

## **Chapter 2**

### **Animals**

#### **Part 1 Keeping of Animals**

- §2-101. Definitions
- §2-102. Certain Animals Prohibited
- §2-103. Existing Ownership of Wild or Exotic Animals
- §2-104. Keeping of Animals Regulated
- §2-105. Household Pets
- §2-106. Violation of State Law
- §2-107. Penalties

#### **Part 2 Dogs Running at Large**

- §2-201. Running at Large Prohibited
- §2-202. Appointment of Dog Catcher
- §2-203. Impounding of Dogs at Large
- §2-204. Place of Impoundment; Notice
- §2-205. Violations and Penalties
- §2-206. Failure to Enforce Not a Waiver

#### **Part 3 Animal Defecation**

- §2-301. Animal Defecation on Public and Private Property Restricted
- §2-302. Disposal of Animal Feces
- §2-303. Dogs Accompanying Blind or Handicapped Persons Exempted
- §2-304. Penalties



**Part 1****Keeping of Animals****§2-101. Definitions.**

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

*Animal*—any domestic animal or fowl, any wild animal or any household pet.

*Domestic animal*—any animal normally or ordinarily domesticated or raised in this area and climate as livestock or for work or breeding purposes, or normally or ordinarily kept as a household pet.

*Household pet*—any dog, cat or other domestic animal normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.

*Large animal*—any wild or domestic animal of the bovine, equine or sheep family.

*Person*—any person, firm, partnership, association or corporation.

*Small animal*—any wild or domestic animal such as a rabbit, hare, guinea pig, rat, mouse or chinchilla, and any wild or domestic fowl such as a chicken, turkey, goose, duck, or pigeon (excepting homing pigeons).

*Wild animal*—any animal, including bird, fowl, or reptile not normally or ordinarily domesticated; not normally or ordinarily raised in this area and climate as livestock or for work or breeding purposes; or not capable of being kept as a household pet.

2. In this Part, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

(Ord. 2015-4, 9/8/2015)

**§2-102. Certain Animals Prohibited.**

It shall be unlawful for any person to keep any pig, hog or swine at any place within the Borough. No person shall keep a wild or exotic animal in any place other than a zoological park, veterinary hospital or clinic, humane society or facility used for educational or scientific purposes, which provides proper cages, fences and other protective devices adequate to prevent such animal from escaping or injuring the public.

(Ord. 2015-4, 9/8/2015)

**§2-103. Existing Ownership of Wild or Exotic Animals.**

Any person owning or possessing a wild or exotic animal at the time of enactment of this Part may, pending the approval of the Health Officer, obtain a permit for said wild or exotic animal; provided, that:

A. A permit application, with accompanying fee, is filed with the Health Officer within 45 days of the effective date of this Part. Such application is to include:

- (1) Species, age and sex of said wild or exotic animal.

(2) A plan for the housing and containment of said wild or exotic animal.

B. The plan and facilities for the housing and containment of wild or exotic animal must be reviewed, inspected and approved by the Health Officer as adequate to prevent such animal from escaping or injuring the public.

C. Upon the death, sale, adoption, exchange, transfer or disposal of said wild or exotic animal, the animal may not be replaced. However, wild or exotic animals which are used for educational purposes or which are the source of one's livelihood may be replaced upon death of said animal(s), subject to the discretion of the Health Officer and registration of the replacement animal(s).

*(Ord. 2015-4, 9/8/2015)*

#### **§2-104. Keeping of Animals Regulated.**

It shall be unlawful for any person to keep any domestic animal, except household pets, except as provided in this Section:

A. Large animals shall be confined in quarters no part of which shall be closer than 100 feet from the exterior limits of any dwelling or of any property line.

B. Small animals shall be kept confined in quarters no part of which shall be closer than 25 feet from the exterior limits of any dwelling or of any property line.

C. The keeper of every such animal shall confine the same in an enclosure sufficient to prevent such animal from running at large, and such enclosure shall be of a size and construction conducive to the animal's health, and adequate sanitary drainage facilities shall be provided.

D. Every keeper of any animal shall cause the litter and droppings therefrom to be collected daily in a container or receptacle that when closed shall be rat-proof and fly-tight, and after every such collection shall cause such container or receptacle to be kept closed. At least twice a week, every such keeper shall cause all litter and droppings so collected to be disposed of in such manner as not to permit the presence of fly larvae.

E. Every keeper of any animal shall cause all feed provided therefor to be stored and kept in a rat-proof and fly-tight building, box, container, or receptacle.

