



MEMORANDUM

From the Office of the
Township Manager

TO: BOARD OF SUPERVISORS
FROM: CHRISTOPHER BASHORE
RE: ORDINANCE NO. 7-2023
DATE: MAY 18, 2023

Before the Board of Supervisors this evening is proposed Ordinance No. 7-2023. This ordinance would amend chapter 36 (Dogs) of the West Goshen Township Code of Ordinances. Specifically, the proposed ordinance would amend section 36-6 in order to modify the method of enforcement from a civil to criminal enforcement and increase the maximum fine to \$1,000 pursuant to the allowable limits in the PA Second Class Township Code. By way of background information, Chief Carroll and I discussed this matter and since the Officers in the West Goshen Township Police Department enforce these provisions, it would be better to have this chapter enforced criminally to allow for citations to be issued.

The proposed ordinance was discussed at the May 2, 2023 meeting of the Board and authorized for advertisement. The proposed ordinance was advertised in the May 10, 2023 edition of the Daily Local News as required. Additionally, the proposed ordinance was posted on the Township website in the "Ordinances & Resolutions" section.

Please let me know if you have questions. Thank you.

WEST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 7 - 2023

AN ORDINANCE OF THE TOWNSHIP OF WEST GOSHEN, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 36 OF THE WEST GOSHEN TOWNSHIP CODE, TITLED “DOGS”, TO AMEND SECTION 36-6 TITLED “VIOLATION AND ENFORCEMENT PROVISION” TO MODIFY THE METHOD OF ENFORCEMENT FROM CIVIL ENFORCEMENT TO SUMMARY CRIMINAL ENFORCEMENT AND TO INCREASE THE MAXIMUM FINE TO \$1,000.

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of West Goshen Township, that the Code of the Township of West Goshen, specifically Chapter 36, titled, “Dogs”, shall be amended as follows:

SECTION 1. Section 36-6 shall be amended as follows:

A. Any person who violates or permits the violation of any provision of this chapter, except § 36-4, shall, upon being found liable therefor in a criminal enforcement proceeding commenced by the Township before a District Justice, pay a fine for each such violation in an amount not less than \$50 and not more than \$200, plus all court costs, including reasonable attorney’s fees, incurred by the Township.

B. Any person who is found liable for any second or subsequent offense for a violation of any provision of this chapter, except § 36-4, shall, upon being found liable therefor in a criminal enforcement proceeding commenced by the Township before a District Justice, pay a fine for each such violation in an amount not less than \$200 and not more than \$1,000, plus all court costs, including reasonable attorney’s fees, incurred by the Township.

C. Violation of § 36-4.

(1) Any person who violates or permits the violation of § 36-4 of this chapter shall, upon being found liable therefor in a criminal enforcement proceeding commenced by the Township before a District Justice, pay a fine in the following amounts, plus all court costs, including reasonable attorney’s fees, incurred by the Township:

- (a) First violation: Warning issued.
- (b) Second violation in any calendar year: fine of \$25.
- (c) Third violation in any calendar year: fine of \$50.

(d) Fourth and subsequent violations in any calendar year: fine of no less than \$100 and no more than \$1,000.”

SECTION 2. SEVERABILITY. If any provision, 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 affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included herein.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective five days after enactment.

SECTION 4. REPEALER. All ordinances or parts of Ordinances conflicting with any provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

ENACTED AND ORDAINED THIS DAY OF , 2023.

ATTEST:

**BOARD OF SUPERVISORS
WEST GOSHEN TOWNSHIP**

Christopher Bashore, Secretary

BY: _____
Shaun Walsh, Chair

Ashley Gagné, Vice-Chair

Robin Stuntebeck, Member

John Hellmann, Member

Tinamarie Smith, Member