

Chapter 2

Animals

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Part 1**Dogs Running at Large****§2-101. Definitions.**

As used in this Part, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

Owner - any person having a right of property in any dog or having custody of any dog, or any person who harbors or permits a dog to remain on or around his or her property.

Reasonable attempt - for the purposes of §2-105 of this Part, a reasonable attempt shall mean following the procedure for tracking owners through identification tags and then telephoning, communicating by facsimile, or, if feasible, going in person to the home of the owner, to give notice that the loose dog has been seized. [Ord. 2-96]

Running at large - being upon any public highway, street, alley, park, or any other public land, or upon property of another person other than the owner, and not being accompanied by or under the control of the owner or any other person having custody of said dog.

(Ord. 5-92, 6/8/1992; as amended by Ord. 2-96, 1/22/1996)

§2-102. Appointment and Duties of Dog Warden.

A Dog Warden, who may be the County Dog Law Enforcement Officer, shall be appointed by the Borough Council to serve during its pleasure. Such dog warden along with the police officers, shall have concurrent responsibility for the enforcement of this Part and of the Dog law of 1982, 3 P.S. §459-101 *et seq.*, as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania; provided, that he shall not have the power to make arrests under this Act of Assembly or any other Act of Assembly or ordinance of the Borough of Carroll Valley.

(Ord. 5-92, 6/8/1992)

§2-103 Unlawful to Allow Dogs to Run at Large.

It shall be unlawful for the owner of any dog or dogs to allow or permit such dog or dogs to run at large in the Borough of Carroll Valley.

(Ord. 5-92, 6/8/1992)

§2-104. Seizing of Dogs.

The Dog Warden or any police officer or constable may seize any dog found at large in the Borough of Carroll Valley. Such dogs are to be impounded in a licensed kennel.

(Ord. 5-92, 6/8/1992)

§2-105. Licensed Dogs.

A Borough police officer shall make a reasonable attempt to notify the owner of a licensed dog that has been seized. If contact cannot be made, the dog shall be turned

over to the Adams County Society for the Prevention of Cruelty to Animals (SPCA) or to the Adams County Dog Enforcement Officer as soon as practical.

(*Ord. 5-92, 6/8/1992; as amended by Ord. 2-96, 1/22/1996*)

§2-106. Unlicensed Dogs.

A Borough police officer who seizes an unlicensed dog whose owner is not known shall as soon as practical turn the dog over to the Adams County SPCA or to the Adams County Dog Enforcement Officer.

(*Ord. 5-92, 6/8/1992; as amended by Ord. 2-96, 1/22/1996*)

§2-107. Threatening Dogs.

Dogs that, in the opinion of any police officer or dog warden, constitute a threat to public health and welfare may be killed by the police or dog warden in conformance to and compliance with §501 of the Dog Law, 3 P.S. §459-501.

(*Ord. 5-92, 6/8/1992; as amended by A.O.*

§2-108. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 5-92, 6/8/1992; as amended by Ord. 2-96, 1/22/1996; by Ord. 8-05, 11/15/2005; and by A.O.*

Part 2**Animal Noise Control****§2-201. Intent and Purpose.**

The Borough Council of the Borough of Carroll Valley, finding that excessive levels of sound are detrimental to the physical, mental and social well-being of the people as well as to their comfort, living conditions, general welfare and safety and being therefore a public health and welfare hazard, hereby declares it to be necessary to provide for the greater control and more effective regulation of excessive sound and the sources of excessive sound within the Borough.

(*Ord. 5-92, 6/8/1992*)

§2-202. Noise Disturbance.

It shall be illegal within the Borough for any person or persons to own, possess, harbor, or control any animal or bird which makes any noise continuously and/or incessantly for a period of 10 minutes or makes such noise intermittently for ½ hour or more to the disturbance of any person any time of the day or night regardless of whether the animal or bird is physically situated in or upon private property, said noise being a nuisance; provided, that at the time the animal or bird is making such noise no person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated nor is there any other legitimate cause which justifiably provoked the animal or bird.

(*Ord. 5-92, 6/8/1992*)

§2-203. Exceptions.

This Part shall not be deemed to prohibit or otherwise declare unlawful any agricultural operations protected from nuisance suits by Act No. 1982-133, 3 P.S. §951 *et seq.*

(*Ord. 5-92, 6/8/1992*)

§2-204. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 5-92, 6/8/1992, as amended by Ord. 2-96, 1/22/1996; by Ord. 8-05, 11/15/2005; and by A.O.*

Part 3**Animals at Large****§2-301. Uncontrolled Livestock Prohibited.**

No owner, custodian, or keeper of livestock shall allow or permit cows, sheep, swine, goats, or other livestock to run at large.

(*Ord. 7-95, 10/1/1995*)

§2-302. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 7-95, 10/1/1995, §302; as amended by Ord. 8-05, 11/15/2005; and by A.O.*

