

ORDINANCE NO. 366

AN ORDINANCE PROHIBITING OWNERS, CUSTODIANS AND KEEPERS OF DOGS, CATS OR OTHER DOMESTICATED ANIMALS TO RUN AT LARGE; PROHIBITING SAID ANIMALS FROM CAUSING A NUISANCE; PROHIBITING OWNERS FROM KEEPING MORE THAN FIVE (5) ANIMALS; AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF.

The Borough of Bentleyville hereby Enacts and Ordains as follows:

SECTION 1. Definitions: As used in this Ordinance the following words, phrases and terms mean:

ANIMAL: For the purpose of this Ordinance, animal shall mean a dog, cat or any other domesticated animal.

AT LARGE: A dog, cat or any other domesticated animal shall be deemed to be at large when either upon any of the streets, alleys or public grounds in the Borough of Bentleyville, or when off the property of the owner and not under control or restraint of the owner or keeper thereof.

RESTRAINT: A dog, cat or any other domesticated animal shall be considered under restraint if it is within the real property limits of its owner or secured by a leash or lead or under the control of a responsible person.

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

PERSON: Any individual, corporation, partnership, organization or institution commonly recognized by law as a unit. In this Ordinance the singular shall include the plural and the masculine shall include the feminine and the neuter.

NUISANCE: A dog, cat or other domesticated animal shall be considered a nuisance if it: damages, soils, defiles, befouls, or defecates on private property other than the owner's or on public walks, streets, alleys 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 noisemaking; or chases vehicles, or molests, attacks, or interferes with persons or other domestic animals on public property.

SECTION 2. It shall be unlawful for any dog, cat or other domesticated animal to be permitted to run at large within the Borough of Bentleyville by the owner, custodian or keeper thereof.

SECTION 3. All dogs, cats or other domesticated animals shall be confined on the premises of the owner, custodian or keeper thereof. When allowed out, the dogs, cats or other domesticated animals shall be at all times, under the control or restraint of the owner, custodian or keeper.

SECTION 4. It shall be unlawful for any dog, cat or other domesticated animal to cause a nuisance and the owner, custodian or keeper thereof shall be held responsible for every behavior of such animal under the provisions of this Ordinance.

SECTION 5. It shall be unlawful for any person to keep more than five (5) animals over the age of three months, unless licensed as a kennel.

SECTION 6. Nothing contained in the provisions of this Ordinance shall be construed by anyone as an abrogation of the Dog Law of the Commonwealth of Pennsylvania. Further nothing contained in this Ordinance shall be deemed to interfere with other rights of action on the part of any aggrieved person.

SECTION 7. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance. All Ordinances or parts thereof in conflict herewith are hereby repealed.

SECTION 8. Any person who shall violate any of the provisions

of this Ordinance shall, upon conviction thereof before the District Magistrate, be sentenced to pay a fine of not less than Ten (\$10.00) Dollars or more than Twenty-five (\$25.00) Dollars and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment in the Washington County, Jail for not more than Ten (10) Days.

ENACTED AND ORDAINED into an Ordinance this 8th day of March, 1983.

ATTEST:

BOROUGH OF BENTLEYVILLE

BY *Lena Greenfield*
Borough Secretary

BY *Pudom Malak*
President of Council

Examined and Approved by me this 8th day of March,
1983.

Gaul Jones
Mayor

(BOROUGH SEAL)