

Chapter 47

DOGS AND OTHER ANIMALS

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[HISTORY: Adopted by the Borough Council of the Borough of Heidelberg 7-15-1980 as Ch. 47 of the 1980 Code. Amendments noted where applicable.]

§ 47-1. License required; application; fee.¹

Effective immediately, it shall be the duty of the owner or custodian of any pets not kept permanently caged and more than six months old, which shall be kept and shall remain in the borough for a period exceeding 72 hours, to apply for and to procure from the Borough of Heidelberg a license for every such dog and cat or other pet owned or kept. The license herein provided shall be issued upon application made by such owner or custodian, and such application shall be in writing and shall state the breed, sex, approximate age and general colors and markings of said pet and other general information as determined by the borough. The application shall contain a colored photograph of the pet to be so licensed. Said photograph shall be in such a condition and of such clarity as to clearly allow the recognition and identification of the pet. The application shall be accompanied by a license fee payable to the Borough of Heidelberg in the amount as established in 3 P.S. § 459-201. Each application shall be accompanied by a certificate signed by a duly licensed veterinarian in the Commonwealth of Pennsylvania, which certificate shall certify that the pet for whom a license has been applied was vaccinated against rabies and that said vaccination will not expire or terminate during the coming licensing period. Said license shall be in addition to any license required by the commonwealth, the County of Allegheny or any other municipal subdivision thereof. The license shall be good for the life of the animal, and upon death of the animal or removal of the animal from the borough, the license shall be returned to the borough.

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

§ 47-2. Issuance of tag and license; attachment of tag.

Upon application having been duly made as aforesaid, accompanied by the proper certificate and fee, the borough, through its designated representative, shall issue to the applicant a metal tag, together with a written license for each pet to be licensed. Said metal tag shall have stamped upon it the words "Borough of Heidelberg License — Vaccinated Against Rabies" and the year for which issued. It shall be the duty of the owner or custodian of each pet to affix said metal tag upon a collar or harness worn by the pet, and failure to do so will subject the owner or custodian of said pet to the penalties hereafter provided for.

§ 47-3. Seizure of unlicensed pets.

The duly constituted agents and police officers of the Borough of Heidelberg shall have the right and duty to examine the collar or harness of all pets within the Borough of Heidelberg to determine if the owners or custodians of such pets have complied with the provisions of this chapter, and any pet within the borough, which, after the effective date of the licensing provisions of this chapter is not wearing upon his collar or harness the metal tag provided for, shall be seized by such agent or police officer and placed under restraint in the custody of such person or persons, as the Borough Council may, in its discretion, designate from time to time.

§ 47-4. Authorization for special officers.

The Borough Council may, from time to time, retain or hire a special officer or officers and provide the same with the necessary equipment for the purpose of seizing, restraining and confining any pet found within the limits of the borough and contrary to the provisions of this chapter and may enter into a contract or contracts for the compensation of such special officer or officers, providing for a proper compensation to the same upon either a time basis or a unit basis, as the Borough Council may decide.

§ 47-5. Replacement of lost tag or license; fee.²

In the event that any pet license or tag issued under the terms of this chapter has been lost or stolen, the proper representative of the Borough of Heidelberg shall issue a duplicate license or tag in lieu thereof for a fee as set from time to time by resolution of the Borough Council and upon affidavit of the owner or custodian of said pet certifying to such loss or theft.

§ 47-6. Notice of seizure.³

All pets more than six months of age found running at large and not wearing a valid registration tag shall be seized on sight by any borough policeman or other officer duly authorized for such purpose. 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

² Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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

impounded and will be sold as house pets only or destroyed if not redeemed as provided in 3 P.S. § 459-302. If the owner or custodian of such animal is unknown, a written notice of the impoundment of such animal shall be prominently displayed at the place of such impoundment, and such notice shall give the time of posting and contain a statement that such pet will be sold or redeemed as provided in 3 P.S. § 459-302.

§ 47-7. Redemption of seized pets.⁴

The owner or custodian of any pet seized and impounded under the provisions of this chapter may, before the expiration of the period as provided in 3 P.S. § 459-302, redeem such pet by paying all costs for feeding and care and the penalty assessed against such animal and for securing a valid license and tag for such pet and by paying the fine or penalty assessed for violation of this chapter.

§ 47-8. Running at large prohibited.

On and after the effective date of this chapter 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 either in the day or at nighttime, either upon the public streets and highways (including state and county highways) of the Borough of Heidelberg or upon the property of persons other than the owner of such pet.

§ 47-9. Use of terms.

