

BOROUGH OF DUNMORE

ORDINANCE # 2 YEAR 1981

AN ORDINANCE PROVIDING FOR THE CONTROL AND MAINTENANCE OF DOGS AND OTHER ANIMALS; PROHIBITING THE MAINTENANCE OF ANIMALS AS A PUBLIC NUISANCE AND PROVIDING FOR THE GENERAL PEACE, SAFETY, COMFORT AND CONVENIENCE OF THE CITIZENS OF THE BOROUGH OF DUNMORE AND PROVIDING FURTHER FOR PENALTIES FOR VIOLATION OF THE SAME.

BE IT ORDAINED AND IT IS HEREBY ORDAINED by the Borough Council of the Borough of Dunmore, Lackawanna County, Pennsylvania by the authority vested in it by the Statutes of the Commonwealth of Pennsylvania as follows, to wit:

SECTION I: The following terms whenever the same are used in this Ordinance shall have the meaning indicated in this Section except where the context in which the word is used dictates a different meaning.

- (a) "DOG" shall mean any member of the canine genus.
- (b) "OWNER" means any person or group of persons, firms or corporations owning, keeping or harboring a dog or dogs or other animals.
- (c) "PERSON" shall mean any natural person, partnership, corporation or association.
- (d) "IMPOUND" shall mean to apprehend, catch, trap, net or, if necessary, to kill any animal by the local police department or authorize local agency.
- (e) "AT LARGE" is any dog or other animal when it is off the property of its owner and not restrained by a competent person.
- (f) "RESTRAINT" occurs when a dog or other animal is controlled by a leash or chain, not exceeding six (6) feet in length, and where such chain or leash shall prevent such dog or other animal from terrorizing or attacking persons using sidewalks, etc.

SECTION II: MAINTENANCE AND CONTROL OF DOGS AND OTHER DOMESTIC ANIMALS

- (a) It shall be the obligation of any owner or other person who is keeping or maintaining any dog, dogs, cats or other animals on or about his premises to restrain the said animals from running at large upon the public streets and sidewalks of the Borough of Dunmore. It shall be the obligation of such persons to maintain the animals on their own premises either in fenced yards or under restraint as defined in Section I of this Ordinance at all times.

(b) Further, it shall be unlawful for any owner or other person to keep or maintain any dog or dogs, cats or other animals which by virtue of frequent howling, barking, baying, yelping or screeching, disturb the peace of other persons residing in the neighborhood where the said animals are kept and maintained and constitute a health hazard to citizens of the Borough of Dunmore.

(c) It shall be unlawful for any owner or other person who keeps and maintains any dog or dogs, cats or other animals to allow his dog or other animal to defecate or urinate on the public streets and/or public sidewalks of the Borough of Dunmore. It shall be the obligation of such owner or other person keeping or maintaining such animals on his premises to maintain his private property as well as those portions of the public sidewalks and cartway in front of his residence in a condition free and clear of animal feces, which if left unattended, could constitute a nuisance and health hazard to other citizens of the Borough of Dunmore.

(d) Further, it shall be unlawful for any owner or other person to keep and maintain dog or dogs which are not properly licensed in accordance with the requirements of State or Local Law and/or which have not been properly inoculated in accordance with State Health regulations.

(e) Any dogs which are found to be running at large either upon the public streets, sidewalks or highways of the Borough of Dunmore or on the property of persons other than the owners or keepers of such dogs which are not restrained in accordance with the requirements of this Ordinance by the owner or keeper shall be subject to being impounded by the police officials and/or other authorized local agencies in accordance with this Ordinance and the laws of the Commonwealth of Pennsylvania.

SECTION III: NOTICE OF VIOLATION

(a) Whenever it shall be determined by the police of the Borough of Dunmore or officials of other authorized local agencies that a violation of this Ordinance has occurred, the owner and/or keeper of the dog or other animal shall be notified that he is in violation of the provisions of this Ordinance and shall be issued a warning of said violation.

(b) On all subsequent apprehensions, the police officer shall be authorized to prosecute the violator in accordance with the provisions of this Ordinance.

SECTION IV: FINES AND PENALTIES

An owner or other person keeping or maintaining animals in violation of the provisions of this Ordinance shall be subject to a fine of not more than \$250.00 for each subsequent offense after the warning called for in sub-paragraph III of this Ordinance or in default of payment thereof, shall be sentenced to undergo imprisonment for a period not exceeding 48 hours.

SECTION V: SEVERABILITY CLAUSE

In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall be declared unconstitutional or invalid for any reason, the remainder of the said Ordinance shall remain in full force and effect and shall be unaffected thereby.

SECTION VI: REPEAL OF INCONSISTENT ORDINANCES

All Ordinances or parts thereof inconsistent herewith or any part hereof shall be and the same are hereby repealed.

PASSED THIS 16th DAY OF JUNE, 1981.

LEONARD A. YERDASTRO
PRESIDENT OF COUNCIL

APPROVED THIS 16th DAY OF JUNE, 1981.

MARTIN F. MONAHAN, JR.
MAYOR OF DUNMORE

ATTEST:

ARTHUR J. MOHAN
BOROUGH MANAGER-SECRETARY