

BOROUGH OF EAST PROSPECT  
YORK COUNTY, PENNSYLVANIA

ORDINANCE NO. 2002-5

AN ORDINANCE OF THE BOROUGH OF EAST  
PROSPECT DEFINING BARKING DOGS AS A  
NUISANCE AND PROVIDING FOR PENALTIES  
AND VIOLATIONS THEREFOR

BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of East Prospect, York County, Pennsylvania, as follows:

**Barking Dogs**

**Section 1. Barking dogs considered a nuisance.**

No person, partnership, firm, corporation nor association, whether as landowner, tenant, possessor or occupier, shall cause or permit dogs to bark or otherwise make noise upon land owned, leased, possessed or occupied by them in the Borough of East Prospect, which noise or barking shall in fact be a nuisance if proven to be a nuisance in a civil enforcement proceeding as hereinafter set forth.

**Section 2. Nuisance defined.**

The nuisance contemplated in this Article is the unreasonable barking of dogs which cause injury, damage, hurt, inconvenience, annoyance or discomfort to others in the legitimate enjoyment of their reasonable right of person and property after prior written warning by a police officer.

**Section 3. Violations.**

- A. Any person, partnership, firm or corporation who or which has violated or permitted the violation of the provisions of this Article shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Borough, pay a judgment of not less than twenty-five dollars (\$25.00) and not more than six hundred dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Borough as a result thereof. If the defendant neither pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation.
- B. All judgments, costs and reasonable attorney fees collected for the violation of this Article shall be paid over to the Borough.

**Section 4. Repealer**

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

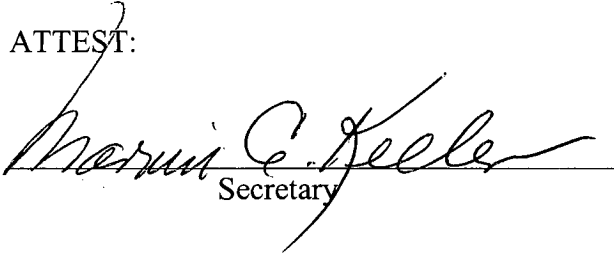
**Section 5. Effective date.**

This ordinance shall become effective immediately upon enactment.

ENACTED OR ORDAINED this 2nd day of November, 2002.

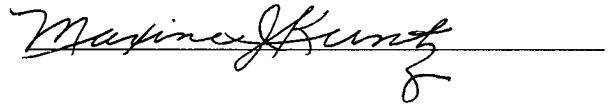
ATTEST:

BOROUGH COUNCIL OF EAST PROSPECT

  
Secretary

  
President/Vice President

Approved this 2nd day of November, 2002.



Mayor