

CHAPTER 2

ANIMALS

PART 1

PIGS AND PIG PENS

§101. Unlawful to Keep Pigs or Maintain Pig Pens in Borough

PART 2

DOGS RUNNING AT LARGE

§201. Unlawful to Allow Dogs to Run at Large

§202. Dog Officer; Impoundment; Unclaimed Dogs

§203. Definitions

§204. Noise Control

§205. Control of Animal Defecation

§206. Nuisances

§207. Penalties

PART 3

CONTROL OF ANIMAL DEFECATION

§301. Animal Defecation on Public and Private Property Restricted

§302. Disposal of Animal Feces

§303. Dogs Accompanying Blind or Handicapped Persons Exempted

§304. Penalties

PART 4

ANIMAL NOISE CONTROL

§401. Intent and Purpose

§402. Noise Disturbance

§403. Exceptions

§404. Penalties

PART 1

PIGS AND PIG PENS

§101. UNLAWFUL TO KEEP PIGS OR MAINTAIN PIG PENS IN BOROUGH.

1. No person, firm or corporation shall keep any pig or hog at any place within the Borough of New Oxford, nor shall any person, firm or corporation maintain any pig pen or hog pen at any place within the said Borough.
2. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not to exceed \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day a violation of this Part continues shall constitute a separate offense.
[Ord. 384]

(Ord. 247, 11/6/1969; as amended by Ord. 384, 6/7/1999)

PART 2

DOGS RUNNING AT LARGE

§201. UNLAWFUL TO ALLOW DOGS TO RUN AT LARGE.

It shall be unlawful for the owner of any dog to allow the same to be at large within the limits of the Borough of New Oxford.

(Ord. 307, 10/5/1981, §1.0)

§202. DOG OFFICER; IMPOUNDMENT; UNCLAIMED DOGS.

It shall be the duty of any police officer of the Borough or any person designated and appointed by the Borough Council as Dog Officer to seize and detain any dog found running at large. Such dog shall be impounded in the place designated by the Borough Council as the Borough Dog Pound, except that it shall be the privilege of any police officer to kill any dog which is found at large and is deemed after due consideration by the police officer to constitute a threat to the public health and welfare. The Chief of Police or his agents shall cause any dog bearing a proper license tag and so seized and detained to be properly kept and fed and shall cause immediate notice, either personal or by certified mail, to be given to the person in whose name the license was procured or his agent to claim such dog within 10 days. The owner of a dog so detained shall pay a penalty of \$15 to the Borough and all reasonable expenses incurred by reason of its detention to the person in charge of the Borough Dog Pound. Such expenses shall be according to a uniform schedule to be approved from time to time by the Borough Council. Any dog not claimed within 5 days after giving of such notice may be disposed of as provided by the Dog Law of 1982.

(Ord. 307, 10/5/1981, §2.0; as amended by Ord. 384, 6/7/1999)

§203. DEFINITIONS.

1. In this Part, the following words and terms shall have the meanings hereby respectively ascribed thereto, except where the context clearly indicates a different meaning:

AT LARGE - being on any of the streets, public alleys and public property in the Borough of New Oxford, or upon the property of other than the owner or keeper and not on a leash 6 feet or less in length.

DOG - any dog or bitch 6 months of age or older.

OWNER - when applied to the proprietorship of a dog, shall include any 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.

ANIMALS

PERSON - any natural person, partnership, firm, association or corporation.

2. In this Part, the singular shall include the plural, the plural shall include the singular and the masculine shall include the feminine and the neuter.

(Ord. 307, 10/5/1981, §3.0)

§204. NOISE CONTROL.

No person shall allow any domesticated or nondomesticated animal confined on that person's premises to make any loud or harsh noise or disturbance which interferes with or deprives the peace, quiet, rest or sleep of any person within the Borough.

(Ord. 307, 10/5/1981, §4.0)

§205. CONTROL OF ANIMAL DEFECATION.

No person shall allow any domesticated or nondomesticated animal owned by him or under his control to defile, befoul, corrupt or otherwise desecrate any sidewalk, walkway or the property of another or to destroy or damage the property of another.

(Ord. 307, 10/5/1981, §5.0)

§206. NUISANCES.

No person shall allow any domesticated or nondomesticated animal owned by him or under his control to be housed and/or maintained under such conditions and in a manner as to create such unpleasant or noxious odors as to create a nuisance or to create such conditions as to be hazardous to the health and sanitation of the residents of the Borough as to be considered a nuisance.

(Ord. 307, 10/5/1981, §6.0)

§207. PENALTIES.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not to exceed \$600 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 307, 10/5/1981, §7.0; as amended by Ord. 384, 6/7/1999)

PART 3

CONTROL OF ANIMAL DEFECATION

§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 Borough of New Oxford, 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. 384, 6/7/1999)

§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 §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. 384, 6/7/1999)

§303. DOGS ACCOMPANYING BLIND OR HANDICAPPED PERSONS EXEMPTED.

The provisions of §§301 and 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. 384, 6/7/1999)

§304. PENALTIES.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 384, 6/7/1999)

PART 4

ANIMAL NOISE CONTROL

§401. INTENT AND PURPOSE.

The Borough Council of the Borough of New Oxford, 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 be necessary to provide for the greater control and more effective regulation of excessive sound and the sources of excessive sound within the Borough of New Oxford.

(Ord. 384, 6/7/1999)

§402. NOISE DISTURBANCE.

It shall be illegal within the Borough of New Oxford for any person or persons to own, possess, harbor or control any animal or bird which makes any noise continuously and/or incessantly for a period of 10 minutes or makes such noise intermittently for 1/2 hour or more to the disturbance of any person any time of the day or night regardless of whether the animal or bird is physically situated in or upon private property, said noise being a nuisance; provided, that at the time the animal or bird is making such noise no person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated nor is there any other legitimate cause which justifiably provoked the animal or bird.

(Ord. 384, 6/7/1999)

§403. EXCEPTIONS.

This Part shall not be deemed to prohibit or otherwise declare unlawful any agricultural operations protected from nuisance suits by Act No. 1982-133.

(Ord. 384, 6/7/1999)

§404. PENALTIES.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 384, 6/7/1999)

