

BOROUGH OF PLUM

ORDINANCE NO. 603-98

**AN ORDINANCE RELATING TO THE REGULATION, VACCINATION,  
CONFINEMENT, DISPOSITION, AND DISPOSAL OF DOGS AND THE  
REGULATIONS OF CATS**

The BOROUGH OF PLUM hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public health, safety and welfare of the BOROUGH OF PLUM and the inhabitants thereof, therefore,

BE IT ORDAINED AND ENACTED by the BOROUGH OF PLUM, in Council assembled, as follows:

**SECTION I. DEFINITIONS**

As used in this Ordinance, the following terms mean:

Cat: For the purpose of this ordinance, cat shall mean cat.

Dog: For the purpose of this ordinance, dog shall mean dog.

Animal Control Authority: The Borough of Plum or the person, persons, or firm designated by said Borough to enforce this ordinance.

Animal Establishment: Any pet shop, grooming shop, performing animal exhibition, kennel, or animal shelter, except this term shall not include residences where fewer than three dogs are bred less than three times annually for non-commercial purposes, veterinary medical facilities, licensed research facilities, facilities operated by government agencies, or licensed animal dealers regulated by the

USDA under the provisions of U.S. Public Laws 89544 and 91579.

Animal Shelter: Facility designated or recognized by the Borough of Plum for the purpose of impounding and caring for animals.

At Large: A dog shall be deemed to be at large when off the property of the owner and not under restraint.

Humane Manner: As defined by State law, care of an animal to include, but not be limited to, adequate heat, ventilation and sanitary shelter, wholesome food and water, consistent with the normal requirements and feeding habits of the animal's size, species, and breed.

Kennel: An establishment kept for the purpose of breeding, selling, or boarding dogs or engaged in training dogs.

Licensing Authority: The County Treasurer shall be an agent and shall process applications for license certificates and shall issue license certificates and tags (3 P.S. 3459-200 et. seq.)

Spayed/Neutered Rendered permanently incapable of reproduction.

Nuisance: A dog or cat shall be considered a nuisance if it: Damages, soils, defiles, or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner; causes unsanitary conditions; causes a disturbance by barking or other noise making or chases vehicles, or molests, attacks, or interferes with persons or other domestic animals. Excessive barking: of more than twenty (20) minutes of continuous barking outside the home.

Owner: A person having the right of property or custody of a dog or cat or who keeps or harbors a dog or cat, or knowingly permits a dog or cat 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.

Pet Shop: An establishment engaged in the business of buying or selling, at retail, dogs or cats, or other animals for profit-making purposes.

Restraint: A dog shall be considered under restraint if it is within the real property limits of its owner or secured by a leash or lead under the control of a responsible person. (3 P.S. 59-305)

Offensive Dog: Dogs are not permitted to pursue or wound any livestock, or wound or kill poultry, wound or kill other dogs or household pets, or attack human beings. (Act 225, Section 501).

## SECTION II. LICENSING AND RABIES VACCINATION:

(a) Except as provided in Section 3, no person shall own, keep, or harbor any dog or cat over four months of age within the Borough of Plum unless such dog or cat is vaccinated. The provisions of this section do not apply to animals owned by a licensed research facility or held in a veterinary medical facility or government operated or licensed animal shelter.

(b) All dogs or cats shall be vaccinated against rabies by a licensed veterinarian, in accordance with the latest "Compendium of Animal Rabies Vaccines and Recommendations for Immunization" published by the National Association of State Public Health Veterinarians.

(c) A certificate of vaccination shall be issued to the owner of each animal vaccinated on a form recommended by the Compendium. Each owner shall also receive a durable vaccination tag indicating the year in which it was issued.

## SECTION III. OWNER RESPONSIBILITY:

(a) All dogs shall be kept under restraint.

(b) Every offensive dog, as determined by the Borough of Plum, be confined by its owner within a building or secure enclosure and be securely muzzled or caged whenever off the premises of its owner.

