

ORDINANCE NO. 005 - 1997 SERIES

AN ORDINANCE OF THE TOWNSHIP OF CAMBRIDGE PROHIBITING DOGS RUNNING AT LARGE; DECLARING THAT CERTAIN ACTIVITIES OF DOGS CONSTITUTES A PUBLIC NUISANCE; AND ESTABLISHING MINIMUM STANDARDS OF CARE FOR DOGS; PROVIDING FOR THE DISPOSITION AND IMPOUNDMENT OF UNRESTRAINED DOGS; AND PRESCRIBING PENALTIES FOR VIOLATION.

Section 1. This Ordinance shall be known as the "Dog Ordinance of the Township of Cambridge, Crawford County, Pennsylvania".

Section 2. Definitions.

Dog - the genus and species known as canis familars.

Dog control - the apprehending, holding and disposing of stray or unwanted dogs or activities by reduced number of dog related problems. Dog control activities may be performed by agents of incorporated humane organizations or State Dog Wardens.

Owner - when applied to the proprietorship of a dog includes every person having a property right in such dog and every person who keeps, harbors such dog or has it in his care and every person who permits such dog to remain on or about any premises occupied by him.

Persons - includes State and local officers or employees, individuals, corporations, and associations. Singular words shall include the plural. Masculine words shall include the feminine and neuter.

Police Officer - any persons employed or elected by the Commonwealth of Pennsylvania or Cambridge Township whose duty it is to preserve peace or to make arrest or enforce the law. The term includes State, Constabulary and State Dog Wardens.

Public Nuisance - any dog which:

- 1) Molests passersby or passing vehicles.
- 2) Is repeatedly not under restraint.
- 3) Damages private or public property.
- 4) Barks, cries, whines or howls in an excessive, continuous or untimely fashion.

Restraint - any dog confined within the premises of the owner or firmly secured by means of a collar and chain or other device so that it cannot stray beyond the premises on which it is

secured or under the reasonable control of some person, or when engaged in lawful hunting, exhibition or field training.

Section 3. Declaration of Public Nuisance

The Township of Cambridge hereby declares and ordains that any dog which:

- a) molests passersby or passing vehicles;
- b) is repeatedly not under restraint;
- c) damages private or public property;
- d) barks, cries, whines or howls in an excessive, continuous or untimely fashion,

is and shall be considered a public nuisance. The ownership of any animal which constitutes a public nuisance is hereby declared to be an offense and is punishable in accordance with the provisions of Section 9 of this Ordinance.

Section 4. Restraint

It shall be the duty and obligation of the owner of any dog to control the conduct of such dog as follows:

- a) All dogs shall be kept under restraint at all times.
- b) Owners shall be required to exercise proper care of his dog to prevent it from becoming a public nuisance.
- c) Every female dog in heat shall be confined in a building or secured enclosure in such a manner that such female dog cannot come into contact with another dog except for planned breeding.

Section 5. Dog Care

1) Dogs to be Personal Property. All dogs are hereby declared to be personal property in subjects of theft. Except as provided for in Section 6 of this Ordinance, it shall be unlawful for any person, except a police officer, or a State Dog Warden or accredited veterinarian, to kill, injury or attempt to kill or injure any dog.

2) It shall be unlawful for any person to place any poison or harmful substance of any description in any place on his premises or anywhere where it may be easily found and eaten by dogs.

3) It shall be unlawful for any person to abandon or attempt to abandon any dog within

the Township of Cambridge.

4) Any person who, as the operator of a motor vehicle, strikes a dog shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the dog's owner. In the event the owner cannot be ascertained and located, the operator shall at once report the accident to the Crawford County Humane Society.

5) It shall be unlawful to confine a dog to any motor vehicle without adequate ventilation and temperature control sufficient to insure its comfort.

Section 6. Offenses of Dogs

1) Legal to Kill Certain Dogs. Any person may kill any dog which he sees in the act of pursuing or wounding any livestock or wounding or killing poultry, wounding or killing other dogs or household pets or attacking human beings whether or not such dog bears the license tag as required by the Act of Assembly of the Commonwealth of Pennsylvania known as the "Dog Law", the Act of December 7, 1982, P.L. 784, No. 225 effective January 1, 1983. There shall be no liability on such person in damages or otherwise for such killing.

2) Private Nuisance. Any dog that enters any field or enclosure where livestock or poultry are confined, provided that the enclosure is adequate for the purpose intended, shall constitute a private nuisance and the owner or tenant of such field or their agent or servant may detain such dog and turn it over to the State Dog Warden. While so detained, the dog shall be treated in a humane manner.

3) Licensed Dogs Not Included. Licensed dogs, when accompanied by their owner or handler, shall not be included under the provisions of this section unless caught in the act of pursuing, wounding or killing any livestock, wounding or killing poultry, wounding or killing any dogs or household pets or attacking human beings.

4) The owner or keeper of any animal shall use reasonable care to avoid the deposit of excreta by his dog upon any other property other than his own. The owner or keeper of any dog which deposits excreta upon any property not owned by the dog's owner (example - public walks, recreation areas, and private property) shall immediately collect and remove all such excreta.

Failure of any owner or keeper to collect and remove all excreta deposited by his dog upon the property of another within one (1) hour after receipt of notice of such deposit shall constitute a violation of this section and is punishable in accordance to Section 9 of this Ordinance.

Section 7. Enforcement

It is the intent of the Board of Supervisors of Cambridge Township that prosecutions for the violations of any of the provisions of this Ordinance shall be instituted and prosecuted by the citizens aggrieved by such violations. The Board of Supervisors of Cambridge Township may, at their discretion, prosecute the violation when in the opinion of the Township Supervisors, the violation

constitutes an imminent threat to the public health or safety or to the health and safety of the dog.

Section 8. Impoundment of Dogs

1) Unrestrained dogs which constitute a public nuisance shall be taken by humane officers and impounded at the Crawford County Humane Society Shelter and there confined in a humane manner.

2) Impounded stray dogs shall be kept for not less than three (3) working days unless earlier released to the owner.

3) If by license tag or other means the owner of an impounded animal can be identified, the Crawford County Humane Society Shelter shall notify the owner by phone and registered or certified mail with return receipt to the person in whose name the license was procured, or his agent, to claim the dog within five days after receipt thereof.

4) An owner reclaiming an impounded animal shall pay the Crawford County Humane Society such a fee as the Crawford County Humane Society shall, from time to time, impose for the care and maintenance provided to the animal.

5) The Crawford County Humane Society shall, in its discretion, dispose of any animal delivered to it which is diseased, maimed or unclaimed and undesirable.

Section 9. Penalties. Any person, firm or corporation who shall violate any provisions of this Ordinance, upon conviction thereof in an action brought before a District Magistrate in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000.00 plus costs and in default of payment of said fine and costs to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Ordinance continues for each section of this Ordinance which shall be found to have been violated shall constitute a separate offense.

Ordained and enacted into an Ordinance this 31st day of December, 1997.

ATTEST:

By: John C. Hurry

Secretary

TOWNSHIP OF CAMBRIDGE

By: [Signature]

By: [Signature]

By: [Signature]