

Chapter 2

Animals

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Part 1**Dogs****§2-101. Definitions Adopted by Reference.**

For the purposes of this Part, the definitions set forth in §102 of the Dog Law, 3 P.S. §459-102, are adopted by reference as fully as though said definitions were set forth herein at length.

(Ord. 313, 7/14/1997)

§2-102. Enforcement Authority.

An Animal Control Officer, to be designated from time to time by the Council of the Borough of Thornburg, together with all police officers of the Borough of Thornburg, shall be authorized to enforce the provisions of the Dog Law, 3 P.S. §459-101 *et seq.*, of the Commonwealth of Pennsylvania and this Part.

(Ord. 313, 7/14/1997)

§2-103. Mistreatment Prohibited.

No person shall cruelly treat any dog in the Borough. The term “cruelly treat” shall include any beating, intentional infliction of injury or wound, underfeeding or the abandonment of any dog.

(Ord. 313, 7/14/1997)

§2-104. Restraint Required.

All dogs shall be kept under restraint either by a leash, not to exceed 8 feet in length held by a responsible person or his agent, or by being kept within the exclusive premises of the owner. The violation of the provisions of this Section shall be deemed, in addition to a violation of the provisions of the Dog Law, 3 P.S. §459-101 *et seq.*, of the Commonwealth of Pennsylvania, a public nuisance of the Borough of Thornburg when such dog is not under the restraints required by the provisions of this Section.

(Ord. 313, 7/14/1997)

§2-105. Public Nuisances.

Excessive, continuous or untimely barking, molesting passersby, chasing motor vehicles or bicycles, habitually attacking other domestic animals or trespassing upon public or private property shall be deemed a public nuisance and a violation of the provisions of this Part.

(Ord. 313, 7/14/1997)

§2-106. Inoculation Required.

It shall be the duty of the owner of any dog in the Borough of Thornburg to have the dog inoculated against rabies and to provide, upon request of an enforcement officer of the Borough of Thornburg, a certificate of effective current inoculation by a veterinarian. The failure to comply with the provisions of this Section shall be deemed a violation

of this Part.

(*Ord. 313, 7/14/1997*)

§2-107. Dogs Not Allowed in Park or Playground.

No dog, whether under restraint or otherwise, is permitted in the playground or park area of the Borough of Thornburg.

(*Ord. 313, 7/14/1997*)

§2-108. Removal of Excrement Required.

It shall be the duty of the owner of a dog to promptly remove the dog's excrement from any property beyond the premises of the owner and to clean such affected area immediately. For the enforcement of the provisions of this Section, an owner or agent accompanying a dog under proper restraints as required under the provisions of this Part shall carry on his person materials necessary to comply with the prior provisions of this Section. Any owner of a dog who fails to so remove or clean the dog's excrement or to have available materials for this purpose shall be deemed in violation of this Part.

(*Ord. 313, 7/14/1997*)

§2-109. Violations and Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not less than \$20 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 313, 7/14/1997; as amended by Ord. 387, 12/14/2009*)

Part 2**Pet Limitation****§2-201. Number of Household Animals; Exemption.**

No more than four animals shall be simultaneously kept or maintained or be in custody as pets for more than ninety days in any residential dwelling unit or its grounds. As to those persons who have simultaneously kept or maintained in custody in any residential dwelling unit or its ground more than four animals at the time of the adoption of this Section, those particular animals being kept or maintained in custody at the time of adoption of this Section may continue to be kept or maintained in custody at such residential dwelling unit or on its grounds without violation of this Part. For purposes of this Part the term “animals” shall include dogs, cats, rodents, birds and reptiles.

(*Ord. 363, 6/11/2001, §I*)

§2-202. Violations and Penalties.

1. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced 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 30 days. Each day that a violation of this Part continues shall constitute a separate offense. [*Ord. 387*]

2. In addition to any other remedy available under this Part or under law, the Borough may enforce this Part by an action in equity or by seizure of such animals as may be necessary to bring the number of animals within the numerical limitation set forth in this Part.

3. In the case of dwelling units not occupied by the owner of record, both the occupant and the owner of record shall be liable and subject to penalty for any violation of this Part occurring within such dwelling unit or on its grounds.

4. Each day that a violation of any provision of this Part is continued shall constitute a separate offense for purposes of enforcement and imposition of penalties. Each animal kept in violation of the provisions of this Part shall constitute a separate offense for purposes of enforcement and imposition of penalties.

(*Ord. 363, 6/11/2001, §I; as amended by Ord. 387, 12/14/2009*)