(c) No dog or cat shall be allowed to cause a nuisance. The owner of every dog or cat shall be held responsible for every behavior of such dog or cat under the provisions of this ordinance.

(d) Any person, firm or corporation violating any of the provisions hereof shall upon conviction thereof before the Police Magistrate of the Borough of Plum and be sentenced to pay a fine not in excess of ONE HUNDRED DOLLARS (\$100.00), together with costs for each offense, and in default thereof, be sentenced to the Allegheny County jail for a period not exceeding THIRTY (30) days.

#### SECTION VI. IMPOUNDMENT:

(a) Any dog found running at large shall be impounded by the Borough of Plum in an animal shelter and in a humane manner. Immediately upon impounding a dog, the Borough of Plum shall make every reasonable attempt to notify the owner and inform such owner of the conditions whereby custody of the animal may be regained. Licensed dogs not claimed by their owners within a period of five (5) full days in which the shelter is open to the public shall become the property of the Borough of Plum.

(b) When a dog is found running at large and its ownership is verified by the Borough of Plum, the authority may exercise the option of serving the owner with a notice of violation in lieu of impounding the animal.

(c) In the event that the Borough of Plum finds dogs to be suffering it shall have the right forthwith to remove or cause to have removed any such animals to a safe place for care at the owner's expense or to euthanized then when necessary to prevent further suffering. Return to the owner may be withheld until the owner shall have

made full payment for all expenses so incurred.

(d) Disposal of an animal by any method specified herein does not relieve the owner of liability for violations and any accrued charges.

#### SECTION VI. PENALTY FOR FAILURE TO COMPLY:

In addition to any other remedy that may be set forth herein, any person or entity who shall fail, neglect or refuse to comply with the terms and provisions of this Ordinance shall upon conviction thereof in a summary proceeding before a Magistrate of competent jurisdiction, be sentenced to a fine not to exceed \$1,000.00 and costs of prosecution and in default of payment of such fine and costs, to undergo imprisonment in the County Jail for not more than thirty (30) days.

Every violation shall constitute a separate offense and the Magistrate is authorized to impose a separate fine for each and every violation.

#### SECTION V. INTERFERENCE:

No person shall interfere with, hinder, or molest any agent of the Borough of Plum in the performance of any duty as herein provided. Any person violating this section shall be deemed guilty of a misdemeanor and shall be subject to a fine of not less than twenty (\$20.00) dollars or more than three hundred (\$300.00) dollars.

#### SECTION VII. REPEALS:

All other ordinances of the Borough of Plum which are in conflict with this Ordinance are hereby repealed to extent of such conflict.

#### SECTION VIII. SEVERABILITY:

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.

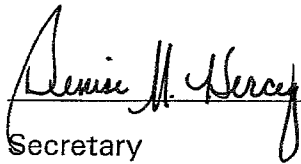
#### SECTION IX. APPLICABILITY:

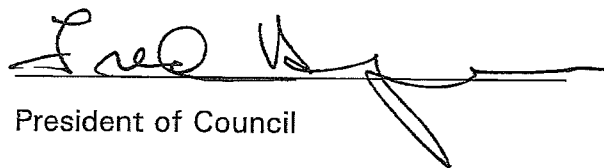
This ordinance shall be in full force and effect upon the expiration of ten (10) days after its passage and publication.

ORDAINED AND ENACTED into law this 14th day of December, 1998.

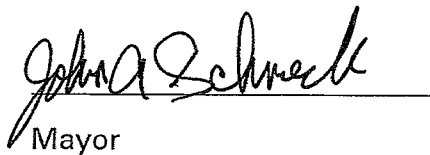
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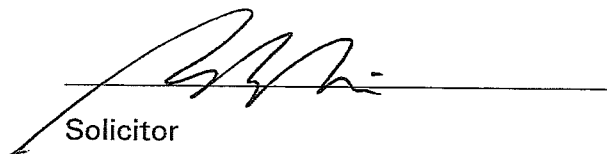
BOROUGH OF PLUM

  
Secretary

  
President of Council

EXAMINED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 1998.

  
Mayor

  
Solicitor