

ORDINANCE NO. 284

AN ORDINANCE FOR THE BOROUGH OF MONT ALTO, FRANKLIN COUNTY, PENNSYLVANIA, FORBIDDING ANIMALS, LIVESTOCK AND POULTRY TO RUN AT LARGE OR TO DEFECCATE ON PRIVATE OR PUBLIC PROPERTY IN THE BOROUGH OF MONT ALTO AND PROVIDING RULES AND REGULATION THEREFORE.

Be it ordained and enacted, and it is hereby ordained and enacted as follows:

Section 1. Definitions:

Animals shall include dogs, cats, and other pets

Livestock shall include horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, pigs, mules, jacks, jennets, burros, goats, kids, hares, rabbits, chinchillas.

Poultry shall include all fowl.

Person shall include individuals, corporations, partnerships, associations.

Rat-proof and fly-tight is a state of being constructed so to effectively prevent entry of rats and flies.

Sanitary is a condition of good order and cleanliness, which precludes the probability of disease and/or odor transmission.

Section 2. Enforcement Provisions on Certain Animals:

1. Every police officer of or person designated by the Borough of Mont Alto shall seize any animal, livestock, or poultry found running at large upon the public streets of the Borough of Mont Alto or upon the property of other than the owner of such animals, and unaccompanied by the owner.

2. Any animal, livestock or poultry so seized shall be detained at a place designated by the Borough Council. The owner of an animal, livestock or poultry so detained shall pay a penalty up to Three Hundred (\$300.00) Dollars to the Borough of Mont Alto and all reasonable expenses incurred by reason of its detention to the detaining parties before the animal is returned.

Section 3. Conditions of Maintenance of Certain Animals:

1. All animal owners shall observe the following practices:

(a) Every owner of any of said animals shall confine the same to prevent their running at large and such area shall be maintained in a clean, sanitary condition at all times.

(b) Every owner shall provide a shelter or area of a size sufficient to be conducive to good sanitation practices and he shall provide adequate and sanitary drainage for the shelter or area.

(c) Every owner of any said animals shall cause the litter and droppings therefrom to be collected in a container or receptacle of such a type that when closed, it is rat-proof and fly-tight and after each such collection shall cause such container or receptacle to be kept closed.

(d) Every owner of any said animals shall cause all feed provided therefor to be stored and kept in a rat-proof, fly-tight building, box, container, or receptacle.

(e) The premises shall be subject to inspection by the Borough or its designee at any reasonable hour or day.

2. All livestock and poultry shall be housed and maintained in a clean and sanitary condition using customary agricultural practices.

Section 4. Leaving animal feces in Public Places:

It shall be unlawful for any owner of an animal to cause or allow such animal to defecate upon any street, sidewalk, passageway, park, or any other public place where people congregate or walk, unless such owner shall immediately remove and dispose of in a sanitary manner all feces deposited by such animal.

Section 5. Animal Defecation o Private Property Without Permission Prohibited:

It shall be unlawful for the owner of any animal to cause or allow such animal to defecate upon any private property of another without the permission of the of the owner of said property.

Section 6. Interpretation:

At the trial of any violation of this ordinance, if an animal has defecated upon public or private property as hereinbefore set forth, it shall be conclusively presumed that the owner of any such animal has caused or allowed the occurrence to happen.

Section 7. Penalty for Violation:

Any person violating, or failing or refusing to comply with any provisions of this ordinance shall, upon conviction in a summary proceeding, be sentenced to pay a fine of not more than Three Hundred (\$300.00) Dollars together with the costs of prosecution.

Section 8. Severability of Provisions on Certain Animals:

If any section, clause or part of this ordinance is, for any reason, held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions hereof.

Section 9. Repealer:

All other ordinances, parts of ordinances, resolutions, parts of resolutions, inconsistent or conflicting herewith, are hereby repealed.

Section 10. Effective Date:

This ordinance shall be in full force and effect from and after the day of adoption.

ADOPTED this 5th day of September, 1995.

ATTEST:

Patricia A. Kears

PRESIDENT:

Robert S. Rock

APPROVED this 2nd day of October, 1995.

MAYOR:

Donald E. Whitmore

