

Alexandria Borough
ORDINANCE NO. 2013-1

AN ORDINANCE TO PROVIDE FOR THE PROTECTION OF PUBLIC HEALTH AND SAFETY WHILE PROMOTING HUMANE STANDARDS OF CARE FOR THE PETS IN OUR COMMUNITY.

BE IT ENACTED AND ORDAINED by the Alexandria Borough Council, Huntingdon County, Pennsylvania, and it is hereby enacted and ordained as follows:

SECTION 1:

It shall be unlawful for any owner, custodian, keeper or person to cruelly deprive food, water, shelter and protection to any animal under his control and/or custody, or to abandon, poison, cruelly beat, cruelly whip or kill any animal under his, another's or no one's control and/or custody, or to mutilate, overdrive, overload, overwork, torment, torture or otherwise cruelly ill-use any animal.

SECTION 2.

It shall be unlawful for the owner, custodian or keeper of any dog, cat or other domesticated animal or any non-domesticated animal to allow such dog, cat or other domesticated animal or non-domesticated animal to run at large at anytime, either upon any of the public streets, alleys, highways or public grounds in the Borough of Alexandria, or upon the property of a person other than the owner, custodian or keeper of such dog, cat or other domesticated animal or non-domesticated animal. Animals at large will be trapped or caught and taken to an Animal Shelter and held according to the policies of such Shelter.

SECTION 3.

It shall be unlawful for the owner, custodian or keeper of any dog, cat or other domesticated animal or non-domesticated animal confined to that person's premises to allow such dog, cat or other domesticated animal or non-domesticated animal to make any loud or harsh noises or disturbance which interfere with or deprive the peace, quiet, rest or sleep of any person within the Borough of Alexandria.

SECTION 4.

It shall be unlawful for the owner, custodian or keeper of any dog, cat or other domesticated animal or non-domesticated animal confined to that person's premises to allow any rabies- susceptible animal, for which a licensed vaccine is available, to fail to have said rabies- susceptible animal vaccinated against rabies by a licensed veterinarian of his choice. Young animals shall be vaccinated at the time recommended by a Veterinarian. Unvaccinated animals acquired or moved into the Borough must be vaccinated within 10 days after purchase or arrival, unless newly born and not yet requiring a vaccination as specified above. Rabies vaccinations must be completed every three years thereafter.

SECTION 5.

It shall be unlawful for the owner, custodian or keeper of any dog, cat or other domesticated animal or non-domesticated animal to allow such dog, cat or other domesticated animal or non-domesticated animal under his or her control to defile, befoul, corrupt or otherwise desecrate any sidewalk, walkway or the property of another unless such owner, custodian or keeper shall immediately correct such condition or cause the correction thereof.

SECTION 6.

It shall be unlawful for the owner, custodian or keeper of any dog, cat or other domesticated animal or non-domesticated animal to allow such dog, cat or other domesticated animal or non-domesticated animal under his or her control to destroy or damage the property of another.

SECTION 7.

It shall be unlawful for any animal owner, custodian or keeper of any dog, cat or other domesticated animal or non-domesticated animal to allow such dog, cat or other domesticated animal or non-domesticated animal either willfully or through failure to exercise due care and control, to maintain his animal or the premises upon which said animal is maintained in such a manner as to emit such offensive odors which disturb the comfort, peace or repose of any person residing in the vicinity.

SECTION 8.

It shall be unlawful for any person to continue to feed feral cats or other wild animals, if such feeding causes a nuisance to neighbors or creates a condition contrary to the health, safety, and welfare of the community.

SECTION 9.

