

THE BOROUGH OF CHURCHILL

ORDINANCE NO. 645

AN ORDINANCE AMENDING ORDINANCE NO. 639 PROHIBITING THE RUNNING AT LARGE OF DOGS, CATS, OR OTHER DOMESTIC ANIMALS WITHIN THE BOROUGH OF CHURCHILL; PROVIDING FOR THE CLEANUP AND PROPER DISPOSAL OF ANIMAL WASTES; PROVIDING FOR FARM ANIMALS; PROVIDING FOR THE IMPOUNDING AND DETENTION OF SUCH DOGS, CATS, OR OTHER DOMESTIC ANIMALS; NOTICE TO THE OWNERS THEREOF TO RECLAIM THE SAME; ESTABLISHING THE CHARGE FOR SUCH IMPOUNDING AND DETENTION; PROVIDING FOR THE DESTRUCTION OR SALE OF SUCH AS ARE IMPOUNDED AND NOT RECLAIMED; PROVIDING FOR THE SECURING OF ANIMALS AND THE ANIMAL CAPACITY OF PROPERTIES; AND PROVIDING FOR A FINE AND PENALTY FOR VIOLATION OF ANY OF THE PROVISIONS THEREOF.

SECTION 1. BE IT ORDAINED AND ENACTED by the Council of the Borough of Churchill, in Council assembled, and it is hereby ordained and enacted by the authority of the same, that from and after the effective date of this Ordinance, it shall be unlawful for dogs, cats, or other domestic animals of any kind and description to be permitted to run at large throughout this Borough.

SECTION 2. Dogs, cats, or other domestic animals must be confined at the premises of the owner of said animal. At all times dogs, cats, or other domestic animals must be under the control of the owner thereof. Dogs, cats, or other domestic animals, are permitted on the streets and highways of the Borough when on a leash and in care of the owner of said animal. If a structural fence is used to confine domestic animals to their owner's property, the fence must be of sufficient height to prevent the animal(s) from jumping over the top and escaping. The fence must also be of sufficient sturdiness from top to bottom so that the animal(s) cannot push out from it or escape under it. However, in no event shall such fence exceed the height or other requirements of the Borough Zoning Ordinance.

SECTION 3. It shall be the duty of the Police Officer and Animal Control Officer to seize and detain any dog which is found running at large upon the public streets or highways of the Borough, or upon the property of

other than the owner of such dog and unaccompanied by the owner, and to seize and detain any cat or domestic animal which is found running at large upon the public streets or highways of the Borough, or upon the property of other than the owner of such cat or domestic animal and unaccompanied by owner thereof. Any Police Officer is hereby authorized and empowered to go upon any premises, to seize and detain any dog, cat or domestic animal which has been found running at large unaccompanied by its owner when such Police Officer or Animal Control Officer has been and is in immediate pursuit of such dog, cat, or other domestic animal.

SECTION 4. Farm Animal - Any animal normally raised for its meat, milk, skins, or other products, or for its ability to perform work. Horses, cows, pigs, sheep, goats, chickens, ducks, rabbits, and other similar animals are examples of farm animals and not household pets. Farm animals shall be restricted to farm and parcels of land in excess of three (3) acres. Any resident may be permitted one rabbit and/or one duck, which will be considered to be a household pet and not a farm animal. Bees are not considered to be farm animals, but are regulated by PA Act 58 of April 6, 1921, P.L. 95.

SECTION 5. Where proper complaint or other evidence has verified the fact that a dog, cat or other domestic animal is mad, or is suffering from rabies, any Police Officer of this Borough, or the Animal Control Officer is herewith empowered, authorized and directed to shoot such dog, cat or other domestic animal, on sight.

SECTION 6. The Council shall, from time to time, and as conditions warrant and make necessary, prescribe additional rules and regulations concerning dogs, cats, or other domestic animals; the boarding and providing for all such types of animals seized and detained by the Police and Animal Control Officer of the Borough; commitment to a Dog and Cat Pound; examination of

diseased animals, especially for rabies; return of dogs, cats or other domestic animals to the lawful owners upon reimbursement for expenses incurred, fines, etc. and boarding; and destruction of same.

SECTION 7. Residents shall not house, possess or board such numbers and types of animals as to exceed the "carrying capacity" of this property. Large numbers of specific muscular-type dogs which can revert to "pack behavior" shall be specifically limited . The Borough shall have the right to determine whether the safety and health of animals and/or the residents (i.e. owners and neighbors) are compromised or endangered by the presence of excess numbers of domestic animals at any given property. The Borough shall have the power to remove and impound such animals to protect the public safety of the Borough.

SECTION 8. The Council of the said Borough is hereby authorized and empowered to enter into contracts and agreement with persons or agencies of humane type, which are competent and qualified to board, administer to, and care for animals, including the destruction of vicious or diseased.

SECTION 9. The provisions of Section 302 of Article III of the Dog Law of 1965 providing for seizing, disarming and killing dogs, etc. are incorporated herein.

SECTION 10. Each and every owner of dogs, cats, or other domestic animals, in addition to keeping said animals under their control, shall be responsible for the clean-up and proper disposal as sewage of any animal waste, defecation or refuse created by said animals. Failure to do so shall be subject to the penal provisions of Section 11 of this Ordinance.

SECTION 11. Any person violating any of the provisions of this Ordinance, or who fails or refuses to comply with any of the provisions of this Ordinance, shall, upon pleas of guilty or conviction in a Summary Proceedings before the District Magistrate or any Justice of the Peace, shall pay or

be sentenced to pay a fine of not less than Twenty-five (\$25.00) Dollars nor more than Three Hundred (\$300.00) Dollars and costs of prosecution, or in lieu thereof be sentenced to imprisonment in the Allegheny County Jail for a period not to exceed thirty (30) days. All fines collected under the provisions of this Ordinance, either upon pleas of guilty and waiving of formal charges, as well as all fines collected under Summary Proceedings, shall be paid to the County Treasurer, then to the Borough as provided by the Dog Law of 1965.

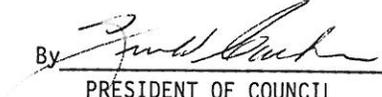
SECTION 12. That Ordinance No. 639 be and same is hereby repealed.

ORDAINED AND ENACTED into law by the Council of the Borough of Churchill this 13th day of September, 1994.

ATTEST:

THE BOROUGH OF CHURCHILL


SECRETARY

By 
PRESIDENT OF COUNCIL

EXAMINED AND APPROVED this 13th day of September, 1994.


MAYOR