

Chapter 65

ANIMALS

ARTICLE I Control of Animals

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

ARTICLE I Control of Animals [Adopted 9-13-1993 by Ord. No. 262]

§ 65-1. Responsibilities of owners.

No person who owns, maintains, keeps or has custody of a dog, cat or other animal shall fail to use all reasonable precautions to confine or contain such dog, cat or other animal to the property of such person or the property which the owner, custodian or keeper has permission to use for such purpose.

§ 65-2. Running at large and other nuisances.

It shall be unlawful for any person or persons to permit any dog, cat or other animal to become a nuisance in any way within the Borough of Linesville.

- A. It shall be unlawful for any person or persons to permit any dog, cat or other animal to run at large within the Borough of Linesville.
- B. It shall be unlawful for any person or persons to allow or permit his or her dog, cat or other animal to be upon any public or private property, including sidewalks and streets, within the Borough of Linesville unless said dog, cat or other animal is on a leash or upon property owned by the owner of said dog, cat or other animal.

- C. Any person or persons who keeps or maintains a dog, cat or other animal shall be responsible for the immediate removal of droppings when said dog, cat or other animal is upon property other than that of the owner; said owner is required to carry and use a plastic bag and scoop or other suitable equipment for this removal.

§ 65-3. Animal at large; tying in streets.

No person shall cause or permit any dog, cat or other animal to run at large in any public place or street in the Borough or tie or fasten any dog, cat or other animal in any of the streets of the Borough for the purpose of grazing, feeding or exercising.

§ 65-4. Disturbing the peace.

No person shall harbor or keep any dogs, cats or other animal which disturbs the peace and quiet of the neighborhood by barking, crying, whining, or howling in an excessive, continuous, or untimely fashion.

§ 65-5. Treatment.

No person shall treat an animal in the Borough in cruel or inhuman manner. Beating, underfeeding, underwatering, overloading and abandoning animals shall be considered cruel and inhuman treatment within the meaning of this section.

§ 65-6. Dangerous or vicious animals.

No person shall maintain, keep, harbor or transport any dangerous or vicious animal of any kind, i.e., any animal that constitutes a physical threat to human beings or other animals, or cause or permit the same to run at large within the Borough. Exhibitions or parades of animals which are ferae naturae in the eyes of the law may be conducted only by securing the written permission of the Chief of Police.

§ 65-7. Protection of persons an property.

Members of the Police Department and the Animal Control Officer are hereby authorized to kill any dangerous animal of any kind when it is necessary for the protection of persons or property.

§ 65-8. Diseased animals.

- A. No person shall maintain or expose any dog, cat or other animal that is afflicted with a contagious or infectious disease whereby the health of man or beast may be affected, nor shall any person ship any such diseased animal or remove it from the premises of the owner thereof except under the supervision of the Chief of Police, Animal Control Officer or the Health Officer.

- B. It is hereby made the duty of the Animal Control Officer or the Health Officer to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication or spread of the contagion or infection, except in cases where the State Veterinarian is empowered to act.

§ 65-9. Keeping of certain animals prohibited.

- A. No person, firm, partnership or corporation shall keep or maintain an apiary or any live swine or pig, live chicken, turkey, pigeon or other domestic or wild fowl within the Borough of Linesville. Exempted from this prohibition are those domesticated fowl who can be maintained in a cage within the living confines of the owner's residence.
- B. No person shall keep or maintain within the Borough of Linesville any reptile with an overall length in excess of three feet nor any poisonous reptile, regardless of length, nor any arachnid.

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§ 65-10. Removal and disposal of dead animals.

It shall be the duty and obligation of all owners, lessors or occupiers of real property within the Borough to provide for the removal and disposal of any and all dead cats, dogs, and other animals upon such real property. It shall be the duty of the Animal Control Officer of the Borough to remove and dispose of all dead cats, dogs, and other animals from the streets, highways and other public ways and places of the Borough.

§ 65-11. Cleanliness of enclosures.

No person shall cause or allow any stable, house, hut, area or place where any dog, cat or other animal is or may be kept to become unclean or unwholesome.

§ 65-12. Impounding.

Any dog, cat or other animal found in the Borough either without a current license or running at large under conditions set forth in this chapter is hereby declared to be a nuisance and shall be impounded as hereinafter provided.

§ 65-13. Use of immobilizing instruments.

Police officers or the Animal Control Officer of the Borough are hereby authorized to secure and use, with reasonable precautions, any device or gun that propels an instrument, pellet or drug for the purpose or immobilizing or anesthetizing an animal for the purpose or securing and impounding such animal.

§ 65-14. Animal Control Officer.

Police officers of the Borough and such other persons as may be retained by Council shall act as the Animal Control Officer. The duty of such Animal Control Officer shall be to take into

custody any and all dogs, cats or animals found in violation of any provision of this chapter and not restrained, leashed or secured upon the owner's property or property which the owner has permission to use and to convey the same to such shelter or pound as is from time to time designated by Council. A notice of seizure shall be sent to the owner of such dog, cat or other animal, if known, in accordance with commonwealth law.

§ 65-15. Redemption fee.

Any dog, cat or other animal taken to the Crawford County Humane Society after being picked up, seized or captured under the terms of this chapter shall subject the owner of said dog, cat or other animal to any additional cost or fee or charge which the Crawford County Humane Society shall impose to accept such dog, cat or other animal, in addition to the fines and costs set forth in this chapter.

§ 65-16. Violations and penalties.

- A. The owner of any dog, cat or other animal found violating the provisions of this chapter shall, upon conviction, pay a fine of \$50, plus costs, for the first violation; \$100, plus costs, for the second violation committed within a period of one year; \$150, plus costs, for the third violation committed within a period of one year; \$200 plus costs, for the fourth violation committed within a period of one year; and \$250, plus costs, for subsequent violations committed within a period of one year. Failure to pay the above fines and costs shall subject the owner to arrest and imprisonment for a term not exceeding 10 days.
- B. For the purpose of this section, "one year" shall mean 365 days from the date of the first violation.