

AMENDED ORDINANCE NO. 2003-3
BOROUGH OF FRACKVILLE

AN AMENDED ORDINANCE PROVIDING FOR THE CONTROL AND KEEPING OF VICIOUS ANIMALS IN THE BOROUGH OF FRACKVILLE.

BE IT ORDAINED by the governing body of the Borough of Frackville, County of Schuylkill, Pennsylvania:

SECTION I. Definitions-

“Vicious Animal” means any animal which shall bite or in any other manner attack or attempt to attack any person or other animal within the Borough of Frackville except that any animal that bites, attacks, or attempts to attack any person unlawfully upon its owner’s or keeper’s premises, or which is provoked to attack, shall not be deemed a vicious animal.

SECTION II. Prohibited Activities-

1. It shall be unlawful for any person to keep or harbor a vicious, dangerous, or ferocious animal in the Borough of Frackville. Any person attacked by a vicious animal which is on public property may use reasonable force to repel said attack, including but not limited to using pepper spray. The Mayor or Animal Control Officer may impound any animal suspected of being dangerous, ferocious or vicious to be destroyed as provided herein.

2. Any animal so impounded, unless it can be destroyed sooner pursuant to law, shall be held until a judicial determination is made by a court of competent jurisdiction that an animal is vicious, dangerous, or ferocious, and accordingly shall order that the animal be destroyed. The animal shall be held during pendency of the proceedings.

3. No owner or keeper of any vicious animal within Frackville Borough shall fail to keep such animal either (a) confined within an enclosure from which it cannot escape or (b) permanently secured by means of a collar and chain or other device so that it cannot stray beyond the premises on which it is secured, or (c) under reasonable control of some person accompanying said animal, or (d) when engaged in lawful hunting, accompanied by an owner or handler.

SECTION III. Signs-

1. All owners, keepers or harborers of vicious or potentially vicious dogs or cats, including but not limited to dogs or cats which are particularly strong and sometimes vicious, and have the capability and propensity to inflict serious, permanent, and life-threatening damage and injuries on humans, within the Borough of Frackville.

shall within ten (10) days of the effective date of this ordinance display in a prominent place on their premises a sign easily read by the public using the words "Beware of Dog" or "Beware of Cat." In addition, a similar sign is required to be posted on the kennel or pen of such animal.

SECTION IV. Fines-

1. A person violating, or failing and refusing to comply with any of the provisions of this Act shall upon conviction and a summary proceeding before a Magistrate or Justice of the Peace be sentenced to pay a fine of not more than \$600.00 and the costs of prosecution or undergo imprisonment not exceeding thirty (30) days or both.

ENACTED AND ORDAINED this 9th day of June, 2003

COUNCIL MEMBERS OF THE
BOROUGH OF Frackville

BY: Adele Matern
Adele Matern, President

BY: Nick Borzok
Nick Borzok, Mayor

ATTEST:

Brenda Deeter
Brenda Deeter, Secretary