

## Chapter 39 ANIMALS

### ARTICLE I Control of Dogs and Cats

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[HISTORY: Adopted by the Borough Council of the Borough of Seven Valleys as indicated in article histories. Amendments noted where applicable.]

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### ARTICLE I Control of Dogs and Cats [Adopted 12-4-1995 by Ord. No. 95-2]

§ 39-1. Definitions.<sup>1</sup>

As used herein, ownership of a dog or cat, and the term "owner," shall mean and be determined by the person, whether an individual, partnership, corporation or other entity, who or which feeds or harbors the animal. If under any circumstances the owner of the animal cannot be determined by the borough, the borough shall have the power to dispose of dogs in accordance with the provisions of § 459-302 of the Dog Law and any other animal as authorized by law.

§ 39-2. Running at large.

It shall be unlawful for the owner of a dog or cat or for any other person to cause or allow any dog or cat to run at large upon the public streets or highways, or upon public property, or upon the private property of another person or entity, unless such dog or cat is leashed and in the company of such owner or other person, without regard to whether such dog or cat bears a proper license.

§ 39-3. Nighttime enclosure.

It shall be unlawful for any person to keep or confine a dog or cat in an open air enclosure, including a fenced yard, from 10:00 p.m. to 6:00 a.m., prevailing time. The owner, keeper or other custodian of such dog or cat shall confine such dog or cat within a reasonably soundproof building with closed doors and windows during those hours from 10:00 p.m. to 6:00 a.m., prevailing time.

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**§ 39-4. Barking and crying.**

It shall be unlawful for any owner, keeper, custodian or any other person to cause or permit any dog or cat to continually bark or cry in such a manner as to annoy or disturb those persons in the neighborhood who are of ordinary sensibilities. A violation of this section shall occur, but is not limited to the situation, where the dog or cat involved barks or cries continuously for 30 seconds or more at least three times during any twenty-minute period. Other evidence of violation may also be submitted.

**§ 39-5. Defecation.**

No person or entity shall permit any dog or cat owned or kept by such person or entity or in the care, custody or control of such person or entity, to discharge such animal's excreta upon any public or private property, road or highway within the Borough of Seven Valleys, other than the property of such owner or other person, unless such owner or other person immediately thereafter removes and cleans up such animal's excreta therefrom.

**§ 39-6. Accumulation of excreta.**

No person who owns, keeps, harbors or otherwise has custody or control of any dog or cat shall cause or permit the accumulation of excreta from such dog or cat in any place upon any property, public or private, inside or outside, located within the Borough of Seven Valleys, including the property owned or occupied by such owner or other person so, that such accumulation of excreta creates a threat to the health of any person, or the odor therefrom pollutes the air inhaled by any neighbor or other person, or the accumulation otherwise annoys or disturbs any neighbor or other person in the neighborhood who is of ordinary sensibilities.

**§ 39-7. Violations and penalties.**

Any person, corporation, partnership, company, firm, association, or other entity who shall violate the provisions of this article shall, upon conviction thereof, be sentenced to pay a fine of not less than \$50 nor more than \$600, together with the costs of prosecution, and in default thereof, be sentenced to imprisonment in the York County Prison for a period of not more than 30 days.