For the purpose of this chapter, the phrase "running at large" shall be defined as running about loose on the street or upon property of persons other than the owner 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.

§ 47-10. Seizure of licensed pets at large; redemption.⁵

In the event that a pet licensed pursuant to the terms of this chapter is found running at large within the Borough of Heidelberg, said pet may be seized on sight, either in the daytime or at nighttime, by any borough police officer or any other agent of the borough and impounded. In such event, the owner or custodian of said pet shall be notified of such impoundment and shall be given a period as provided in 3 P.S. § 459-302 to redeem said pet upon payment of all costs assessed against such animal, including the cost of boarding the pet during the period of the impoundment, and upon payment of the penalty hereafter set forth for the violation of this chapter.

⁴ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

⁵ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

§ 47-11. Barking and similar noises; penalty. [Amended 8-18-1998 by Ord. No. 530, approved 8-18-1998]

- A. Any dog, cat or other animal which is found, upon inspection by an authorized borough official, that by excessive barking, howling, growling, yelping, baying, snarling, lunging, or by wandering unsupervised at large, or in any other way or manner, unreasonably disturbs the quiet of any person of the community, or which unreasonably disturbs, frightens or endangers the comfort, repose or health of persons when unprovoked, is hereby declared to be committing a nuisance by disturbance.
- B. Continued barking, howling or baying for a period of 15 minutes shall constitute excessive barking, howling or baying.
- C. Any dog, cat or other animal deemed to engage in actions which constitute a nuisance by disturbance involving behavior described in Subsection A which reasonably frightens or endangers persons when unprovoked must, at the place where the animal is kept by its owner, be kept away from view of the public by a solid fence through which said animal cannot readily see or be seen.
- D. Any person being the owner or in charge or control of any dog, cat or other animal deemed to be committing a nuisance by disturbance shall, upon conviction thereof, be sentenced to pay a fine of not more than \$500 per occurrence and costs of prosecution for each offense.

§ 47-12. Depositing of offal waste; removal; penalty. [Amended 8-18-1998 by Ord. No. 530]

- A. Any dog, cat or other animal that defecates on public property is hereby declared to be committing a health nuisance. No owner or person having custody of such animal shall harbor or permit it to commit nuisance.
- B. No person being the owner or in charge or control of any dog, cat or other animal shall permit such animal to commit a health nuisance on any school grounds, city park or other public property, or upon any private property other than that of the owner or person in charge or control of such animal. Where the owner or person in charge or control of such animal immediately removes all feces deposited by such animal and disposes of the same in a sanitary manner, such type of nuisance shall be considered abated.
- C. Any person being the owner or in charge or control of any dog, cat or other animal deemed to be committing a health nuisance shall, upon conviction thereof, be sentenced to pay a fine of not more than \$100 per occurrence and costs of prosecution, for each offense thereof.

§ 47-13. Places of detention authorized.

The Borough Council of the Borough of Heidelberg may, from time to time, provide such places, means or methods and equipment as it shall deem necessary for the purpose of keeping in custody any pet seized under the provisions of this chapter, or, in its discretion, it may provide such places, means or methods under the control and management of any individual authorized for such purposes.

§ 47-14. Disposition of unredeemed pets.⁶

In the event that the owner or custodian of any pet seized and held under the terms of this chapter shall not redeem such pet within the period as provided in 3 P.S. § 459-302, the borough authorities, by their proper officer, shall have authority to destroy said pet or to sell the same by public or private sale to such person or persons as may desire to purchase the same to the benefit of the Borough of Heidelberg. No pets caught and detained shall be sold for the purpose of vivisection.

§ 47-15. Pets excluded from food stores.

It shall be unlawful from and after the effective date of this chapter for any pets, licensed or unlicensed, on leash or running loose, to be permitted in that part of premises which is used as a store for the sale of food for human consumption.

§ 47-16. Violations and penalties.⁷

Except as otherwise provided in 3 P.S. § 459-201(c), in the event that any person shall fail to obtain a license as hereinabove provided or shall violate any of the provisions of this chapter, said person, upon conviction before a District Justice, shall pay a fine not exceeding \$600, together with the costs of prosecution and proper charges for the impoundment of the pets involved, as set from time to time by resolution of the Borough Council, as the case may be. In default of the payment of any fine and/or costs imposed, said person shall be sentenced to the Allegheny County Jail for a period not exceeding 30 days.⁸

⁶ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

⁷ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

⁸ Editor's Note: Former §§ 47-17 and 47-18, providing for additional penalties, were deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

