

Chapter 2

Animals

Part 1

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Part 1**Animal Nuisances****§2-101. Definitions.**

As used in this Part, the following terms shall have the meanings as indicated:

Animal—any dog, cat or other domestic animal or fowl, any wild animal or any household pet.

Barn cats—also known as farm cats, are cats kept primarily for the purpose of catching the smaller vermin found on farms, which would otherwise eat and/or contaminate crops and especially grain or feed stocks.

Domestic animal—any animal normally or ordinarily domesticated or raised in this area and climate as livestock or for work or breeding purposes or normally or ordinarily kept as a household pet.

Enclosure—the separation and appropriation of land by means of a wall or fence, including underground fencing.

Farm animals and fowl—any fowl or any animal normally found on a farm such as; goats, chickens, turkeys, geese, ducks and pigeons, including homing pigeons.

Household pet—any dog, cat or other domestic animal normally and ordinarily kept in or permitted to be at large within the dwelling of its owner.

Large animal—any domestic animal of the bovine, equine, sheep or hog family.

Kennel, dog house, pen—shelter for animals providing safety, cover or protection as from the weather.

Nuisance—something that causes harm or offense to either people, animals or the general public.

Owner—a person having the right of property or custody of a dog, cat or other domestic animal or who keeps or harbors a dog, cat or other domestic animal, or knowingly permits a dog, cat or other domestic animal to remain on or about any premises occupied by that person.

Pest(s)—an injurious animal that is harmful to humans, other animals or property.

Restraint—all animals shall be considered under restraint if it is within the real property of its owner or secured by a lease or lead or under the control of a responsible person, or within a structural, or electronic fence.

Small animal—any domestic animal such as a rabbit, hare, guinea pig, rat, mouse or chinchilla.

Vicious animal—a dog, cat or other domestic animal that constitutes a physical threat to humans or other animals.

Wild animal—any animal, bird, fowl or reptile not normally or ordinarily domesticated, not normally or ordinarily raised in this area and climate as livestock or for work or breeding purpose or not normally or ordinarily kept as a household pet.

(*Ord. 247, 7/13/2010, §1*)

§2-102. Activities Considered Nuisances.

A cat, dog or other domestic animal shall be considered a nuisance if it damages, soils, defiles or defecates on private property other than the owner's, or on public rights-of-way, walks or walkways and recreation areas unless such waste is immediately removed and properly disposed of by the owner; causes unsanitary, dangerous or offensive conditions; causes a disturbance by excessive barking or other unusual noise with such frequency so as to reasonably annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others; chases vehicles; or molests, attacks or interferes with persons or other domestic animals on public property or on private property other than the owners.

(*Ord. 247, 7/13/2010, §2*)

§2-103. Keeping of Certain Animals Prohibited/Restricted.

1. No person, firm or corporation owning or occupying any real estate within the Township of Old Lycoming, except as provided in §2-104, "Exemptions," shall keep any pig, hog, horse, cow, sheep, goat, goose, chicken or wild animal at any place within the Township of Old Lycoming.

2. Reptiles confined to aquariums or cages; skunks which are de-scented; raccoons that are declawed; and other similar domesticated or wild animals which are confined are permitted. In no case may the number of such reptiles or animals exceed five per household.

3. Venomous or constrictor reptiles must be registered with the Township as to type and number being kept.

(*Ord. 247, 7/13/2010, §3*)

§2-104. Exemptions.

Exempted from the above shall be animals kept as part of permitted agricultural use, such as, but not limited to, barn cats or animals kept as part of a farm operation or as otherwise specifically permitted in the District Regulations of the Zoning Ordinance of the Township of Old Lycoming [Chapter 27].

(*Ord. 247, 7/13/2010, §4*)

§2-105. Confinement of Small Animals and Household Pets; Maintenance.

1. It shall be prohibited for any person to keep any small animals or household pets confined in any outdoor quarters which are closer than 15 feet from any property line.

2. The keeper of small animals or household pets shall confine the same in an enclosure sufficient to prevent such pets and animals from running at large, and such enclosure shall be of a size conducive to comfort and good sanitation practices. Adequate and sanitary drainage facilities shall be provided.

3. Every keeper of small animals or household pets shall cause the litter and droppings there from to be collected and placed in a container or receptacle of such type that, when closed, it shall be rat proof and fly tight, and after every such collection shall

cause such container or receptacle to be kept closed. At least once a week, every such keeper shall cause all litter and droppings so collected to be disposed of in such a manner as not to permit the presence of fly larvae.

4. Every keeper of a small animal or household pet shall cause all feed provided therefore to be stored and kept in rat proof and fly tight building, box container or receptacle.

(*Ord. 247, 7/13/2010, §5*)

§2-106. Restraint of Animals.

The keeper or owner of every domestic, farm, large, small, wild animal or house pet shall have control over the animal using a form of restraint.

(*Ord. 247, 7/13/2010, §6*)

§2-107. Kennels, Dog Houses and Pens for Dogs.

Any kennels, dog houses or pens used as accessory to a residence within the Township of Old Lycoming shall be so constructed so as to be humane and no more than two dogs shall be kept outside of any one residential structure full-time without conditional use approval. An owner or occupant may have more than two dogs (older than 6 months), outside their own premises that they occupy or own upon obtaining a conditional use permit from the Supervisors of the Township of Old Lycoming. Kennels, dog houses and pens shall be maintained in a manner to prevent the accumulation of feces or other odorous materials and in a way that prevents odor from leaving the private property occupied or owned by the dog owner. A person seeking to have a kennel, dog house or pen for keeping of a dog outside shall first obtain a permit from the Township as to size, location and construction materials to insure that these kennels, dog houses or pens are erected in a humane manner and a sufficient distance from neighbors. A person, firm or corporation constructing a kennel, dog house or pen without an approval permit, as herein required by the Township shall be in violation of this Part and subject to prosecution.

(*Ord. 247, 7/13/2010, §7*)

§2-108. Household Pets.

If household pets, as above defined, are kept in a dwelling, the owner or occupant shall be required to follow such procedures and practices as to the number of such pets to be kept there, and as to sanitation to ensure that no nuisance shall be created or maintained and no threat to health of persons or animals shall be created.

(*Ord. 247, 7/13/2010, §8*)

§2-109. Vicious Animals.

Any vicious animal, as determined by the designated official of the Township, shall be confined by its owner within a building or secured enclosure and shall be securely muzzled or caged at any time that animal is off the premises of its owner.

(*Ord. 247, 7/13/2010, §9*)

§2-110. State Law.

Any violation of this Part that would also violate any State law shall be prosecuted under that State law and not under this Part.

(Ord. 247, 7/13/2010, §10)

§2-111. Number of Dogs and/or Cats.

Any person, firm or corporation owning or occupying any real estate within the Township of Old Lycoming shall keep no more than a combined total of six dogs or cats. In interpreting this Part, no dog or cat under the age of 6 months shall be considered in determining the total number of dogs or cats kept.

(Ord. 247, 7/13/2010, §11)

§2-112. Penalties for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction hereof 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 \$300 nor more than \$1,000 plus costs, and in default of payment of said fine and costs, or other maximum as established by State law, to a term of imprisonment not to exceed 90 days. Each day 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. 247, 7/13/2010, §12)