

Chapter 75
ANIMALS

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[HISTORY: Adopted by the Borough Council of the Borough of Dormont: Art. I, 5-7-1956 by Ord. No. 935 as Ch. 4 of the 1956 Code; Art. II, 10-4-1993 as Ord. No. 1425. Amendments noted where applicable.]

ARTICLE I
General Provisions
[Adopted 5-7-1956 by Ord. No. 935
as Ch. 4 of the 1956 Code]

§ 75-1. Keeping of livestock prohibited.

It shall be unlawful for any person to maintain or keep upon any property within the limits of the borough any livestock, such as horses, mules, cattle, sheep, hogs, goats, chickens and other barn yard fowl or pigeons or doves of any kind.

§ 75-2. Animals prohibited in public parks. [Amended 5-24-1976 by Ord. No. 1216¹]

It shall be unlawful for any person to permit any animal owned by him or her or under his or her supervision and control or harbored by him or her to enter Dormont Public Parks.²

¹ Editor's Note: Amended at time of adoption of Code; see Ch. I, General Provisions, Art. I.

² Editor's Note: Original Division 2, Licenses, of Article II, Dogs, which immediately followed this section, was repealed 12-20-1976 by Ord. No. 1223.

ARTICLE II
Health, Safety and Humane Treatment
[Adopted 10-4-1993 as Ord. No. 1425]

§ 75-3. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

ANIMAL — A dog, cat or other companion animal (pet).

ANIMAL CONTROL OFFICER — Agents designated by the Dormont Borough Council to enforce this Article.

ANIMAL ESTABLISHMENT — Any animal grooming shop, animal boarding facility or animal hospital or animal training facility within the lawful zoning classifications of the Borough of Dormont.

ANIMAL SHELTER — A facility designated or recognized by Dormont Borough for the purpose of impounding and caring for animals.

AT LARGE — An animal shall be deemed to be “at large” when off the property of the owner/guardian, unaccompanied and not under restraint. An animal shall be considered under restraint if the animal is within the owner/guardian’s real property limits or is secured by a leash or lead or is otherwise under the immediate control of the owner/guardian.

CAT — Domestic feline, *Felis domesticus*.

DOG — Domestic canine, *Canis familiaris*.

HUMANE MANNER — Care of an animal is to include, but not be limited to, adequate heat, ventilation and sanitary shelter, wholesome food and water consistent with the normal requirements and feeding habits of the animal’s size, species and breed, and at a minimum shall require compliance with state and county animal care requirements, including but not limited to 7 Pa.Code, Part II, Chapter 21, and 18 Pa.C.S.A. § 5511.

NEUTERED — Rendered permanently incapable of reproduction.

NUISANCE — The actions of the owner/guardian of an animal or the omissions of such owner/guardian of an animal shall be considered to be a “nuisance” if the animal damages, soils, defiles or defecates, unless such waste is immediately removed and properly disposed of by the owner/guardian. The actions of the owner/guardian of an animal or the failure to act on the part of an owner/guardian of an animal shall also be considered a “nuisance” if the actions of the animal cause unsanitary and dangerous conditions; cause frequent and extended disturbances by excessive noisemaking; or it chases vehicles; or it attacks or interferes with people or other animals on property other than that of the owner/guardian.

OWNER/GUARDIAN — A person having the right of property or custody of an animal and/or one who keeps or harbors an animal and/or one who knowingly permits an animal to remain on or about any premises occupied by that person.

PERSON — Any individual, corporation, partnership, organization or institution commonly recognized by law as a unit or the officers of a corporation or the partners of a partnership.

§ 75-4. Rabies vaccination required.

- A. All dogs and cats over six (6) months of age shall be vaccinated against rabies in accordance with the latest Compendium of Animal Rabies Vaccines and Recommendations for Immunizations, published by the National Association of State and Public Health Veterinarians.
- B. Proof of rabies vaccination must be presented to the Animal Control Officer on demand.

§ 75-5. Required permits.

- A. No person shall operate an animal establishment without first obtaining an occupancy permit under the provisions of Chapter 210, Zoning, of the Code of the Borough of Dormont. In addition, any licenses or certificates which must be obtained for either state, county or federal authorities shall also be presented prior to the issuance of any permit under Chapter 210, Zoning, of the Code of the borough.
- B. It shall be unlawful within the Borough of Dormont, for a business or any other purpose, to own or operate a concern with a purpose, essential or incidental, of breeding or selling any animal or any form of animal auction except within the lawful zoning classifications of the Borough of Dormont.

§ 75-6. Responsibilities of owner/guardian.

- A. A current license issued by the County of Allegheny shall be obtained by the owner/guardian of every dog.
- B. Every cat and dog must wear an identification collar clearly and legibly indicating the name, address and phone number of the owner/guardian. Cat collars must be safety-type collars with either elastic strips or breakaway fasteners. Dogs must also display their County of Allegheny license number.
- C. All animals, when not within the owner/guardian's real property limits, must be secured by a leash or lead or otherwise under the immediate control of the owner/guardian.
- D. No owner/guardian of an animal shall be permitted to cause a nuisance. The owner/guardian of every animal shall be held responsible for every act and behavior of such animal under the provisions of this Article.
- E. Animal Control Officers and/or police officers of the Borough of Dormont may order a vicious animal confined by the animal's owner/guardian within a building or secure enclosure.
- F. Except in cases of self-defense, the abandonment, killing, harming or tormenting of any animal, wild or domestic, is prohibited and is subject to fines and penalties provided

herein, in addition to such fines and penalties as may be imposed under county, state and federal laws.

