

Part 3

Domestic Animals

§301. Unlawful to Permit Domestic Animals to Run at Large. It shall be unlawful for the owner of any domestic animal to permit said animal to run at large, at any time, within the limits of the Borough of New Brighton. For the purposes of this section, any domestic animal not restrained by leash or by other suitable means, when said domestic animal is not upon the premises of the owner thereof, shall be considered to be running at large. (Ordinance 909, July 20, 1967, §1)

§302. Restrictions on Keeping Dangerous or Vicious Animals or Animals with Contagious or Infectious Disease. It shall be unlawful to keep, at any place, within the limits of the Borough of New Brighton any dangerous or vicious animal or any animal inflicted with a contagious or infectious disease, when in the opinion of the Health Officer of the Borough of New Brighton said animal by reason of its disposition or state of health constitutes a clear and present danger to the health, safety and welfare of any person or property. (Ordinance 909, July 20, 1967, §2)

§303. Unlawful to Walk or Exercise Domestic Animals in Parks, Playgrounds or Other Public Grounds. It shall be unlawful for any person to walk or exercise any domestic animal, whether restrained by leash or not, within the memorial parks, playgrounds or upon any other public grounds of the Borough of New Brighton. (Ordinance 909, July 20, 1967, §3)

§304. Unlawful to Keep or Harbor Noisy Domestic Animals. It shall be unlawful to keep or harbor within the limits of the Borough of New Brighton any domestic animal which disturbs the peace by loud noises at any time of the day or night. (Ordinance 909, July 20, 1967, §4)

§305. Domestic Animals as Public Nuisances. It shall be unlawful for any person to keep any animal, except as provided in this Section:

A. Any animal found running at large in the Borough or disturbing the peace as set forth in §304 hereof, or any animal considered by a police officer to be dangerous, vicious or infected with a contagious or infectious disease is hereby declared to be a public nuisance any may be abated in the manner provided by law.

B. 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 Brighton, 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.

C. 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 subsection (B)

shall be required to immediately remove any feces from such surface and either:

- (1) Carry same away for disposal in a toilet.
- (2) Place same in a non-leaking container for deposit in a trash or litter receptacle.

D. The provisions of subsections (B) and (C) hereof shall not apply to a guide dog accompanying any blind person, or to a dog used to assist any other physically handicapped person.

E. Any person having possession, custody or control of any combination of dogs and/or cats totaling more than five (5) per household is hereby declared a public nuisance and may be abated in the manner provided by law. This shall not include newborn animals less than three (3) months of age and kennels licensed by the Commonwealth of Pennsylvania and the Borough of New Brighton. [Ord. 1143]

(Ordinance 909, July 20, 1967, §5; as amended by Ordinance 1125, October 22, 1992, §1; and by Ordinance 1143, April 25, 1996, §1)

§306. Domestic Animal Kennels Unlawful. It shall be unlawful for any person, firm or corporation to own, operate or maintain within the Borough of New Brighton, any domestic animal kennel. For the purposes of this Part 3 any domestic animal kennel shall be defined as the keeping of more than four domestic animals of the same or similar breed for the purposes of breeding, sale or show and shall include the keeping of any facilities for the boarding of domestic animals for a fee, charge or other valuable consideration. Provided: that each day's violation of this section of this Part 3 shall constitute a separate offense. (Ordinance 958, August 17, 1972)

§307. Penalties. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00), and in default of payment, to undergo imprisonment for a term not to exceed thirty (30) days. Each day a violation of this Part continues shall constitute a separate offense. (Ordinance 958, August 17, 1972; as amended by Ordinance 1125, October 22, 1992, §1)