It shall be unlawful for the owner, custodian or keeper of any dog, cat or other domesticated animal or non-domesticated animal to transport such dog, cat or other domesticated animal or non-domesticated animal in the open bed of a vehicle without proper restraint. All animals must be restrained by one or more tethers fixed to the vehicle and attached to the collar or harness being worn by the animal in a manner that will prevent the animal from falling, being thrown, or jumping from the vehicle. The animal may also be safely enclosed within the cab of the vehicle or within a container or cage. It shall also be unlawful for any person to transport, place or confine an animal in the enclosed trunk of a vehicle. It shall also be unlawful for a vehicle owner or operator to place, confine or allow an animal to remain in a vehicle without sufficient ventilation or under conditions for such a period of time as may reasonably be expected to endanger the health or wellbeing of such animal due to heat, lack of water, or such other circumstances as may reasonably be expected to cause suffering, disability or death of the animal.

SECTION 10.

It shall be unlawful to own, keep, or harbor or allow to be in or upon any premises any dangerous or potentially dangerous dog, cat or other domesticated animal or non-domesticated animal. It shall also be unlawful to transport such dog, cat or other domesticated animal or non-domesticated animal without said animal being confined so as to protect the public from injury. A "Dangerous animal" shall be defined as one who meets one or more of the following conditions:

- (a) Any animal which attacks, snaps at, bites, causes severe injury or has a history of attacking a human being or other domestic animal(s) one or more times without provocation.
- (b) Any animal engaging in or found to have been trained to engage in exhibitions of fighting.
- (c) Any animal which by training, disposition, or behavior may pose a potential risk of attacking and inflicting injury without provocation upon people or other animal(s).

No animal may be declared dangerous or potentially dangerous if it inflicts injury or damage on a person committing a willful trespass or other tort upon premises occupied by the owner or lessee of the dog or committing or attempting to commit a crime. No animal may be declared dangerous or potentially dangerous for taking action to defend or protect a human being within the immediate vicinity of the animal from an unjustified attack or assault. No dog used in lawful activities of any law enforcement officer shall be declared a dangerous or potentially dangerous dog.

SECTION 11:

It shall be unlawful for the owner, custodian or keeper of any dog, cat or other domesticated animal or non-domesticated animal to be kept outside and unattended by use of a restraint that unreasonably limits the animal's movement.

A restraint unreasonably limits an animal's movement if the restraint:

- (1) uses a collar that is pinch-type, prong-type, or choke-type or that is not properly fitted to the animal or
- (2) is a length shorter than the greater of five times the length of the animal, as measured from the tip of the animal's nose to the base of the animal's body or
- (3) is in an unsafe condition; or
- (4) causes injury to the animal.

It will be illegal to restrain an unattended dog during extreme weather conditions, including conditions in which:

- a. the actual or effective outdoor temperature is below 32 degrees Fahrenheit;
- b. a heat advisory has been issued by a local or state authority or jurisdiction;
- c. a hurricane, tropical storm, or tornado warning has been issued for the jurisdiction by the National Weather Service.

It shall be unlawful to restrain an unattended dog, cat or other domesticated animal or non-domesticated animal without water and overhead cover to adequately protect the animal from sun and weather elements.

SECTION 12.

Any person found in violation of any of the provisions of this Ordinance shall, on conviction thereof, be sentenced to pay a fine of not less than Twenty-Five (\$25.00) Dollars nor more than Three Hundred (\$300.00) Dollars and all costs of prosecution for each and every offense, and in default of such fine and costs, to imprisonment for not more than ten (10) days.

SECTION 13.

Each and every incident or occasion in which a violation of any of the provisions of this Ordinance exists shall constitute a separate violation and offense.

SECTION 14.

This Ordinance shall not provide an exclusive remedy nor shall the provisions hereof be a bar to proceedings under or actions to enforce any statute then in force.

SECTION 15.

All other Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. ORDAINED in Council this 11th day of November, 2013.

SECTION 16.

This Ordinance may be enforced by, but not limited to, The Juniata Regional Police, The Huntingdon County Dog Enforcement Officer, The Pennsylvania State Police, or any other law enforcement agency.

A copy of this ordinance is on file at the Alexandria Memorial Public Library or by calling the secretary at (814) 669-9478.

ATTEST: _____

Secretary

ALEXANDRIA BOROUGH COUNCIL BY:

APPROVED:

Michael Peters
~~Mayor~~ Council President

Date: 11-11-13