

Chapter 53

ANIMALS

ARTICLE I

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[HISTORY: Adopted by the Borough Council of the Borough of South Greensburg". Art. I, 7-8-1991 as Ord. No. 91-5. Amended 3-15-2011by Ord. No. 2011-04, effective 3-14-2011].]

ARTICLE I

Defecation

[Adopted 7-8-1991 as Ord. No. 91-5]

Nuisance (Defecationand Urination)

§ 53-1. 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, cat or other animal to commit any nuisance, that is, defecation or urination, upon: (1) any street, driveway, alley, curb or sidewalk in the Borough of South Greensburg; (2) the floors or stairways of any building or place frequented by public or used in common by tenants, invitees or visitors; (3) the outside walls, walkways, driveways, alleys, curbs or stairways of any building abutting a public street or park; (4) the grounds of any public park or public area; or (5) any private property other than the property of the owner of such animal, without explicit consent of the private property owner.

§ 53-2. Disposal of animal feces.

Any person having possession, custody or control of any dog cat or other animal which commits a nuisance, that is, defecation or urination, in any area other than the private property of the owner of such dog or other animal, or as prohibited in § 53-1, shall be required to immediately remove any feces from such surface and either carry the same away for disposal in a toilet or place the same in a nonleaking container for deposit in an appropriate trash or litter receptacle. Such removal shall be considered abatement of the nuisance.

§ 53-3. Exemptions.

The provisions of §§ 53-1 and 53-2 hereof shall not apply to a guide dog accompanying any blind persons or to a dog used to assist any other physically handicapped person.

Miscellaneous Provisions

§ 53-4.

It shall be unlawful for the owner of any dog, cat or other animal to allow such animal to be at large, meaning to be off the premises or property of the owner, unless under restraint, such as a leash or similar device, or safely and humanely maintained within a vehicle. All such animals are to be maintained under restraint by the owner outside the property or premises of the owner. Owners are to maintain a controlled environment for all animals inside and outside the limits of the owner's property. This section shall apply with equal force to any person other than the animal owner having temporary possession, custody or control of any such animal.

§ 53-5.

The Borough of South Greensburg, finding that excessive levels of sound are detrimental to the physical, mental and social well-being of the people as well as to their comfort, living conditions, general welfare and safety and being, therefore, a public health and welfare hazard, hereby declares it to necessary to provide for the greater control and more effective regulation of excessive sound and the sources of excessive sound within the Borough. Any dog, cat or other animal, which by frequent and habitual barking, howling, screeching, yelping or baying, disturbs or endangers the quiet, solitude, comfort, repose or health of any person or persons, is hereby declared to be committing a nuisance. "Frequent and habitual" shall be defined herein as any noise made continuously and/or incessantly for a period of ten (10) minutes or intermittently for one-half (1/2) hour or more to the disturbance of any person any time of the day or night; provided that, at the time such noise is made, no person is trespassing or threatening to trespass upon private property in or upon which the animal is situated nor is there any other legitimate cause which justifiably provoked the animal. No owner or person having custody of such animal shall harbor or permit it to commit such a nuisance.

§ 53-6.

No person shall keep or harbor any dog, cat or other animal so as to create offensive odors, excessive noise or unsanitary conditions which are a menace to the health, comfort or safety of the public, or otherwise permit the commission or existence of a nuisance as defined herein.

§ 53-7.

The Borough of South Greensburg, including any designee thereof, may seize any dog, cat or other animal found at large within the Borough.

§ 53-8.

It shall be unlawful for the owner of any dog, cat or other animal to fail to comply with any and all laws, regulations and/or ordinances of the Commonwealth of Pennsylvania or the County of Westmoreland relating to licensing and rabies vaccinations.

§ 53-9.

Cats permitted by their owner to be outside must wear an ID collar containing the owner's name, address and phone number. Nothing herein, however, shall relieve said owner of the obligations set forth in § 53-4 of this Chapter.

§ 53-10.

Any female cat "in heat" (defined as the times during the year when the female is able to breed and have a litter) must be kept inside.

§ 53-11.

Any dog, cat or other animal that, in the opinion of the Police or any other authorized agent of South Greensburg Borough, constitutes a threat to public health, safety and welfare, may be killed by the Police.

Violations and penalties

§ 53-12.

It shall be hereafter unlawful for any person, firm, corporation or any other entity to act or fail to act in violation of any provision of this Chapter.

§ 53-13.

Any person, firm, corporation or other entity who violates any term or provision of this Chapter shall be guilty of a summary offense, and, upon conviction thereof before a Court of competent jurisdiction, be subject to a fine of not less than Twenty-Five Dollars (\$25.00) or more than One Thousand Dollars (\$1,000.00), plus all costs and reasonable attorneys' fees, and, upon default in the payment of same, be subject to the maximum period of incarceration permitted for summary offenses.

§ 53-14.

If any dog, cat or other animal is seized as provided above, the owner of such animal shall pay the actual, reasonable cost of seizure and detainment prior to the time the animal is released to the owner. Said cost shall include the reasonable hourly compensation of any Borough representative involved in the seizure and detainment.