

Chapter 2

Animals

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Part 1**Unlawful to Allow Animals to Run at Large****§2-101. Definitions.**

As used in this Part, the following terms have the meaning indicated, unless a different meaning clearly appears from the context:

Animals - any dog, cat or any other animal in the nature of a pet. For the purposes of this Section, animal does not include livestock or those animals being raised for agricultural purposes.

Owner - any person having a right of property in any dog, cat or other animal in the nature of a pet, or having custody of any animal, or any person who harbors or permits an animal to remain on or around his or her property.

Running at Large - being upon any public highway, street, park, or any other public land, or upon property of another person other than the owner, and not being accompanied by or under the control of the owner or any other person having custody of said animal.

(Ord. 785, 12/3/2001)

§2-102. Unlawful to Allow Animals to Run at Large.

It shall be unlawful for the owner of any animal or animals to allow or permit such animal or animals to run at large in the Township of Ferguson.

(Ord. 785, 12/3/2001)

§2-103. Seizing of Animals.

Any police officer or animal enforcement officer may seize any animal found at large in the Township of Ferguson. Such animals are to be impounded in a licensed facility or other safe environment.

(Ord. 785, 12/3/2001; as amended by Ord. 820, 12/8/2003)

§2-104. Licensed Dogs.

Owners of licensed dogs are to be notified in person, by telephone or by registered or certified mail, with return receipt, that the dog is impounded and will be disposed of in 5 days if not claimed. Five days after notification or after the return receipt has been received, and the dog has not been claimed, the dog may be sold, adopted or destroyed in accordance with the 1982 Dog Law.

(Ord. 785, 12/3/2001)

§2-105. Unlicensed Animals.

Unlicensed animals that are seized are to be held for 48 hours and if not claimed may be disposed of by sale, adoption or destruction in some humane manner.

(Ord. 785, 12/3/2001)

§2-106. Threatening Animals.

The police or animal enforcement officer may kill animals that, in the opinion of any police officer or animal enforcement officer, constitute a threat to public health and welfare.

(Ord. 785, 12/3/2001; as amended by Ord. 820, 12/8/2003)

§2-107. Penalty.

The first two times an animal is seized, the owner shall pay a fine of \$15 to Ferguson Township as well as reasonable fees for keeping the animal. Any person allowing an animal to run at large a third time in violation of this Part shall, upon conviction thereof in a proceeding before a district justice pursuant to the Pennsylvania Rules of Criminal Procedure, shall be sentenced to a fine not to exceed \$1,000 plus costs and, in default of payment of said fines and costs, to a term of imprisonment not to exceed 90 days.

(Ord. 785, 12/3/2001; as amended by Ord. 820, 12/8/2003)

Part 2**Curbing of Domestic Animals and
Removal of Domestic Animal Feces****§2-201. Curbing of Domestic Animals and Removal of Domestic Animal Feces.**

1. No person owning, harboring, keeping or in charge of any domestic animal shall cause, suffer or allow such domestic animal to soil, defile, defecate on or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park or any place where people congregate or walk, or upon any public property whatsoever or upon any private property without the permission of the owner of said property.

2. The restriction in this Part shall not apply to that portion of any public street lying between the street side of the two sidewalks, which area shall be used to curb domestic animals under the following conditions:

A. The person who so curbs such domestic animal shall immediately remove all feces deposited by such domestic animal by any sanitary method approved by the animal enforcement officer.

B. The feces removed from the designated area shall be disposed of by the person owning, harboring, keeping or in charge of any domestic animal curbed in accordance with the provisions of this Part in a sanitary manner approved by the animal enforcement officer.

3. Domestic animal feces deposited upon private property shall not be permitted to accumulate to the degree that it becomes a public health nuisance or hazard. In such cases where domestic animal feces are permitted to accumulate on private property by the owner, the animal enforcement officer may, upon complaint or at his own initiative, conduct an investigation, after which the accumulation may be declared a public health hazard or nuisance and the owner shall be ordered to remove and dispose of the accumulated feces in a sanitary manner. The order to remove such accumulated feces shall be given personally to the owner or shall be sent by registered mail and the owner shall be given a period of 5 days from the date of receipt of the order to clean the property and remove the accumulated feces.

(Ord. 408, 10/24/1989; as amended by Ord. 820, 12/8/2003)

§2-202. Penalty.

Any person violating §2-201, of this Part shall, upon conviction before a District Justice in a proceeding commenced pursuant to the Pennsylvania Rules of Criminal Procedure, be sentenced to pay a fine of not less than \$25 for the first offense, not less than \$50 dollars for the second offense within a year, and not less than \$300 for the third offense and all subsequent offenses within a year and the costs of prosecution, and in default of payment of any such fine and costs, be committed to the County jail for a period not to exceed 30 days.

(Ord. 408, 10/24/1989; as amended by Ord. 820, 12/8/2003)