- G. All animals shall be kept and cared for in a humane manner at all times. Animals shall be provided constant access to shelter which protects the animal from inclement weather, keeps the animal dry and keeps the animal's body temperature within the normal range. Chains or ropes of any material must be appropriate to the size and type of animal, must be at least five (5) times the length of the animal but not less than ten (10) feet in length, must be placed and attached so that the chain cannot become entangled so as to reduce the length of the chain and must be attached to the animal by a belt-type collar. No animal may be housed on a temporary or permanent basis in a metal structure.
- H. No person shall own, harbor or maintain a wolf or wolf hybrid, a nondomestic dog or nondomestic dog hybrid or a nondomestic cat or nondomestic cat hybrid, except in accordance with Pennsylvania state law.

§ 75-7. Impoundment.

- A. No private citizen is authorized to trap animals. No private citizen is authorized to set a trap of any kind designed to ensnare any animal the size of an average adult cat or larger.
- B. Upon receipt of a complaint alleging facts sufficient to show that the actions of an owner/guardian of an animal is a nuisance, Animal Control Officers and/or other designated agents of the borough will investigate, and upon a finding of situations creating a nuisance and for good cause shown, Animal Control Officers may seize or authorize the seizure of the animal via a humane live-animal trap set on the complaining citizen's property. When Animal Control Officers authorize and permit the setting of an animal trap in response to a citizen complaint, the person requesting the trap must make certain that any animal which becomes entrapped does not suffer any physical harm either through neglect or intentional acts, but not limited thereto, during the time the animal is so trapped. Upon discovery of a trapped animal, it is the obligation of the complaining citizen to report the capture of any animal to Animal Control immediately. Failure to do so constitutes abusive neglect and subjects the complaining citizen to fines and penalties set forth in this Article. All trapped animals must be released to the custody of Animal Control.
- C. It shall be the right, the duty and the obligation of Animal Control Officers to impound any animal found running at large. Impoundment shall take place at such animal shelter as may be designated by the Council of the Borough of Dormont by resolution or motion, and such confinement shall be conducted in a humane manner.
- D. Immediately upon impounding an animal, the Animal Control Officer shall make every reasonable effort to notify the owner/guardian of the impoundment and inform such owner/guardian of the conditions and procedure whereby custody of the animal may be regained.
- E. In the event that animals are not wearing identification and are not claimed within a period of fourteen (14) full days during which the shelter is open to the public, Animal Control Officers may:

- (1) Make the animal available for private adoption with the provision that no unaltered dog or cat shall be released for adoption without a written guaranty from the adopting party providing that the animal will be neutered within ten (10) days or at six (6) months of age, whichever comes first; or
 - (2) Surrender the ownership/guardianship and possession of the animal to Animal Friends, Inc. or any other no-kill shelter; or
 - (3) Where both of the previous alternatives [Subsection E(1) and (2)] are absolutely impossible and the animal is unadoptable for reasons of health, age or vicious propensity or is otherwise so designated and declined by Animal Friends, Inc., and/or any other no-kill shelter, then Animal Control Officers shall order the animal's death via lethal injection administered by a veterinarian or a trained veterinary technician.
- F. When a nuisance animal's ownership/guardianship is verified by the Animal Control Officer, the Animal Control Officer may exercise the option of serving the owner/guardian with a notice of violation and/or fine in lieu of impounding the animal.
- G. In the event that the Animal Control Officer finds animals in a state of suffering and/or in physical pain or distress, the Animal Control Officer shall have the right forthwith to remove or cause to have removed said animal to a safe place for care at the owner/guardian's expense and shall have the further right to euthanize the animal when necessary to prevent continued clear and predictably terminal suffering. Where suffering or serious neglect is proven to have been knowingly inflicted or tolerated by the owner/guardian, possession of such animal may be forfeited.
- H. The authorized disposal of an animal or forfeiture of an animal does not relieve the owner/guardian of liability for violations and fines, penalties and costs otherwise due.

§ 75-8. Redemption; fee.

- A. Animal Control Officers shall make known to the public an accurate description of every animal impounded more than three (3) days by a public posting at the Borough of Dormont Municipal Building.
- B. Any animal impounded may be redeemed by the owner/guardian thereof within the fourteen-full-day-period upon payment of ten dollars (\$10.) per day. Payment of the impoundment fee is not considered to be in lieu of any fine, penalty or license fee.
- C. Any animal confined for rabies quarantine, evidence or other purpose may not be redeemed until provisions for licensing and all other requirements under all laws have been fulfilled.

§ 75-9. Interference; violations and penalties.

- A. No person shall interfere with, hinder or molest any Animal Control Officer or any police officer of the Borough of Dormont in the performance of any duty as herein provided.
- B. Any person who violates any of the provisions of any section of this Article shall be required to pay a fine of not more than six hundred dollars (\$600.) per offense upon

conviction thereof before a District Justice and/or imprisonment for a period of not more than thirty (30) days. Each day's violation shall constitute a separate offense. The imposition of a penalty shall not excuse the violation or permit it to continue.³

- C. It is the policy of the Borough of Dormont to cooperate with and facilitate spay/neuter programs and any special police authorized to enforce cruelty statutes.

§ 75-10. Findings.

The Borough of Dormont hereby finds, determines and declares that this Article is necessary for the immediate preservation of the public health, safety and welfare of the Borough of Dormont and the inhabitants thereof and for the welfare of animals.

³ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.