

**BOROUGH OF CORSICA  
JEFFERSON COUNTY, PENNSYLVANIA**

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ORDINANCE No. 101  
ADOPTED \_\_\_\_\_, 2006

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**PURSUANT TO THE AUTHORITY CONTAINED IN THE BOROUGH CODE, AS AMENDED, AND THE MUNICIPALITIES PLANNING CODE, AS AMENDED, THE BOROUGH COUNCIL OF THE BOROUGH OF CORSICA DOES HEREBY ENACT AND ORDAIN THIS ORDINANCE OF THE BOROUGH OF CORSICA FOR THE REGULATING AND KEEPING OF CERTAIN ANIMALS INCLUDING HOUSEHOLD PETS AND DESCRIBING DEFINITIONS AND PENALTIES FOR VIOLATION AND REPEALING ORDINANCES 64, 65, 66, AND 67 .**

Section 1. Definitions. As used in this 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 any household pet.

**DOMESTIC ANIMAL** - any animal normally or ordinarily domesticated or raised in this area and climate and normally or ordinarily kept as a household pet (excepting large animals, pigs, hogs or swine.)

**HOUSEHOLD PET** - Any dog, cat, bird, reptile or any other small animal normally and ordinarily sold in a pet store within a 75 mile radius of Corsica Borough and that is also normally and ordinarily kept as a household pet and normally kept in the dwelling of its owner.

**LARGE ANIMAL** - any wild or domestic animal of the bovine, equine or sheep family, or any pig, hog or swing.

**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 reptile; and any wild or domestic fowl such as a chicken, turkey, goose, duck or pigeon.

**WILD ANIMAL** - any animal, including 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; or not capable of being kept as a household pet.

In this Ordinance, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

Section 2. Certain Animals Prohibited. It shall be unlawful for any person to keep any large animal or any pigs, hogs or swine at any place within the Borough whether or not such animals are regarded by their owners as pets.

- A. No person, firm, partnership or corporation shall keep or maintain an apiary or any live swine or pig, live chicken, turkey, pigeon or other domestic or wild fowl within the Borough of Corsica. Exempted from this prohibition are those domesticated fowl who can be maintained in a cage within the living confines of the owner's residence.
- B. No person shall keep or maintain within the Borough of Corsica any reptile with an overall length in excess of three (3) feet nor any poisonous reptile regardless of length nor any arachnid.

Section 3. Responsibilities of Owners: No person who owns, maintains, keeps or has custody of a dog, cat or other animal shall fail to use all reasonable precautions to confine or contain such dog, cat or other animal to the property of such person or the property which the owner, custodian or keeper has permission to use for such purpose.

Section 4. 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 this Section:

1. Large animals, pigs, hogs or swine 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 provided said property is enclosed.
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 every 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 or receptacle.

Section 5. Household Pets. It shall be unlawful for any person to keep any household pet, except as provided in this Section:

1. If any such pet shall be kept in a dwelling owned or occupied by its owner, such owner shall be required to limit the number of such pets to be kept there to ensure that no public nuisance shall be created or maintained and that no threat to the health of persons shall be created.
2. If any such pet shall be kept in an enclosure outside such dwelling, the provisions of Section 3 of this Ordinance, insofar as the same applies to small animals, shall be applicable to the keeping of such household pet.

Section 6. Running at large and other nuisances. It shall be unlawful for any person or persons to permit any dog, cat or other animal to become a nuisance in any way within the Borough of Corsica.

- A. It shall be unlawful for any person or persons to permit any dog, cat or other animal to run at large within the Borough of Corsica.
- B. It shall be unlawful for any person or persons to allow or permit his or her dog, cat or other animal to be upon any public or private property, including sidewalks and streets, within the Borough of Corsica unless said dog, cat or other animal is on a leash or upon property owned by the owner of said dog, cat or other animal.
- C. Any person or persons who keeps or maintains a dog, cat or other animal shall be responsible for the immediate removal of droppings when said dog, cat or other animal is upon property other than that of the owner; said owner is required to carry and use a plastic bag and scoop or other suitable for this removal.

Section 7. Animals at large; tying in streets. No person shall cause or permit any dog, cat or other animal to run at large in any public place or street in the Borough or tie or fasten any dog, cat or other animal in any of the streets of the Borough for the purpose of grazing, feeding, or exercising.

