

Borough of West Newton
Westmoreland County, Pennsylvania

Ordinance 2007-3

AN ORDINANCE REGULATING THE KEEPING OF CERTAIN ANIMALS, INCLUDING
HOUSEHOLD PETS AND PROHIBITING THE HARBORING OF CERTIN ANIMALS WITHIN THE
BOROUGH.

WHEREAS, the Borough of West Newton (hereinafter called the “Borough”), deems it necessary for the public well-being and health to regulate the keeping of animals within the Borough, and to provide penalties for failure to properly do the same,

Section 1. Definitions. As used in the Ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

ANIMAL – Any domestic animal or fowl, any wild animal or household pet.

DOMESTIC ANIMAL – Any animal normally or ordinarily domesticated or raised in the area and climate and normally or ordinarily kept as a household pet (excepting large animals, pigs, hogs, swine and fowl.)

HOUSEHOLD PET – Any dog, cat, bird, reptile or other small animal normally and ordinarily kept in the dwelling of its owner (excepting large animals, pigs, hogs, swine and fowl.).

LARGE ANIMAL - Any wild or domestic animal of the bovine, equine or sheep family; any pig, hog or swine; or any snake longer than two feet (2’’) or other reptile longer than two feet (2’’).

PERSON – Any person, firm, partnership, association or corporation.

SMALL ANIMAL – Any wild, or domestic animal such as a rabbit, hare, guinea pig, rat, mouse, chinchilla or a snake or other reptile under 2 feet; and any wild or domestic fowl such as a chicken, turkey, goose, duck or pigeon.

WILD ANIMAL – Any animal, bird, fowl or reptile not normally or ordinarily domesticated; nor normally or ordinarily raised in this area and climate as livestock or for work or breeding purposes.

Section 2. Certain animals prohibited. It shall be unlawful for any person to keep any large animal, any wild animal or any whether domestic or wild.

Section 3. Keeping of animals regulated. It shall be unlawful for any person to keep any animals (except Household Pets – Section 4) except as provided for in the Section:

1. Large animals and fowl are prohibited.

2. Small animals shall be kept confined in quarters no part of which shall be closer than twenty-five feet (25') from any property line except dogs which may run upon their owner's entire property.
3. The keeper of every such animal shall confine the same in 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 facilities shall be provided.
4. Every keeper of any animal shall cause the litter and droppings therefrom to be collected daily in a container or receptacle that when closed shall be rat-proof and fly-tight, and after such collection, shall cause such container or receptacle to be kept closed. At least twice a week, every such keeper shall cause all litter and droppings so collected to be disposed of in such a manner as not to permit the presence of fly larvae.
5. Every keeper of any animal shall cause all feed provided therefore to be stored and kept in a rat-proof and fly-tight building, box, container and receptacle.

Section 4. Household Pets. It shall be unlawful for any person to keep any permitted pet, except as provided in this Section:

1. If any such pet shall be kept outdoors or in a dwelling owned or occupied by its owner, such owner shall be required to limit the number of pets, such that they would not keep any more than four (4) of any particular type of pet – example: no more than four (4) dogs or no more than four (4) cats, etc.
2. No person shall keep or harbor any dog, cat or other animal in the Borough so as to create offensive odors, excessive noise or unsanitary conditions
3. Any dog, cat or other animal shall not be permitted by its owner to have frequent or habitual barking, howling, screeching, yelping or baying. Any owner or person having custody of such animal that permits such conduct shall be in violation of this Ordinance.
4. Any owner shall not permit their pet to scratch, dig, or defecate on public property or any property other than their own; and if the animals do the same, they must repair the damage immediately or clean up any mess the animal has made immediately. Failure to do so shall be in violation of this Ordinance.

Section 5. 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) plus costs of prosecution, including reasonable attorney fees, and in default of payment, to undergo imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Ordinance continues shall constitute a separate and additional offense.

Section 7. Repealer. All Ordinances or parts of Ordinances, which are inconsistent herewith, are hereby repealed.

Section 8. 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 any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance.

THIS ORDINANCE SHALL BE EFFECTIVE ON THE 13TH DAY OF AUGUST, 2007.

ADOPTED THIS 13TH DAY OF AUGUST, 2007.

Leroy Fisher, President

ATTEST:

Pamela M. Humenik, Secretary

EXAMINED AND APPROVED BY ME THIS 13TH DAY OF AUGUST, 2007.

Art Berarducci, Mayor