

SOUTH MIDDLETON TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 93-06

AN ORDINANCE TO CONTROL THE TRANSPORTATION OF ANY ANIMAL

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of South Middleton Township, Cumberland County, Pennsylvania, as follows:

SECTION 1. DEFINITIONS.

As used herein "motor vehicle" includes, without limitation, automobile, pickup truck and trailer.

As used herein "person" shall mean and include any natural person, firm, partnership, association, corporation, company, or organization of any kind.

SECTION 2.

No person, other than an individual actually working a dog or animal(s) for ranching purposes, shall knowingly transport or carry, on any public highway or public roadway, any animal(s) in a motor vehicle unless the animal(s) is safely enclosed within the vehicle or protected by a cap or container, cage, cross tether or other device to prevent the animal(s) from falling from, being thrown from or jumping from the motor vehicle.

SECTION 3.

No person shall knowingly leave a dog or other animal(s) in any unattended motor vehicle without adequate ventilation, sanitary conditions, or in such a manner as to subject the animal to extreme temperatures which adversely affect the animal's health or safety.

SECTION 4.

The Township Board of Supervisors, the Township Zoning Officer or the Humane Society shall determine violations of this Ordinance. The Board of Supervisors may change those persons having authority to enforce this Ordinance by resolution of the Board of Supervisors.

SECTION 5. PENALTIES.

Any person, whether as principal or agent, who violates this Ordinance or assists or abets its violation shall, upon conviction thereof before any magistrate, in addition to payment of costs of prosecution, be sentenced to pay a fine of not less than Fifty (\$50.00) Dollars on the first offense, One Hundred (\$100.00) Dollars on the second offense, and on the third and subsequent offenses, up to Three Hundred (\$300.00) Dollars and imprisonment in the county jail for a period not exceeding ninety (90) days, or both. Upon default of said payment, said person shall be imprisoned, unless indigent,

to a term of imprisonment not to exceed thirty (30) days. Each violation shall constitute a separate offense, for which a summary conviction may be sought. The Board of Supervisors shall have the authority to amend the penalties contained herein by resolution of the Board of Supervisors.

SECTION 6. REPEALER.

All other ordinances or parts thereof which are in conflict with this Ordinance are hereby repealed.

SECTION 7. SEVERABILITY.

If any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included herein.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective immediately.

ENACTED AND ORDAINED this 28th day of October, 1993.

BOARD OF SUPERVISORS

By Mary C. Lehman, Chair

ATTEST:

BARBARA A. WILSON, Secretary