

THE BOROUGH OF AMBLER
MONTGOMERY COUNTY, PA

ORDINANCE NUMBER 1106

**AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING SECTION 2-201 OF THE BOROUGH
CODIFIED ORDINANCES BY ADDING A NEW SECTION, 2-201.3, WHICH SUPPLEMENTS THE
COMMONWEALTH OF PENNSYLVANIA DOG LAW BY REQUIRING UNTETHERED DOGS OUTSIDE THE
HOME TO BE CONTROLLED BY MEANS OF A LEASH; LEAVING THE REMAINDER OF THE ORDINANCE IN
FULL FORCE AND EFFECT; EFFECTIVE DATE DEFINED HEREIN**

WHEREAS, the Pennsylvania Legislature has enacted the Pennsylvania Dog Law 3 PS 459-305 which sets forth various criteria for the securing of dogs that are outside of the home, and

WHEREAS, Ambler has previously enacted an ordinance in supplement to the Dog Law, 2-201, which requires dogs that are off of their premises to be secured to the owner by means of a leash, and

WHEREAS, the Pennsylvania Dog Law requires a dog outside of its home but still on its premises to be secured by means of a collar and chain, or, within the "control" of a person, and Borough Council finds the term "control" to be lacking in specificity, and

WHEREAS, Borough Council wishes to specifically require that "control" of the dog that is outside of its home but still on its premises be defined as "physical control" as opposed to just being in close proximity to the dog, to remove the risk of the dog suddenly leaving its premises and possibly harming a child or other person, this concern being more pronounced in a Borough where homes are in close proximity to one another,

NOW THEREFORE, Ambler Borough Council does ORDAIN as follows:

1. Section 2-201 of the Ambler Borough Codified Ordinances is modified by the addition of a new section, 2-201.3, the text of which shall be as follows:
"Any dog that is outside of the residence but still on the premises of the owner/keeper of the dog must be either:
 - a. Secured by a collar and chain in accordance with the Pennsylvania Dog Law; or
 - b. Precluded from escaping the premises by means of a fence of a type that accounts for the size of the dog and its ability to leave the premises; or
 - c. Connected to some person by means of a leash.

It shall be considered a violation of this ordinance to allow a dog to be outside of the residence but not secured through one of the above-described methods.

2. The remainder of ordinance 2-201 remains in full force and effect.
3. If any portion of this ordinance is invalidated by a court of competent jurisdiction, such invalid portion shall be considered severable from the remainder to the extent the ordinance can still be given effect without such section.

4. This ordinance is effective upon the earliest of the following dates: the date of mayoral approval; the date of Council override of any veto; the date of the next Council meeting that is more than ten days from the last day on which the mayor was required to return the ordinance.

SO ORDAINED this 21st day of February, 2017.

Salvatore Pasceri

Salvatore Pasceri, Council President

ATTEST: Mary Aversa

Mary Aversa, Secretary