

Chapter 2

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Part 1**Dogs****A. Noise Nuisance****§2-101. General.**

It shall be unlawful to own, harbor, or keep in custody any dog which disturbs the peace by barking, howling, or making other loud noises to the annoyance and discomfort of any person in the Township of Cambria. Continuous barking, howling, or the making of other loud noises by any dog for more than any 1 hour, or continuous barking for periods of less than 1 hour but more than ½ hour, which periods occur on 2 or more consecutive days, shall be deemed to be a disturbance of the peace and cause of annoyance and discomfort to persons in the Township of Cambria.

(Ord. 84, 2/23/1987, §1)

§2-102. Citizen Request for Warning.

Any person may request the Cambria Township Dog Enforcement Officer and/or Cambria Township Police Department to warn any person who shall own, harbor, or keep in custody any dog which disturbs the peace by barking howling, or making other loud noises to the annoyance and discomfort of persons in the Township of Cambria.

(Ord. 84, 2/23/1987, §2)

§2-103. Request in Writing.

Any such request shall be in writing and shall identify and specify the residence of the owner, keeper, or custodian of the dog and shall identify and specify the residence of the person making the request.

(Ord. 84, 2/23/1987, §3)

§2-104. Duties of Officer/Official.

A warning by the Dog Enforcement Officer and/or the Cambria Township Police Department includes and/or shall consist of delivery of a copy of this Part to the residence in the Township of Cambria of any such owner, keeper, or custodian. Such delivery shall be made by the Dog Enforcement Officer and/or member of the Cambria Township Police Department.

(Ord. 84, 2/23/1987, §4)

§2-105. Violations.

A violation of this Part shall be deemed to have occurred upon a second or subsequent violation of §2-101 hereof, and after delivery of the warning.

(Ord. 84, 2/23/1987, §5)

§2-106. Fines.

Any person who owns, harbors, or keeps in custody any dog which disturbs the

peace by barking, howling, or making other loud noises to the annoyance and discomfort of persons of the Township of Cambria as set forth in §2-105 hereof, upon conviction, thereof in an action brought before a magisterial district judge 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 less than \$25 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 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 84, 2/23/1987, §6; as amended by Ord. 199, 2/9/2009)

B. Running at Large**§2-111. Definitions.**

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

Owner - when applied to the proprietorship of a dog, includes every person having a right of property in such dog, and every person who keeps or 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.

Running at large - being upon any public highway, street, alley, 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 dog.

(Ord. 199, 2/9/2009)

§2-112. Appointment and Duties of Dog Warden.

A dog warden shall be appointed by the Township of Cambria to serve during its pleasure. Such dog warden along with the police officers shall have concurrent responsibility for the enforcement of this Part and of the Dog Law, 3 P.S. §459-101 *et seq.*; provided, that he shall not have the power to make arrests under this Act of Assembly or any other Act of Assembly or ordinance of Cambria Township.

(Ord. 199, 2/9/2009)

§2-113. Unlawful to Allow Dogs to Run at Large.

It shall be unlawful for the owner of any dog or dogs to allow or permit such dog or dogs to run at large in the Township of Cambria.

(Ord. 199, 2/9/2009)

§2-114. Seizing of Dogs.

The dog warden or any police officer or constable may seize any dog found at large in Cambria Township. Such dogs are to be impounded in a licensed kennel.

(Ord. 199, 2/9/2009)

§2-115. Licensed Dogs.

The Chief of Police shall notify the owner of a licensed dog 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 the return receipt has been received, and the dog has not been claimed, the dog may be sold or destroyed in accordance with the Dog Law, 3 P.S. §459-302.

(Ord. 199, 2/9/2009)

§2-116. Unlicensed Dogs.

Unlicensed dogs that are seized shall be held in such kennel for 48 hours and if not claimed may be destroyed in accordance with the Dog Law, 3 P.S. §459-303.

(Ord. 199, 2/9/2009)

§2-117. Dangerous Dogs.

1. A dog determined to be dangerous under §502-A of the Dog Law, 3 P.S. §459-502A, shall be restrained or otherwise kept in accordance with Article VI-A of the Dog Law, 3 P.S. §459-501A *et seq.*

2. Dogs may be killed only in accordance with the requirements of §501 of the Dog Law, 3 P.S. §459-501, and otherwise, said dogs must be detained and delivered to the police or a State dog warden. While detained, said dog must be treated in a humane manner.

(Ord. 199, 2/9/2009)

§2-118. Penalties.

1. The first two times a dog is seized, the owner shall pay a fine of \$15 to the Cambria Township as well as reasonable fees for keeping the animal in a kennel in an amount as established from time to time by resolution of the Board of Supervisors.

2. Any person allowing a dog to run at large a third time in violation of this Part, upon conviction thereof in an action brought before a magisterial district judge 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 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 199, 2/9/2009)

Part 2**Keeping of Livestock and Poultry****§2-201. General.**

No person, firm, or corporation shall keep any livestock, including poultry, at any place in the Township of Cambria within 175 feet of any dwelling or street. Those engaged in farming are specifically excluded from the provisions of this Part.

(Ord. 12, 9/1/1965, §1)

§2-202. Penalties.

Any person, firm, or corporation, who or which shall violate any of the provision of this Part, upon conviction thereof in an action brought before a magisterial district judge 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 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 12, 9/1/1965, §2; as amended by Ord. 199, 2/9/2009)

Part 3**Animal Defecation****§2-301. Animal Defecation on Public and Private Property Restricted.**

No person, having possession, custody or control of any animal shall knowingly or negligently permit any dog or other animal to commit any nuisance, i.e., defecation or urination, upon any gutter, street, driveway, alley, curb or sidewalk in the Township, or upon the floors or stairways of any building or place frequented by the public or used in common by the tenants, or upon the outside walls, walkways, driveways, alleys, curbs or stairways of any building abutting on a public street or park, or upon the grounds of any public park or public area, or upon any private property other than the property of the owner of such animal.

(Ord. 199, 2/9/2009)

§2-302. Disposal of Animal Feces.

Any person having possession, custody, or control of any dog or other animal which commits a nuisance, i.e., defecation or urination, in any area other than the private property of the owner of such dog or other animal, as prohibited in §2-301 shall be required to immediately remove any feces from such surface and either:

A. Carry same away for disposal in a toilet.

B. Place same in a nonleaking container for deposit in a trash or litter receptacle.

(Ord. 199, 2/9/2009)

§2-303. Dogs Accompanying Blind or Handicapped Persons Exempted.

The provisions of §§2-301 and 2-302 hereof shall not apply to a guide dog accompanying any blind persons, or to a dog used to assist any other physically handicapped person.

(Ord. 199, 2/9/2009)

§2-304. Penalties.

Any person, firm, or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge 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 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 199, 2/9/2009)

