

CHAPTER 2

ANIMALS

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PART 1

ANIMALS RUNNING AT LARGE

§2-101. Definitions.

For the purpose of this Part, the following terms shall be construed in this Part to have the following meanings:

ANIMAL — any domestic animal or fowl, with the understanding that domestic animal includes members of the five species, equine, bovine, sheep, pig and goat, feline, avian, rabbit, emu, ostrich and llama.

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 or her property.

RUNNING AT LARGE — being upon any public highway, street, alley, park or any other public land or upon property of another person other than the owner and not being accompanied by or under the control of the owner or any other person having custody of said animal.

(Ord. 74-1-1, 1/14/1974, §1; as amended by Ord. 2007-02-01, 2/12/2007)

§2-102. Animals Running at Large Prohibited.

In order to protect the public health and safety, it shall hereby be unlawful for any person owning or harboring any domesticated animal or having an animal to run at large at any time upon any of the streets, roads, highways or public grounds in the Township of New Britain or upon the property of another than the owner, custodian or keeper of such animal. Any animal not penned or leashed or not attended by or under the immediate personal control and supervision of its owner or some person capable of controlling it at all times shall be deemed to be running at large.

(Ord. 74-1-1, 1/14/1974, §2)

§2-103. Seizure of Animals.

It shall be the duty of any Police Officer of the Township of New Britain or of any person duly appointed as the Enforcement Officer of the Township Animal Law who witnesses any animal running at large in violation of §2-102 of this Part or who receives information of any animal so running at large, to seize such animal and to convey it to the place designated by the Board of Supervisors as a pound. Notice of such seizure shall be sent to the owner of such animal in the manner prescribed by law and such animal may be redeemed by the owner thereof within the time specified by law upon payment of

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charges incurred by reason of such detention. Rates for such detention shall be determined, from time to time, by the Board of Supervisors. Any animal seized shall be detained for a period of at least 10 days if the owner of the animal shall be unknown.

(Ord. 74-1-1, 1/14/1974, §3)

§2-104. Authorization to Destroy.

Any Police Officer of the Township of New Britain or any person duly appointed as the Enforcement Officer of the Township Animal Law is hereby authorized to destroy any animal which has not been claimed by its owner within 10 days of its seizure or to sell the animal for the benefit of the Township at the expiration of the said period. In the event it becomes necessary to destroy any animal, the procedure must be carried out in a humane manner. Furthermore, no animal may be sold for use in research such as vivisection.

(Ord. 74-1-1, 1/14/1974, §4)

§2-105. Records.

A record of any dog seized shall be kept which shall show breed, date seized, where and by whom, date disposed of and type of disposition.

(Ord. 74-1-1, 1/14/1974, §5)

§2-106. Penalties.

Any persons owning or harboring an animal or having an animal in his custody who shall violate any of the provisions of this Part 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, for the first offense be sentenced to pay a fine of \$25, together with charges for the maintenance of said animal, second offense shall pay a fine of \$100 plus costs and third and subsequent offenses to pay a fine of not more than \$1,000 plus costs 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. 74-1-1, 1/14/1974, §6; as amended by Ord. 2007-02-01, 2/12/2007)

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ANIMAL DEFECATION

§2-201. Animal Defecation on Public and Private Property Restricted.

No person having possession, custody or control of any animal shall knowingly or negligently permit any animal to commit any nuisance, i.e., defecation or urination, upon any gutter, street, driveway, alley, curb or sidewalk in the Township, 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.

(Ord. 2007-02-01, 2/12/2007)

§2-202. Disposal of Animal Feces.

Any person having possession, custody or control of any animal which commits a nuisance, i.e., defecation, urination in any area other than the private property of the owner of such animal, as prohibited in §2-201 of this Part 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. 2007-02-01, 2/12/2007)

§2-203. Dogs Accompanying Blind or Handicapped Persons Exempted.

The provisions of §§2-201 and 2-202 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. 2007-02-01, 2/12/2007)

§2-204. 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

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and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days.

(Ord. 2007-02-01, 2/12/2007)