*(Ord. 2015-4, 9/8/2015)*

#### **§2-105. Household Pets.**

It shall be unlawful for any person to keep any household pet, except as provided in this Section:

A. If any such pet shall be kept in a dwelling owned or occupied by its owner, such owner shall be required to follow such procedures and practices, as to the number of such pets to be kept there, and as to sanitation, to insure that no public nuisance shall be created or maintained. Specifically, no threats to the health or safety of Borough residents, or the owner of such pets, shall be created.

B. If any such pet shall be kept in an enclosure outside such dwelling, the provisions of §2-104 of this Part, insofar as the same applies to small animals, shall be applicable to the keeping of such household pet.

*(Ord. 2015-4, 9/8/2015)*

**§2-106. Violation of State Law.**

Any violation of this Part that would also violate any State law shall be prosecuted under that State law and not under this Part.

*(Ord. 2015-4, 9/8/2015)*

**§2-107. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs together with reasonable attorney fees and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

*(Ord. 2015-4, 9/8/2015)*



---

**Part 2****Dogs Running at Large****§2-201. Running at Large Prohibited.**

It shall be unlawful for the owner or keeper of any dog to permit or to allow such dog to run at large at any time either upon the streets or alleys in the Borough or upon property of other than the owner or keeper, and when off the property of the owner a dog shall be on a leash and under the immediate and adequate control of such owner.

*(Ord. 2015-4, 9/8/2015)*

**§2-202. Appointment of Dog Catcher.**

Borough Council is hereby authorized, at any time and from time to time, to appoint a person or persons to serve as dogcatchers for the Borough and to enter into a contract with said dogcatchers upon such terms as to compensation and otherwise as Borough Council may prescribe.

*(Ord. 2015-4, 9/8/2015)*

**§2-203. Impounding of Dogs at Large.**

Dogcatchers shall have the authority to seize and to impound any dog running at large on the public streets or alleys of the Borough or upon the property of other than the owner or keeper of such dog.

*(Ord. 2015-4, 9/8/2015)*

**§2-204. Place of Impoundment; Notice.**

Any dog so seized and impounded shall be held and kept in a proper manner at the Society for the Prevention of Cruelty to Animals in accordance with the rules and regulations of said society, and within 24 hours after said detention, the dogcatcher shall notify said owner or owners either by serving personally a notice of said detention or by notifying said owner or owners by certified mail.

*(Ord. 2015-4, 9/8/2015)*

**§2-205. Violations and Penalties.**

1. Any person violating the provisions of this Part or the Dog Law, 3 P.S. §459-101 *et seq.*, shall, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs together with reasonable attorney fees and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

2. In addition to whatever fine is imposed, the owner or owners shall be responsible for all detention charges imposed in accordance with the rules and regulations of the Society for the Prevention of Cruelty to Animals.

*(Ord. 2015-4, 9/8/2015)*

**§2-206. Failure to Enforce Not a Waiver.**

The failure of the Borough to enforce any provision of this Part shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

*(Ord. 2015-4, 9/8/2015)*



---

**Part 3****Animal Defecation****§2-301. Animal Defecation on Public and Private Property Restricted.**

No person, having possession, custody or control of any animal shall knowingly or negligently permit any dog or other animal to commit any nuisance, i.e., defecation or urination, upon any gutter, street, driveway, alley, curb or sidewalk in the Borough, or upon the floors or stairways of any building or place frequented by the public or used in common by the tenants, or upon the outside walls, walkways, driveways, alleys, curbs or stairways of any building abutting on a public street or park, or upon the grounds of any public park or public area, or upon any private property other than the property of the owner of such animal. No owner shall permit the accumulation of feces upon owner's private property where such accumulation shall lead to health risk and/or hazard to the owner or Borough residents.

*(Ord. 2015-4, 9/8/2015)*

**§2-302. Disposal of Animal Feces.**

Any person having possession, custody or control of any dog or other animal which commits a nuisance, i.e., defecation or urination, in any area other than the private property of the owner of such dog or other animal, as prohibited in §2-301 shall be required to immediately remove any feces from such surface and either:

A. Carry same away for disposal in a toilet.

B. Place same in a nonleaking container for deposit in a trash or litter receptacle.

*(Ord. 2015-4, 9/8/2015)*

**§2-303. Dogs Accompanying Blind or Handicapped Persons Exempted.**

The provisions of §§2-301 and 2-302 hereof shall not apply to a guide dog accompanying any blind persons, or to a dog used to assist any other physically handicapped person.

*(Ord. 2015-4, 9/8/2015)*

**§2-304. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs together with reasonable attorney fees and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

*(Ord. 2015-4, 9/8/2015)*

