

CHAPTER 2

ANIMALS

- §101. Public Nuisance
- §102. Definitions
- §103. Noise Prohibited
- §104. Defecation
- §105. Control of Animal
- §106. Required Restraint
- §107. Sanitation
- §108. Impoundment
- §109. Violation and Penalties
- §110. Equitable Relief
- §111. Validity
- §112. Effective Date

Part 1

§101. Public Nuisance. The continuous or excessive making of noises by animals in the Township, the running at large of animals, and animals defecating on others persons' (or the Township's) properties are hereby declared to be public nuisances that significantly adversely impact the health, safety and welfare of the citizens of the Township and cause considerable annoyance, inconvenience, and injury. *[Ord. 090996, 09/09/1996, §1]*

§102. Definitions.

1. Except as is otherwise specifically provided herein, the term "animal" shall include any creature (other than human) of any type (domestic or not), including, but not limited to, dogs, cats, fowl, horses, and other animals.
2. The term "owner" shall be intended to mean any person or persons, firm, association or corporation owning, keeping, harboring, or caring for any animal or having responsibility for or possession or control of (either temporary or permanent) any animal, or having a right of property in such animal. *[Ord. 090996, 09/09/1996, §2]*

§103. Noise Prohibited. No owner shall possess, harbor, or control any animal which howls, barks, meows, squawks or makes any other sound continuously and/or incessantly that can be heard outside the structure in which it is normally housed for a period of ten (10) consecutive minutes or makes such noise recurrently for one-half (½) hour or more at any time of the day or night, regardless of whether the animal is situate in or upon private property, provided however, that the time such animal is making such noise, no person is trespassing or threatening to trespass upon private property upon which the animal is situated or that no other legitimate cause such as teasing or provoking the animal exists. *[Ord. 090996, 09/09/1996, §3]*

§104. Defecation. No owner shall permit any dog or other animal (excluding, however, horses while being used for transportation) to defecate on property not owned by such person (public or private) unless the owner or keeper of animal immediately cleans up and removes the defecation and disposes of the same in a sanitary manner upon such owner's own property. *[Ord. 090996, 09/09/1996, §4]*

§105. Control of Animal. It shall be unlawful for an owner or keeper of any animal to fail to keep at all times such animal either:

1. Confined within the premises of the owner.
2. Firmly secured by means of a collar and chain or other device so that it can not stray beyond the premises on which the animal is secured; or
3. Under the reasonable control by some person when engaged in lawful hunting, exhibition or field training. *[Ord. 090996, 09/09/1996, §5]*

§106. Required Restraint. It shall be the duty of the owner of any animal, and the duty of the parent or guardian of any minor owner of any such animal, to keep any

animal securely tied or penned in an enclosure in such a manner that the animal cannot break loose and run at large over the streets, alleys, or public grounds of the Township, or upon the property of anyone other than the owner of such animal or of one from whom specific permission of the owner thereof has been secured. *[Ord. 090996, 09/09/1996, §6]*

§107. Sanitation. It shall be unlawful for any owner to harbor, care for, shelter or maintain any breed of animal in other than a sanitary condition; free of offensive, obnoxious or foul odors. *[Ord. 090996, 09/09/1996, §7]*

§108. Impoundment. Any peace officer or individual duly appointed by the Township is hereby authorized to seize and impound any animal found running at large unattended in the Township and dispose of the same pursuant to applicable statutes. *[Ord. 090996, 09/09/1996, §8]*

§109. Dangerous Dogs.

1. Clay Township specifically adopts and acknowledges the provisions of the Pennsylvania Dog Law and accompanying regulations as the official law related to the keeping, handling and control of dangerous dogs within the Township.
2. Any owner of a dangerous dog located within the Township of Clay shall deliver a copy of the Certificate of Registration from the Pennsylvania Department of Agriculture to the Clay Township Police Department.
3. The Certificate of Registration shall be delivered to the Township Police Department within twenty-four (24) hours of the dog's entry into Clay Township or its registration with the Department of Agriculture.
4. Owners of dangerous dogs shall, in all respects, comply with the provisions of the Dog Law with regard to the keeping of dangerous dogs.

§110. Violation and Penalties. Any person or persons, owner, corporation, partnership or other entity whatsoever violating any of the provisions of this Part shall be subject to the sanctions of a Civil Enforcement Proceeding and a penalty of not more than Five Hundred Dollars (\$500.00) for any single violation of this Part, together with the costs of proceeding and all the Township's reasonable attorney's fees. Each day's continuation of the offense following notice (either oral or written) thereof shall constitute a new violation. *[Ord. 090996, 09/09/1996, §9]*

§111. Equitable Relief. In addition to any other remedies provided herein any violation of provisions of this Part shall constitute a nuisance per se and may be abated by Township by seeking appropriate equitable relief from a Court of competent jurisdiction. *[Ord. 090996, 09/09/1996, §10]*

§112. Validity. If any provisions of this Part are for any reason held to be invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed to be a separate, distinct and independent provision and such holding shall not

affect the validity of the remaining portions hereof. *[Ord. 090996, 09/09/1996, §11]*

§113. Effective Date. This Part shall take effect five days from its adoption on September 9, 1996. *[Ord. 090996, 09/09/1996, §12]*