

ORDINANCE #764

AN ORDINANCE OF THE TOWNSHIP OF EAST DEER, COUNTY OF ALLEGHENY, PENNSYLVANIA, REPLACING ORDINANCE #463, KNOWN AS THE "MAINTENANCE AND CONTROL OF ANIMALS AND PETS ORDINANCE."

BE IT HEREBY ENACTED AND ORDAINED by the Board of Commissioners of the Township of East Deer, County of Allegheny, Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

ARTICLE I. SANITARY MAINTENANCE

- 1.01 Every person owning or occupying any property shall be responsible for the sanitary maintenance of the premises on which any animals or pets are housed, maintained or kenneled, exclusive of farm animals in an agricultural zone.

ARTICLE II NUMBER OF ANIMALS OR PETS LIMITED

- 2.01 The number of animals or pets housed or maintained within a structure or upon any premises, shall be limited only to those animals or pets that can be adequately maintained in a clean and sanitary condition as determined by the appropriate Health Officer of the Commonwealth of Pennsylvania and/or any official or employee of the Township designated for such purpose.

ARTICLE III ANIMAL SHELTERS

- 3.01 Animal shelters, or areas in which animals are maintained shall be permitted only in accordance with the accessory structure requirements of East Deer Township's Zoning Ordinance.
- 3.02 Animal shelters shall be constructed in such a manner so as not to create a health hazard or nuisance to the adjoining property owners.

ARTICLE IV ANIMAL EXCRETA REMOVAL

- 4.01 All animal excreta shall be removed and disposed of at least one time each day.

ARTICLE V ANIMAL FOOD CONTROL

- 5.01 Excess animal food shall not be allowed to accumulate in such manner so as to create a food source for bacteria, insects or rodents.

ARTICLE VI ANIMALS AND PETS RESTRICTED IN FOOD ESTABLISHMENTS

- 6.01 No person shall maintain, transport or carry any animal or pet in any eating or drinking establishment, food manufacturing or food service facility, except trained guide dogs for the blind and “support-type service” dogs for the disabled.

ARTICLE VII ANIMALS RUNNING AT LARGE PROHIBITED

- 7.01 It shall be unlawful for any person to permit any animal owned by him/her or under his/her supervision or control, to run at large either upon the public streets, sidewalks, alleys and property of the Township, or upon the property of persons other than the owner of such animals, without the property owner’s consent.

ARTICLE VIII OWNER’S RESPONSIBILITIES

- 8.01 Owners of leashed or unleashed animals shall be responsible for the removal and disposal of fecal matter deposited by their animals anywhere in the Township of East Deer.
- 8.02 Every person who owns or is in control of any cat or dog must either fence, chain, cable or the like secure the animal on his property so that the animal cannot violate Article 7.

ARTICLE IX No person shall allow any dog, cat or other domesticated animal or any non-domesticated animal confined on that person’s premises to make any loud or harsh noise or disturbance which interfere with or deprive the peace, quiet, rest or sleep of any person within the Township.

ARTICLE X Any person who owns or is in control of a dog or cat that bites another animal or human shall be prosecuted under the Pennsylvania Dog Law, 3.P.S. Section 459-101 et seq. as well as appropriate sections of this ordinance.

ARTICLE XI Each day’s violation of any of the provisions of this ordinance shall constitute a separate offense.

ARTICLE XII This ordinance may be enforced by either the Township appointed Dog Law Enforcement Officer, the Township’s Code Enforcement Officer or the Township’s Police Department.

ARTICLE XIII Any person who shall violate any of the sections of this ordinance shall, upon conviction thereof, be sentenced to pay fines according to the following schedule:

1. Fifty Dollars (\$50.00) and all costs of prosecution for the first offense and default of payment of such fine and costs of more than forty-five (45) days after conviction to imprisonment of not more than three (3) days in the Allegheny County Jail.
2. One Hundred Dollars (\$100.00) and all costs of prosecution for the second offense and default of payment of such fine and costs of more than forty-five (45) days after conviction to imprisonment of not more than five (5) days in the Allegheny County Jail.
3. Five Hundred Dollars (\$500.00) and all costs of prosecution for the third offense and default of payment of such fine and costs of more than forty-five (45) days after conviction to imprisonment of not more than thirty (30) days in the Allegheny County Jail.

ARTICLE XIV SEVERANCE CLAUSE

- 14.01 Should any section, paragraph, clause or phrase of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of said ordinance shall not be affected thereby, and shall remain in full force and effect.

ARTICLE XV REPEALER CLAUSE

- 15.01 All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed to the extent of such conflict.

ENACTED AND ORDAINED into and ordinance this 11 day of November, 2008.

Board Chairman

Township Manager