

**CODE OF THE BOROUGH OF MALVERN, PENNSYLVANIA / PART II, GENERAL  
LEGISLATION / Chapter 68, ANIMALS**

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**Chapter 68, ANIMALS**

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[HISTORY: Adopted by the Borough Council of the Borough of Malvern as indicated in article histories. Amendments noted where applicable.]

**CODE OF THE BOROUGH OF MALVERN, PENNSYLVANIA / PART II, GENERAL  
LEGISLATION / Chapter 68, ANIMALS / ARTICLE I, Dog Control [Adopted  
11-19-2002 by Ord. No. 2002-9 (Part 5, Ch. 4, Art. A, of the 1975 Code of  
Ordinances)]**

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**CODE OF THE BOROUGH OF MALVERN, PENNSYLVANIA / PART II, GENERAL  
LEGISLATION / Chapter 68, ANIMALS / ARTICLE I, Dog Control [Adopted  
11-19-2002 by Ord. No. 2002-9 (Part 5, Ch. 4, Art. A, of the 1975 Code of  
Ordinances)] / § 68-1. Dogs running at large prohibited.**

**§ 68-1. Dogs running at large prohibited.**

It shall be unlawful for any owner, custodian, or keeper of any dog to allow or permit such dog to run at large at any time upon the streets, alleys, highways, roads, public grounds of the Borough, or upon the private property of someone other than the owner, custodian, or keeper of such dog, unless accompanied by such owner, custodian, or keeper and restrained on a leash. The provisions of this article are intended to supplement the duties and responsibilities imposed by virtue of the Commonwealth of Pennsylvania's Dog Law, as amended.

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LEGISLATION / Chapter 68, ANIMALS / ARTICLE I, Dog Control [Adopted  
11-19-2002 by Ord. No. 2002-9 (Part 5, Ch. 4, Art. A, of the 1975 Code of  
Ordinances)] / § 68-2. Seizure and detention of dogs found at large; notice;  
redemption; penalties.**

**§ 68-2. Seizure and detention of dogs found at large; notice; redemption; penalties.**

Any dog running at large in conflict with the provisions of § 68-1 of this article may be seized or detained by any Borough police officer or the Borough's Animal Control Officer and taken to the Chester County SPCA. The Chief of Police or his agents or the Borough's Animal Control Officer shall cause any dog bearing a proper license tag or permanent identification marker, and so seized and detained, to be properly kept and fed at the Chester County SPCA and shall cause immediate notice, by registered or certified mail, with return receipt requested, to the person in whose name the license was procured, or his agent, to claim such dog within five days after receipt thereof. The owner or claimant of such dog so detained shall pay a penalty of \$15 to the Borough and shall pay all reasonable expenses incurred by reason of such dog's detention to the detaining parties before the dog is returned to the owner or claimant. Any unlicensed dog seized or detained by any Borough police officer or the Borough's Animal Control Officer shall be kept and fed for a period of 48 hours at the Chester County SPCA.

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**§ 68-3. Disposal of unclaimed dogs.**

If five days after obtaining the postal return receipt from the registered owner of a licensed dog, such dog has not been claimed, the Chief of Police or his agents shall dispense such dog by sale or by giving it to the Chester County SPCA. All monies derived from the sale of such dog, after deducting the expenses of its detention, shall be paid through the Department of Agriculture to the State Treasurer for credit to the Dog Law Restricted Account. Any unlicensed dog remaining unclaimed after 48 hours may be humanely killed or given to the Chester County SPCA.

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**§ 68-4. Shelter and maintenance of dogs.**

It shall be unlawful for the owner, custodian or keeper of any dog to harbor, care for, shelter or maintain any dog or dogs in such a manner as to disturb or unduly annoy the public through the

dog's noise, barking, smell, mischief or other harmful or annoying propensities. All dog pens or other areas in which dogs are kept shall be maintained in a sanitary condition free of offensive, obnoxious or foul orders.

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**§ 68-5. Confinement of dogs at night.**

Unless attended by its owner or some other person responsible to the owner, no dog shall be permitted to run at large upon the outdoor area of any public or private property, nor be confined in an open-air enclosure where its barking may disturb the quiet of the neighborhood, after 10:00 p.m. or before 6:00 a.m. prevailing time.

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**§ 68-6. Defiling on property prohibited.**

No person owning, harboring, keeping or in charge of any dog shall cause, suffer or allow such dog to defile or defecate on any sidewalk, pathway, play area, park or any place where people congregate or walk or on any private property without the permission of the owner of said property.

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**§ 68-7. Enforcement, violations and penalties.**

This article may be enforced by any Borough police officer or any other duly appointed person. Any person who violates or permits the violation of any provision of this article shall, upon conviction thereof in a summary proceeding brought before a District Justice, be guilty of a summary offense and shall be subject to the payment of a fine of not less than \$50 and not more

than \$1,000, plus the costs of prosecution. Every day that a violation of this article continues shall constitute a separate offense.