Repeater**

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

### **SECTION 8 – Effective Date**

This ordinance shall be effective immediately.

DULY ENACTED AND ORDAINED this 11<sup>th</sup> day of May, 2015, by the Board of Township Supervisors of Halifax Township in public session duly assembled after public hearing held thereon.

ATTEST:

HALIFAX TOWNSHIP  
BOARD OF SUPERVISORS,  
DAUPHIN COUNTY, PENNSYLVANIA

Wendy M. Wentzel  
Township Secretary

By: Kenneth E. Bechtel, Jr.  
, Chairman

[Signature]  
, Supervisor

[Signature]  
, Supervisor

[Signature]  
, Supervisor

[Signature]  
, Supervisor

(Township Seal)