

ORDINANCE NO. 08-2016-605

AN ORDINANCE AMENDING SECTIONS 402, 404, AND 405 OF CHAPTER 2, PART 4 OF THE SALISBURY TOWNSHIP CODE OF ORDINANCES TO INCLUDE OWNERS OF REAL ESTATE TO BE HELD RESPONSIBLE IN CONNECTION WITH ANIMAL NOISE REGULATIONS.

BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Salisbury, Lehigh County, Pennsylvania, and it is hereby ordained and enacted by the same that Sections 402, 404, and 405 of Chapter 2, Part 4 of the Salisbury Township Code of Ordinances, be and the same hereby is amended as follows:

Article 1.

Section 402 shall be amended to read as follows:

***§402. Noise Disturbance.***

*It shall be illegal within the Township of Salisbury for any person or persons to own, possess, harbor, or control any animal or bird which makes any noise continuously and/or incessantly for a period of 10 minutes or makes such noise intermittently for 1/2 hour or more to the disturbance of any person any time of the day or night, regardless of whether the animal or bird is physically situated in or upon private property, said noise being a nuisance; provided that, at the time the animal or bird is making such noise, no person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated nor is there any other legitimate cause which justifiably provoked the animal or bird.*

Article 2.

Section 404 shall be amended to read as follows:

***§404. Written Notice.***

*Before any person, including the owner of real estate, tenants, occupier, may be prosecuted for violation of §402 of this Part 4, he or she shall first be given written notice by the Township of Salisbury that an animal or bird in his or her possession or control, including his or her Tenant, occupant has committed acts rendering it a public nuisance under the provisions of this Part 2 and demanding that the subject animal or bird be restrained and prevented from such conduct in the future. If the person having possession or control of said animal or bird fails to restrain and prevent such conduct on the part of said animal or bird after having received said notice, then, upon signed complaint received from two citizens of the Township not members of the same household who have observed such conduct on the part of the*

*animal or bird after such notice was given, the Township shall prosecute the person, owner, tenant in whose possession or control the offending animal or bird is in violation of this Part .*

Article 3.

Section 405 shall be amended to read as follows:

**§405. Penalties.**

*Any owner, tenant, person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300 and/or to imprisonment for a term not to exceed 90 days.*

Article 4.

This Ordinance shall be effective immediately.

**ENACTED AND ORDAINED** into an Ordinance this 11<sup>th</sup> day of August, 2016.

**TOWNSHIP OF SALISBURY**  
(Lehigh County, Pennsylvania)

By: James A. Brown  
President, Board of Commissioners

Attest:

Paul J. [Signature]  
Secretary