

ORDINANCE NO. 2016-2

AN ORDINANCE OF EAST BETHLEHEM TOWNSHIP REGULATING THE KEEPING OF ANIMALS IN RESIDENTIAL AND BUSINESS AREAS AND PROVIDING FOR VIOLATION OF SAID ORDINANCE.

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1. Definitions. The following words and terms, as used in this Part 1, shall have the meanings hereby respectively ascribed thereto, except where the context clearly indicates a different meaning:

Animal - any domestic animal or fowl, any wild animal or any household pet;

Domestic Animal - any animal as hereinafter defined as a household pet, a large animal, or a small animal;

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 domestic animal of the bovine, equine, sheep or hog family;

Person - any person, firm, partnership, association, or corporation;

Small Animal - any domestic animal such as a rabbit, hare, guinea pig, rat, mouse, miniature pot-bellied pig or chinchilla; and any domestic fowl such as a chicken, turkey, goose, duck or pigeon.

Wild Animal - any animal, 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; not normally or ordinarily kept as a household pet.

Person - any person, firm, partnership, association or corporation

Owner - any person having a right of property in any animal or having custody of any animal, or any person who harbors or permits an animal to remain on or around his/her property.

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

2. Wild Animals. It shall be unlawful for any person to keep any wild animal at any place within the Township, except where the same shall be permitted under the Zoning Ordinance, in a park, zoological garden, or similar establishment for exhibit to the public or to any portion thereof.

3. Domestic Animals. It shall be unlawful for any person to keep any domestic animals, 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 one hundred (100) feet from the exterior limits of any dwelling or any property line.

(B) Small animals shall be confined in quarters, no part of which shall be no closer than five (5) feet from any owner's residence and no closer than fifty (20) feet from the exterior limits of any dwelling.

(1) Up to six (6) chickens are permitted in residential areas, provided that the chickens are used as pets or to produce eggs for personal use. Roosters are not permitted in residential areas.

(2) All poultry must be confined to the backyard, penned and not permitted to run at-large off of the owner's property. Chickens and coops must be kept no closer than five (5) feet from an owner's residence and no closer than twenty (20) feet to another residence (Part 3, B)

(C) The keeper of every such domestic 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 conducive to good sanitation practices and adequate and sanitary drainage facilities shall be provided.

(D) Every keeper of a domestic animal shall cause the litter and droppings to be collected daily in a container or receptacle of such type that, when closed, it 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 a manner as not to permit the presence of fly larva.

(E). Storage of manure or odor or dust-producing substances shall not be permitted within one hundred (100) feet of any property line.

(F). Every keeper of a domestic animal shall cause all feed provided therefore to be stored and kept in a rat-proof and fly-tight building box, container, or receptacle.

4. 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 sanitation, to insure that no public nuisance shall be created or maintained and no threat to the health of persons living elsewhere than in such dwelling shall be created.

(B) If any such pet shall be kept in an enclosure outside such dwelling, the provisions of Section 3 of this chapter, insofar as the same applies to small animals, shall be applicable to the keeping of such household pets.

5. Limit on Number of Animals. Household pets shall be limited to six (6) animals in any combination. The keeping of six (6) or more household pets shall constitute a kennel. Kennel requirements are addressed in the East Bethlehem Township Zoning Ordinance.

6. Noise Caused by Animals.

No person shall keep or allow to be kept, any animal which by causing frequent or long continued noise shall disturb the comfort or repose of persons residing in the vicinity of where the animal is kept.

7. Penalties. Any person who shall violate any provision of this Part 1, shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred (\$300.00) dollars and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than thirty (30) days. Provided: Each violation of any provision of this part, and each day the same continues, shall be deemed a separate offense.

8. Interpretation. Any violation of this Part 1, that would also violate any state law, shall be prosecuted under that state law and not under this part.

9. Severability. In the event any provision, section, sentence, or clause of this Part 1, shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, or clause of this Part 1, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

Part 2  
Animal Controls

A. Inoculation of Dogs

1. Inoculation Against Rabies Required. Dogs more than six months old, excepting dogs in commercial dog kennels, must be inoculated against rabies by a duly licensed veterinarian and owners are to obtain a certificate to this effect. Thereafter, the owner or custodian of any dog, excepting dogs in commercial kennels, is hereby imposed with the duty of keeping his/her dog inoculated so that it is continuously so immunized, and with the duty of possessing a certificate by a duly licensed veterinarian to evidence the same.

2. Certificate to be Shown on Request. The duly constituted representatives and police officers of the Township shall have the right to require the owner or custodian of any dog in the Township to produce such certificate, and failure to do so shall subject the owner or custodian of said dog to the penalties hereinafter provided. Animal owners will be given five (5) days to provide proof of inoculation. Failure to do so will result in charges being filed at the local magistrate.

3. Penalty for Violation. Any person violating any of the provisions of this ordinance shall, upon conviction thereof in a summary proceeding, be sentenced to a fine not exceeding three hundred (\$300.00) dollars, together with the costs of prosecution, or, in default of payment of said fine and costs, shall be imprisoned for a period not exceeding thirty (30) days.

B. Running-At-Large; Animal Bites

1. Running-At-Large Prohibited. On or after the effective date of this ordinance, it shall be unlawful for any person or persons who are the owners or custodians of any pet to permit any pet owned by him, her or them, or under his, her or their supervision and control, to run at large on the public streets and highways (including state and county highways) of the Township or upon the property of persons other than the owners of such pets.