Section 8. Restriction on number. It shall be unlawful for any person or persons to keep or maintain in excess of five (5) dogs over six (6) months of age. Should a person want to have more dogs than five (5) (i.e. hunting dogs or a kennel) that person shall

obtain a certificate from the Borough Secretary to do so. Said certificate shall be kept current and available for inspection by the Code Enforcement Officer at all times.

Section 9. Disturbing the peace. It shall be illegal within the Borough of Corsica for any person or persons to own, possess, harbor, or control any animal or bird which makes any noises continuously and/or incessantly for a period of ten minutes or makes such noise intermittently for one-half (½) hour or more to the disturbance of any person anytime of the day or night regardless of whether the animal or bird is physically situated in or upon private property, said noise being a nuisance; provided, that at the time the animal or bird is making such noise no person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated nor is there any other legitimate cause which justifiably provoked the animal or bird.

Section 10. Treatment. No person shall treat an animal in the Borough in a cruel or inhuman manner. Beating, under feeding, overloading and abandoning animals shall be considered cruel and inhuman treatment within the meaning of this section.

Section 11. Dangerous or vicious animals. No person shall maintain, keep, harbor or transport any dangerous or vicious animal of any kind or cause or permit the same to run at large within the Borough. Exhibitions or parades of animals which are ferrea naturae in the eyes of the law may be conducted only by securing the proper permits.

Section 12. Protection of persons and property. Members of the police and the Animal Control Officer are hereby authorized to kill any dangerous animal of any kind when it is necessary for the protection of persons or property.

Section 13. Diseased animals.

- A. No person shall maintain or expose any dog, cat or other animal that is afflicted with a contagious or infectious disease whereby the health of man or beast may be affected, nor shall any person ship any such diseased animal or remove it from the premises of the owner thereof except under the supervision of the police, Animal Control Officer or the Health Officer.
- B. It is hereby made the duty of the Animal Control Officer or the Health Officer to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication or spread of the contagion or infection, except in cases where the State Veterinarian is empowered to act.

Section 14. Removal and disposal of dead animals. It shall be the duty and obligation of all owners, lessors or occupiers of real property within the Borough to provide for the

removal and disposal of any and all dead cats, dogs and other animals upon such real property.

Section 15. Cleanliness of enclosures. No person shall cause or allow any stable, house, hut, area or place where any dog, cat or other animal is or may be kept to become unclean or unwholesome.

Section 16. Impounding. Any dog, cat or other animal found in the Borough either without a Jefferson County license or running at large under conditions set forth in this chapter is hereby declared to be a nuisance and shall be impounded as hereinafter provided.

Section 17. Use of immobilizing instruments. Police officers or the Animal Control Officer of the Borough are hereby authorized to secure and use, with reasonable precautions, any device or gun that propels an instrument, pellet or drug for the purpose of immobilizing or anesthetizing an animal for the purpose of securing and impounding such animal.

Section 18. Animal Control Officer. Police officers on duty and such other persons as may be retained by Council shall act as the Animal Control Officer. The duty of such Animal Control Officer shall be to take into custody any and all dogs, cats or other animals found in violation of any provision of this chapter and not restrained, leashed or secured upon the owner's property or the property which the owner has permission to use and to convey the same to such shelter or pound as is from time to time designated by Council. A notice of seizure shall be sent to the owner of such dog, cat or other animal, if known, in accordance with Commonwealth law.

Section 19. Redemption fee. Any dog, cat or other animal taken to the Society for the Prevention of Cruelty to Animals after being picked up, seized or captured under the terms of this chapter shall subject the owner of said dog, cat or other animal to any additional cost or fee or charge with the Society for the Prevention of Cruelty to Animals shall impose to accept such dog, cat or other animal, in addition to the fines and costs set forth in this chapter.

Section 20. Violation of State Law. Any violation of this Ordinance that would also violate any state law, shall be prosecuted under that state law and not under this Ordinance.

Section 21. Penalties. Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine not exceeding Six Hundred Dollars (\$600) 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. The amount of penalty for this section can be amended from time to time via Resolution.

Section 22. Repealer. All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed. The following Ordinances or parts thereof are specifically repealed: Ordinances, 64, 65, 66, and 67 and parts of any other Ordinances which may conflict with this Ordinance.

Section 23. 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, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough of Corsica that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause section or part thereof not been included herein.

Section 24. Effective Date. This Ordinance shall become effective on the \_\_\_\_ day of \_\_\_\_\_, 2006.

BOROUGH OF CORSICA

\_\_\_\_\_  
President

ATTEST: \_\_\_\_\_  
Secretary

EXAMINED and APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2006.

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Mayor