

Ordinance 8

Leashing of Dogs

Purpose

The purpose of this ordinance is to protect the safety, health, and welfare of the residents, visitors, and pets within the Village of Ardencroft (Village) by prohibiting dogs from running loose within the Village limits and establishing penalties for violations of this ordinance.

Definitions

For the purpose of this ordinance, the following terms shall have the meanings respectively ascribed to them:

- Dog: Any member of the species *Canis lupus familiaris*.
- Owner: Any person who owns, keeps, harbors, or has control or custody of a dog.
- Running Loose: A dog being beyond its owner's parcel without permission and without being securely restrained by a leash or other appropriate device.

Prohibition

No owner shall permit such a dog to run loose beyond the owner's parcel within the Village.

Penalties

1. Any person found to be in violation of this ordinance shall be subject to a fine according to the Penalty Table below.
2. Each instance of a dog running loose shall be considered a separate violation.

Penalty Table

Category	Incident	Penalty for Offenses		
		First	Second	Each Subsequent
Owner Causes Harm	Dog harms human, pet, or property while running loose	Warning	\$50	Double prior offense, (not exceeding the Municipal Fine Structure maximum)
Negligence: Owner Causes Potential Harm	Dog with no harm history repeatedly running loose without owner present	Warning	\$25	
	Dog with history of harm is off leash/running loose	n/a	\$50	

Enforcement Procedures

1. At first offense the Village will deliver to the dog owner a formal warning letter with a web link to this ordinance, along with links to relevant Delaware and New Castle County code
2. With second or subsequent offenses, the Village will send a formal letter listing prior offense(s) and latest offense, as well an invoice for a fine consistent with the Penalty Table.
3. For all violations, the Village will explain the above procedures for the municipality to any victims or witnesses, as well as advise them of relevant state and county codes and their ability to report violations to [Delaware Animal Services](#).

Severability

If any section, clause, provision, or portion of this ordinance is found to be unconstitutional or otherwise invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby and shall remain in full force and effect.

Empowered Committees/Officials

Separately from any ordinance, Village policy empowers committees or relevant officials to perform functions associated with an ordinance. This meets the needs of ordinances, while avoiding the procedural hurdle of amending the ordinance for simple text changes if there is ever need for reassignment of responsibilities to a new party, or if a committee or title is formally changed.

For the ordinance above, the empowered committees/officials are:

Function	Empowered Party
Receiving violation reports	Safety Committee
Enforcement	Safety Committee
Maintenance of violation records	Safety Committee