

**TOWNSHIP OF KISKIMINETAS**

**ORDINANCE NO. 1 OF 2009**

**AN ORDINANCE OF THE TOWNSHIP OF KISKIMINETAS, COUNTY OF ARMSTRONG AND COMMONWEALTH OF PENNSYLVANIA, PROHIBITING NOISE CAUSED BY BARKING DOGS AND PROVIDING PENALTIES FOR A VIOLATION OF THE ORDINANCE.**

Section 1: Noise Disturbance

It shall be illegal within the Township of Kiskiminetas for any person or persons to own, possess, harbor or control any dog which makes any barking noise continuously and or insistently for a period of ten (10) minutes or makes such noise intermittently for one half hour or more to the disturbance of any person any time of the day or night regardless of whether the dog is physically situated in or upon private property, said barking noise being a nuisance; provided that at the time the dog is making such barking noise no person is trespassing or threatening to trespass upon private property in or upon which the dog is situated nor is there any other legitimate cause which justifiably provoked the dog.

Section 2: Presumption

For the purpose of this section, any person feeding or offering shelter to any dog shall be presumed to have total responsibility for said dog and it shall be presumed that said person shall have custody or control of said dog.

Section 3: Penalties

Any person, firm or corporation who violates any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than one hundred (\$100.00) dollars nor more than three hundred (\$300.00) dollars plus costs and expenses and, in default of said payment of said fine and costs to a term of imprisonment not to exceed ninety (90) days. Every day that a violation of this ordinance continues shall constitute a separate offense.

Section 4: Repeal

All ordinances or parts of ordinances inconsistent herewith, are hereby repealed.

Section 5: Severability

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity, shall not effect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared that it is the intent of the Township of Kiskiminetas, that this ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not then be included herein.

Section 6: Effective date

The provisions of this Ordinance shall become effective on and be applicable to any incident, occurring after February 1, 2009.

**ORDAINED AND ENACTED THIS 14 DAY OF JANUARY 2009.**

TOWNSHIP OF KISKIMINETAS

BY: Emerson Townsend

ATTESTING:

Barbara Talmadge  
BARBARA TALMADGE  
TOWNSHIP SECRETARY

Examined and approved by me this 14th  
day of January, 2009.

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