

CHAPTER 2

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Part 1

Dogs Running at Large

§101. Unlawful for Owners to Allow Dogs to Run at Large. It shall be unlawful for the owner, custodian or keeper of any dog, bearing the current license tag, to allow such dog to run at large at any time, either upon any of the streets, alleys or public grounds in the Borough of Stroudsburg or upon the property of someone other than the owner, custodian or keeper of such dog, unless accompanied by and under the immediate physical control of such owner, custodian or keeper. (Ordinance 387, June 1, 1955, §1; as amended by Ordinance 753, June 4, 1997)

§102. Duties of Police Officers. It shall be the duty of any police officer of the Stroud Area Regional Police Department who witnesses any dog running at large in conflict with the provisions of §101 of this Part, or who receives information of any dog so running at large, to seize such dog and to convey it to the place designated by the Borough Council as a pound. Notice of such seizure shall be sent to the owner of such dog in the manner prescribed by law, and such dog may be redeemed by the owner thereof within the time specified by law, upon payment of the charges incurred by reason of such detention. Rates for such charges shall be determined from time to time by the Borough Council. (Ordinance 387, June 1, 1955, §2; as amended by Ordinance 784), April 5, 2000, §2)

§103. Penalties. Any person, firm or corporation 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 dollars (\$300.00), together with costs of prosecution, or to imprisonment for a term not to exceed thirty (30) days. (Ordinance 387, June 1, 1955, §3; as amended by Ordinance 599, December 19, 1983)

Part 2
Keeping of Animals

§201. Definitions. As used in this Part 2, 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 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, or sheep family.

PERSON - any person, firm, partnership, association, or corporation.

SMALL ANIMAL - any domestic animal such as a rabbit, hare, guinea pig, rat, mouse, or chinchilla; and any domestic fowl such as a chicken, turkey, goose, duck, or pigeon (excepting homing pigeons).

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; or not normally or ordinarily kept as a household pet.

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

(Ordinance 599, December 19, 1983)

§202. Certain Animals Prohibited. It shall be unlawful for any person to keep any pig or hog, or wild animal at any place within the Borough of Stroudsburg except where the same shall be permitted under the Zoning Ordinance, in a park, zoological garden, or similar establishment for public exhibition. (Ordinance 599, December 19, 1983)

§203. Violations. It shall be unlawful for any person to keep any domestic animals, except household pets, except as provided in this section:

1. 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 of any property line.

2. Small animals shall be kept confined in quarters no part of which shall be closer than twenty-five (25) feet from the exterior limits of any dwelling or of any property line.

3. 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 sanitary practices and adequate and sanitary drainage facilities shall be provided.

4. Every keeper of a domestic 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.

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

(Ordinance 599, December 19, 1983)

§204. Household Pets. It shall be unlawful for any person to keep any household pet, except as provided in this section:

1. 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 and no threat to the health of persons living elsewhere than in such dwelling shall be created.

2. If any such pet shall be kept in an enclosure outside such dwelling, the provisions of §203 of this Part 2, insofar as the same applies to small animals, shall be applicable to the keeping of such household pet.

(Ordinance 599, December 19, 1983)

§205. Violation of State Law. Any violation of this Part 2 that would also violate any state law shall be prosecuted under that state law and not under this ordinance. (Ordinance 599, December 19, 1983)

§206. Penalties. Any person who shall violate any provision of this Part 2 shall, upon conviction thereof, be sentenced to pay a fine not exceeding three hundred dollars (\$300.00) together with costs of prosecution, or to undergo imprisonment for a term not to exceed thirty (30) days, Each day that a violation of this ordinance continues shall constitute a separate offense. (Ordinance 599, December 19, 1983)

Part 3

Animal Defecation

§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, upon any gutter, street, driveway, alley, curb or sidewalk in the Borough of Stroudsburg, 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. 754, 5/21/1997, §1)

§302. Disposal of Animal Feces. Any person having possession, custody or control of any dog or other animal that commits a nuisance, i.e., defecation, in any area other than private property of the owner of such dog or other animal, as prohibited in §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. 754, 5/21/1997, §2)

§303. Dogs Accompanying Blind or Handicapped Persons Exempted. The provisions of §§301 and 302 hereof shall not apply to a guide dog accompanying any blind person or to a dog used to assist any other physically handicapped person. (Ord. 754, 5/21/1997, §3)

§304. Penalties. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00). (Ord. 754, 5/21/1997, §4)