2. Definition. For the purpose of enforcing this ordinance, the phrase, "running-at-large" shall be defined as running about loose on the street, or upon property of persons other than the owners of such pets, unleashed and unaccompanied by the owner or custodian or by any member of his family or by any servant or agent of the owner of such pets.

3. Seizure and Detention of Pets-at-Large. All pets found running at large shall be seized by any Township police officer or other officer duly authorized. When such pet has been seized and impounded, the owner or custodian, if known, shall be given notice by registered mail or personal service that such pet has been seized and impounded and will be given to the Humane Society or other pet holding facility, or destroyed, if not claimed within five (5) days of said notice. Disposition of the animal will be at the discretion of the Animal Control Officer.

4. Time Limit to Redeem Pet; Costs and Penalties. The owner or custodian of any pet seized and impounded under the provisions of this chapter, may before the expiration of the 5-day period noted subparagraph 3, redeem such pet by paying all costs for boarding, seven (\$7.00) dollars per day, and penalty assessed against such animal and securing a valid license and tag for such pet where required by law, and by paying the fine or penalty assessed for violation of this chapter.

5. Authority of Enforcement Officers. The duly constituted Animal Control Officer and/or other designated agents of the Township shall have the right and duty to examine the collar or harness of all pets within the Township, to determine if the owner or custodian of such pets has complied with the provisions of this ordinance and all state statutes governing pets.

6. Penalty Provisions. In the event any person, firm, association or corporation shall fail to obtain a license as required by state statute or any Township ordinance, or in the event any person, firm, association or corporation shall violate any provisions of this ordinance, said person, firm, association or corporation, upon conviction before any Magistrate, shall of up to three hundred dollars (\$300.00) for each offense, together with costs of prosecution and proper charges for the impoundment of the pet or pets involved, said charge not to exceed the sum of six (\$6.00) dollars per day.

7. Biting by Pets; Quarantine. It shall be mandatory for the owner of any pet which bites any person, regardless of circumstances, or whether the animal is vaccinated for rabies or not, to confine said animal either within an enclosure at home, a veterinary hospital, or to restrain said animal by a leash composed of a chain or other indestructible material for a period of not less than ten (10) days following the day that the bite occurred. Owners must, in addition, arrange for the animal to be examined by a qualified veterinarian within the prescribed time after the quarantine date, and the Animal Control Officer and/or the Township's designated agent must thereafter verify the health of said animal.

8. Pets Prohibited in Food Establishments. It shall be unlawful for any pet licensed or unlicensed, on a leash or running-at-large, to be permitted in that part of premises which is used as a store for the sale of food for human consumption. The owner or manager of any store in which such a violation occurs shall, upon conviction before any Magistrate, be subject to the same fines as the owner or custodian of any pet which is found in the premises of a store used for the sale of food for human consumption.

9. Abuse and Abandonment of Animals. It shall be unlawful for any person to wantonly or cruelly ill-treat, beat or otherwise abuse any animal, whether belonging to himself or otherwise, or abandon any animal or deprive any animal of necessary sustenance, drink, shelter or veterinarian care.

10. Animal Control Officer(s). The Council may designate or appoint an Animal Control Officer and/or other special officer or agent and provide them with the necessary equipment for the purpose of seizing, restraining and confining any animal found running-at large within the limits of the Township and the Township Council may enter into such contracts for the compensation of such officers as may be appropriate.

11. Disposition of Unclaimed Animals. Animals which have not been claimed by their owners, or cannot be given to the Humane Society, shall be placed for adoption, euthanized or otherwise disposed of. The Township Animal Control Officer, or such other designated officer or agent, shall have the responsibility to see that such disposal is carried out in a humane manner. Failure to comply with the provisions contained herein shall be deemed a violation of this chapter.

12. Kennels to be Licensed. Any person, firm, association or corporation which customarily has in its custody six (6) or more domesticated animals, above the age of six (6) months, is hereby declared to be a person, firm, association or corporation engaged in the business or occupation of running a kennel. All such persons, firms, associations or corporations so engaged shall be required to be licensed by Washington County as per the specifications of the Commonwealth of Pennsylvania and meet East Bethlehem Township zoning requirements.

13. Killing by Authorized Persons Only. It shall be unlawful for any person, except a police officer or duly authorized agent of the Township, to kill, injure, or to attempt to kill or injure any domesticated pet.

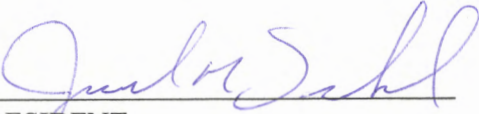
14. Validity of Ordinance Provisions. If any section of this ordinance be declared invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

15. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

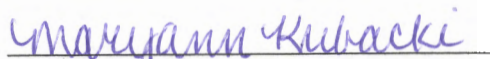
THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON FINAL ENACTMENT AND COMPLETION OF ADVERTISING REQUIREMENTS.

ORDAINED AND ENACTED INTO LAW BY THE BOARD OF COMMISSIONERS OF EAST BETHELEHEM TOWNSHIP THIS 10th DAY OF march, 2016.

TOWNSHIP OF EAST BETHLEHEM

  
\_\_\_\_\_  
PRESIDENT

Attest:

  
\_\_\_\_\_  
SECRETARY