



SOUTH FAYETTE
T O W N S H I P
A Community Growing Together

**TOWNSHIP OF SOUTH FAYETTE
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 6 OF 2017

AN ORDINANCE OF THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING AND RESTATING CHAPTER 183-25 OF THE SOUTH FAYETTE TOWNSHIP CODE OF ORDINANCES TO PROVIDE FOR AN AMENDED AND RESTATED DOG RUN FREE ZONE POLICY FOR FAIRVIEW PARK. THAT WILL BE KNOWN AS THE OFF LEASH DOG ZONE POLICY FOR FAIRVIEW PARK.

WHEREAS, the Township of South Fayette is a First Class Township located in Allegheny County Pennsylvania; and

WHEREAS, on September 21, 2009, the Board of Commissioners of the Township of South Fayette adopted and implemented Ordinance No. 2 of 2009 which provided for the adoption of a Dog Run Free Zone (“DRFZ”) Policy for Fairview Park; and

WHEREAS, on or about October 21, 2015, the Board of Commissioners adopted Ordinance No. 5 of 2015 to provide for an amended and restated DRFZ for Fairview Park; and

WHEREAS, the Township of South Fayette has worked with the South Fayette Park and Recreation Board over the past several months to review, amend and improve the Dog Run Free Zone (DRFZ) Policy for Fairview Park ; and

WHEREAS, it is the desire of the Township of South Fayette to amend and restate Chapter 183-25: Dog Run Free Zone of the South Fayette Code of Ordinances, as set forth herein, to provide for the adoption of additional and/or modified requirements for the DRFZ, that will be known as the Off-Leash Dog Zone Policy for Fairview Park.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Commissioners of the TOWNSHIP OF SOUTH FAYETTE, and it is HEREBY ORDAINED and ENACTED as follows:

1. Incorporation of Policy. The Board of Commissioners of the Township of South Fayette hereby adopts, amends, restates, approves and codifies an amended, Chapter 183-25 of the South Fayette Code of Ordinances in form and content as set forth in Exhibit "A" which is incorporated herein by reference thereto.

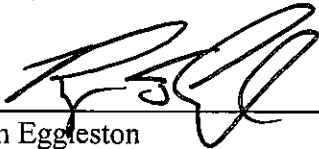
2. Severability. In the event any section, provision or part of this Ordinance or its application to any persons or under any circumstances shall be held unconstitutional, illegal or invalid, the same shall not affect the validity of the Ordinance as a whole or any other section, provision or part thereof, other than the section, provision or part declared to be invalid.

3. Repealer. All ordinances and parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provide, however that such repeals shall be only to the extent of such inconsistency and in all other aspects this ordinance shall be cumulative of the other ordinances regulating and governing the subject matter covered by this Ordinance.

4. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication as required.

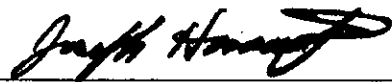
ORDAINED AND ENACTED INTO LAW this 12th day of July, 2017.

ATTEST:



Ryan Eggleston
Township Secretary

TOWNSHIP OF SOUTH FAYETTE:



Joseph D. Horowitz, President
Board of Commissioners

Exhibit A

Off-Leash Dog Zone Policy,

SECTION I “SUBJECT”:

Establishment of a Policy for South Fayette Township that shall set the Rules and Regulations for the Fairview Park Off-Leash Dog Zone.

SECTION II “PURPOSE”:

Notwithstanding any other provision of the Township’s Parks Rules and Regulations, the portion of Fairview Park as depicted in the attached map is hereby established as Off-Leash Dog Zone, previously known as the Dog Run Free Zone (DRFZ), in which responsible adults may allow dogs to be without leashes within the prescribed areas, provided that the responsible adult and all persons accompanying them comply with the following rules and regulations. For the purpose of this section, “responsible adult” means any person 18 years or older who owns, has proprietary interest in, harbors, or has the care, charge, control, custody or possession of a dog. This policy is part of South Fayette Code Article III chapter 183-25. When outside of the Off-Leash Dog Zone, general park rules and regulations must be followed in particular, Code Article III Chapter 183-24 Domestic Animals.

SECTION III “STATEMENT OF POLICY”:

A. Registration tag

Prior to using the Off-Leash Dog Zone at Fairview Park, an annual Off-Leash Dog Zone permit must be obtained by the individual at the South Fayette Municipal Building or organized Off-Leash Dog Zone registration dates. Off-Leash Dog Zone permit is issued to a specific individual and is non-transferable. The application for the Off-Leash Dog Zone permit shall consist of an annual application fee, a South Fayette Township Off-Leash Dog Zone Permit Application, a current county dog license number, current rabies tag number and expiration date, and a valid form of photo identification. The annual Off-Leash Dog Zone fee shall be set by the Board of Commissioners in the Township’s fee schedule. Additionally, each applicant will be required to read and initial each part of “Rules and Regulations” and then execute an “Acceptance of Risk and Release of Liability Waiver Form”. The following rules shall apply to the issuance of registration tags:

1. The Off-Leash Dog Zone Permit shall be valid through December 31 of each year.
2. No prorated fee(s) may be applied throughout the year.

