

**BOROUGH OF DUBOISTOWN  
LYCOMING COUNTY, PENNSYLVANIA**

**Animal Control  
ORDINANCE NO. 2022-03**

**Replaces – Ord No. 1992-3 adopted 5-7-1992**

**Article I**

**AN ORDINANCE OF THE BOROUGH OF DUBOISTOWN, LYCOMING COUNTY,  
PENNSYLVANIA, KEEPING OF CATS IN DUBOISTOWN, PROVIDING RESTRICTIONS,  
REGULATIONS AND PENALTIES FOR THE VIOLATION THEREOF.**

**BE IT ORDAINED AND ENACTED BY the Council of the Borough of DuBoistown, and it is  
hereby ordained and enacted by virtue of authority of the same as follows:**

**55-1 Title.**

This article shall be known as the "Animal Control Ordinance of the Borough of DuBoistown."

**55-2 Definitions; word usage**

The following words and terms, as used in this article, shall have the meanings hereby respectively ascribed thereto, except where the context clearly indicates a different meaning:

"Animal" – Any dog, cat or other domestic animal or fowl, any wild animal, or any household pet.

"Domestic Animal" – Any dog, cat or other domestic animal as hereinafter defined as a household pet, a large animal, or a small animal.

"Farm Animals and Fowl" – Any fowl or any animal normally found on a farm such as: goats, chicken family, turkeys, geese, ducks, and pigeons, including homing pigeons.

"Household Pet" – Any dog, cat or other domestic animal normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.

"Large Animal" – Any domestic animal of the bovine, equine, sheep, or hog family.

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

"Person" – Any person, firm, partnership, association, or corporation.

"Restraint" – A dog, cat or other domestic animal shall be considered under restraint if it is within the real property of its owner or secured by a leash or lead or under the control of a responsible person.

"Small Animal" – Any domestic animal such as a rabbit, hare, guinea pig, rat, mouse, or chinchilla.

"Vicious Animal" – A dog, cat or other domestic animal that constitutes a physical threat to humans or other domestic animals.

"Wild Animal" – Any animal, bird, fowl, or reptile not normally or ordinarily domesticated, not normally or ordinarily raised in this area and climate as livestock or for work of breeding purpose or not normally or ordinarily kept as a household pet.

In this article, the singular shall include the plural, the plural shall include the singular and the masculine shall include the feminine.

### **55-3 Nuisances.**

A dog, cat or other domestic animal shall be considered a nuisance if it does the following:

1. Damages, soils, defiles, or defecates/urinates on private property other than the owners, or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner.
2. Improper disposal of feces by an owner (including letting the feces collect outside).
3. Causes unsanitary, dangerous, or offensive conditions on any property.
4. Noise disturbances, i.e., excessive barking, howling, meowing.
5. Viciousness to humans or other domestic animals or small animals.
6. Digging into flowerbeds, lawns, sandboxes, or gardens.
7. Damaging of shrubbery, trees, lawns, or personal property.

### **55-4 Keeping of certain animals prohibited.**

It shall be unlawful for any person to keep any wild animal, large animal, farm animals, or feral cat colony at any place within the borough.

### **55-5 Confinement of small animals, maintenance.**

It shall be unlawful for any person to keep any small animals confined in any quarters which are closer than 15 feet from any property line.

- 1) The owner of every such small animal or household pet shall confine the same in an enclosure sufficient to prevent such animal from running at large, and such enclosure shall be of a size conducive to good sanitation practices. Adequate and sanitary drainage facilities shall be provided.

- 2) Every owner of a small animal or household pet shall cause the litter and droppings therefrom to be collected daily in a container or receptacle of such type that, when closed it shall be ratproof and fly tight, and after every such collection shall cause such container or receptacle to be kept closed. At least once a week, every such keeper shall cause all litter and droppings so collected to be disposed of in such a manner as not to permit the presence of fly larvae.
- 3) Every owner of a small animal or household pet shall cause all feed provided therefore to be stored and kept in a ratproof and fly tight building, box, container, or receptacle.

**55-6 Household pets.**

- 1) If any such household pet, as above defined, shall be kept in a dwelling owned or occupied by its owner, such owner shall be required to follow such procedures and practices, as to the number of pets to keep there, and as to sanitation, to ensure that no public nuisance shall be created or maintained and no threat to health of persons living elsewhere than in such dwelling shall be created.
- 2) If any such household pet shall be kept in an enclosure outside such dwelling, the provisions of 55-5 of this article, insofar as the same applied to small animals, shall be applicable to the keeping of such household pets.

**55-7 Vicious animals.**

Any vicious animal, as determined by the Borough of DuBoistown, shall be confined by its owner within a building or secured enclosure and shall be securely muzzled or caged at any time that animal is off the premises of its owner.

**55-8 State Law.**

Any violation of this article that would also violate any state law shall be prosecuted under that state law and not under this article.

**55-9 Enforcement.**

If the owner is in violation of any subsection of Article I or Article II does not comply with a notice to abate the violation which constitutes a nuisance or health hazard within the time allotted, the Borough shall have the authority to take measures to correct the condition and collect the cost of such actions, plus 10% of all costs. The Borough, in such event and pursuant to its statutory police powers, shall have the right and power to enter upon the offending premises to take measures to abate the violation, to collect cost of the abatement, and any other enforcement provision in this Article or Article II.

**55-10 Violations and Penalties.**

Upon conviction of any violation of this chapter, the person or persons, firm or corporation shall be guilty of a summary offense under the Pennsylvania Rules of Criminal Procedure and shall be sentenced to pay a fine of not less than \$50 nor more than \$500, plus court costs, and, in default of payment of said fines and costs, a term of imprisonment not to exceed 90 days. Each day that a violation of this chapter continues or each section of this chapter which shall be found to have been violated shall constitute a separate offense.

The perpetrator is responsible for the cost of any damage caused by his or her violation or negligence.

**55-11 Repealer.**

This ordinance repeals and replaces Ordinance 1992-3 found Borough Ordinances Chapter 55.

**55-12 Effective date.**

This Ordinance takes effect in 31 days.

**DULY ENACTED AND ORDAINED** THIS \_\_\_\_\_ DAY of \_\_\_\_\_, \_\_\_\_\_  
BY THE BOROUGH COUNCIL OF DUBOISTOWN, LYCOMING COUNTY, PENNSYLVANIA,  
IN LAWFUL SESSION DULY ADDEMBLED.

ATTEST:

BOROUGH OF DUBOISTOWN

BY: \_\_\_\_\_  
Ann Marie Baker, Secretary

By: \_\_\_\_\_  
Michael F Rodgers, President Council

DULY approved this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

By: \_\_\_\_\_  
Richard Knecht, Mayor