

AMENDED ORDINANCE NO. 2001-10
FRACKVILLE BOROUGH

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF FRACKVILLE, SCHUYLKILL COUNTY, PENNSYLVANIA, AMENDING CHAPTER 2, PART 2, PROHIBITING DOGS, ANIMALS, AND OTHER PETS FROM RUNNING AT LARGE, SECTIONS 201, 203, 204, 206 AND 208.

BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE BOROUGH OF FRACKVILLE, COUNTY OF SCHUYLKILL, PENNSYLVANIA, AS FOLLOWS:

§201. 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, pet, or domesticated animal or having custody in any dog, pet, or domesticated animal, or any person who harbors or permits a dog, pet, or domesticated animal to remain on or around his or her property.

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, pet, or domesticated animal.

§202 DUTIES OF POLICE DEPARTMENT.

The police officers of the Borough shall have 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.

§203. UNLAWFUL TO ALLOW DOGS, PETS, OR DOMESTICATED ANIMALS TO RUN AT LARGE.

It shall be unlawful for the owner of any dog, pet, or domesticated animal to allow or permit such dog, pet, or domesticated animal to run at large in the Borough.

§204 SEIZING OF DOGS, PETS, OR DOMESTICATED ANIMALS

Any police officer or constable may seize any dog, pet, or domesticated animal found at large in the Borough. Such dogs, pets, or domesticated animals are to be impounded in a licensed kennel.

§205. LICENSED DOGS.

The Chief of Police shall notify the owner of a licensed dog by registered or certified mail, with return receipt, that the dog is impounded and will be disposed of in five days if

not claimed. Five days after the return receipt has been received, if the dog has not been claimed, the dog may be sold or destroyed in accordance with the 1982 Dog Law.

§206. UNLICENSED DOGS AND UNLICENSED PETS OR DOMESTICATED ANIMALS.

Unlicensed dogs, pets, or domesticated animals that are seized shall be held in such kennel for 48 hours and if not claimed may be destroyed in accordance with this Part and the 1982 Dog Law.

§207. THREATENING DOGS, PETS, OR DOMESTICATED ANIMALS.

Dogs, pets, or domesticated animals that, in the opinion of any police officer, constitute a threat to public health and welfare may be killed by the police.

§208. PENALTIES.

1. The first two times a dog, pet, or domesticated animal is seized, the owner shall pay a fine of \$15.00 to the Borough as well as reasonable fees for keeping the animal in a kennel as fixed pursuant to a resolution of the Borough Council.
2. Any person allowing a dog, pet, or domesticated animal to run at large a third time in violation of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days.

ENACTED AND ORDAINED this 17th day of Dec, 2001

COUNCIL MEMBERS OF THE
BOROUGH OF Frackville

BY: Adele Matern
Adele Matern, President

BY: Grace Heim
Grace Heim, Vice President

ATTEST:

Brenda Deeter
Brenda Deeter, Secretary