3. Renewals will be accepted starting October 1st of the prior year.
4. Each individual dog owner/handler must have a valid South Fayette Off-Leash Dog Zone permit tag to walk a dog without a leash in the Off-Leash Dog Zone.
5. All permit tags are non-transferable.
6. No more than 49% of all annual tags issued shall be issued to non-residents of South Fayette Township.

B. Off Leash Dog Zone Rules

To insure safe and enjoyable experiences in the Off-Leash Dog Zone, the following rules shall be enforced;

1. Owner/Handler must present proof/certification of current rabies vaccination and county dog license at time of registration.
2. Every dog within the Off-Leash Dog Zone must be accompanied by an individual age 18 or older who holds a South Fayette Township Off-Leash Dog Zone current permit.
3. The owner/handler permit tag must be worn and visible at all times while in the Off-Leash Dog Zone.
4. Permit tags are issued per individual and are NOT transferable.
5. Owner/Handler is responsible for contacting 9-1-1 immediately, or at the soonest available opportunity, if witnessed or involved in any incident that does not comply with the Rules and Regulations of the Off-Leash Dog Zone or Fairview Park or that could result in injury or death of any dog or person.
6. All dogs must wear a collar or harness at all times while in Fairview Park and while within the Off-Leash Dog Zone and display a current county dog license and rabies vaccination tag.
7. Owner/Handler must keep dog(s) on a leash within Fairview Park when traveling to and from the Off-Leash Dog Zone.
8. Owner/Handler must adhere to ALL boundaries of the Off-Leash Dog Zone, whether such boundaries are physical or inferred.
9. Owner/Handler is responsible for bagging waste deposited by their dog(s) and that all waste must be disposed of in a proper receptacle to enhance cleanliness and reduce the risk of potential spread of parasites and disease.
10. Dogs are NEVER PERMITTED on athletic fields, inside enclosed courts, or on or near playgrounds.
11. Owner/Handler must leash and remove their dog(s) from the Off-Leash Dog Zone at the first sign of dog's uncertain or aggressive behavior.
12. Owner/Handler is limited to two (2) dogs per visit and must carry one leash per dog.

13. Smoking is prohibited in the Off-Leash Dog Zone and in all areas of Fairview Park. Alcohol and glass containers are prohibited in ALL areas of the park, unless a specialty permit has been properly obtained as part of a township facility rental.
14. Dogs less than 12 weeks of age are prohibited in the Off-Leash Dog Zone.
15. Any female dog in heat is prohibited in the Off-Leash Dog Zone.
16. Hours of the Off-Leash Dog Zone are from sunrise to sunset.
17. South Fayette Township holds the right and authority to close the Off-Leash Dog Zone at any time with or without notice.
18. Professional dog trainers or groomers are not permitted to use the Off-Leash Dog Zone to conduct business, unless as part of a program organized and/or approved by South Fayette Township.
19. Owner/Handler must observe and follow all other rules and regulations of Fairview Park (Township Code Chapter 183) as well as the Off-Leash Dog Zone.
20. **Violators of the rules above are subject to citations and fines as well as permanent termination of permission for the owner/handler and dog(s) to use the Off-Leash Dog Zone. South Fayette Township reserves the right to revoke a permit and Off-Leash Dog Zone privileges at any time.**

C. Reporting rules violation and emergencies

Users of the Park shall report violations of Park rules and to report emergencies. The following protocol shall be followed to report these occurrences.

1. Report all animal bites (regardless of severity) to the Township Police Department within twenty-four (24) hours of the incident. All reports about dog bites and attacks will be reviewed to determine whether the aggressive dog will be declared dangerous. If such a declaration is made, the off-permit tag will be immediately revoked.
2. Call 911 to report all emergencies and any criminal activity, including property damage. Police and Fire personnel will provide appropriate response to all emergencies. Report non-emergencies rule violations to the South Fayette Township Recreation Director at 412-221-8700 x 17.

D. Violations

1. For the purpose of enforcing the provisions of Section III of this policy, The South Fayette Recreation Director, or in the absence of one, the Township Code Enforcement Office should be appointed as the Enforcement Officers, in addition to any South Fayette Police Officer pursuant to Code §183-24, 25.

2. If the violation of this Ordinance is the first offense under Section III of this policy within a calendar year, a fine of two hundred dollars per violation may be issued. If it is the second offense in a calendar year, a fine of four hundred dollars per violation may be issued. If it is third offense in a calendar year, a fine not exceeding six hundred dollars per violation shall operate as a final disposition of the case and revocation of the animal owners South Fayette DRFZ tag.

EFFECTIVE:

AMENDED DATE:

APPROVAL: