

BOROUGH OF ORWIGSBURG

SCHUYLKILL COUNTY, PENNSYLVANIA

ORDINANCE NO. 346

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF ORWIGSBURG, SCHUYLKILL COUNTY, PENNSYLVANIA, PRESCRIBING THE NUMBER OF HOUSE-HOLD PETS ALLOWED WITHIN THE BOROUGH OF ORWIGSBURG

BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of Orwigsburg, in Council duly assembled, and it is hereby enacted and ordained by the authority of the same as follows:

Section 1: Definitions:

**Pet**--any dog or cat normally and ordinarily kept in or permitted to be at large within the dwelling or premises of its owner.

**Person**--any person, firm, partnership, association or corporation.

**Rat-proof**--means a state of being constructed so as to defectively prevent the entry of rats.

**Sanitary**--means any condition of good orderliness and cleanliness, which precludes the probability of the disease transmission.

**Enforcement Officer**--means Police Officer, Code Enforcement Officer, Borough Manager or their authorized agents and designees.

Section 2: Pets:

It shall be unlawful for any person to keep pets, except as provided in this Section.

(a) It shall be unlawful for any person to keep pets housed outside of their household exceeding two (2) dogs or two (2) cats.

(b) If any such pet shall be kept in a dwelling owned or

occupied by its owner, such owner shall be required to follow the procedures and practices as to the number of pets to be kept there, and as to sanitation, to insure that no public nuisance shall be created or maintained and no threat to the health of persons living elsewhere and in such dwelling, shall be created.

(c) If an such pet shall be kept in an enclosure outside such dwelling, the provisions of Section 3 of this Ordinance are applicable to the keeping of household pets.

### **Section 3: Keeping of Household Pets Regulated:**

It shall be unlawful for any person to keep household pets, except as provided in this Section;

(a) The keeper of household pets shall confine the same to an enclosure sufficient to prevent such animal from running at large and such enclosure shall be of a size and construction conducive to the animal's health and adequate sanitary drainage facility shall be provided.

(b) Every keeper of any animal shall cause litter and droppings therefrom to be collected daily in a retainer or receptacle that when closed shall be rat-proof and fly-tight and after every such collection, such cause container or receptacle to be kept closed. At least twice a week, every such keeper shall cause all litter or droppings so collected to be disposed in such a manner as not to permit the presence of fly larvae.

(c) Any keeper of household pets shall cause all feed provided therefore to be stored and kept in a rat-proof and fly-tight building box, container or receptacle.

### **Section 4: Penalties:**

Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine not exceeding three hundred dollars (~~\$300.00~~) and/or to undergo imprisonment for a term not to exceed ninety (90) days. Each day that a violation of this Ordinance continues shall constitute a separate offense.

### **Section 5: Repealer:**

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

**Section 6: Severability:**

If any sentence, clause, section or part of this Ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough Council of the Borough of Orwigsburg that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included therein.

**Section 7: Effective Date:**

This Ordinance shall become effective upon its adoption by the Borough Council of the Borough of Orwigsburg;

ENACTED AND ORDAINED this 12 day of APRIL, 2000.

ATTEST:

BOROUGH OF ORWIGSBURG  
SCHUYLKILL, COUNTY, PENNA

By: Kathleen M. Consugar, Borough Secretary  
KATHLEEN M. CONSUGAR  
BOROUGH SECRETARY

By: Charles J. Sterner  
CHARLES J. STERNER  
COUNCIL PRESIDENT

EXAMINED AND APPROVED this 12 day of APRIL, 2000.

Harry H. Moore  
HARRY H. MOORE, MAYOR  
BOROUGH OF ORWIGSBURG