

# DOGS, CATS AND OTHER PETS

## CHAPTER

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## ARTICLE I

### Dogs, Cats and Other Pets [Adopted 5-8-1972 by Ord. No. 5-8-72B]

#### 30.1 Registration of animals required; dogs exempt.

[Amended 5-13-1974 by Ord. No. 5-13-74C; 7-11-1977 by Ord. No. 7-11-77A; 7-20-1987 by Ord. No. 7-20-87A; 8-12-1991 by Ord. No. 8-12-91B; 1-12-1998 by Ord. No. 1-12-98B]

##### 30.1.1 Licensing for cats.

1. Applicability. Within seven days of assuming ownership, possession, care, custody or control of a cat or the date such cat reaches the age of six months, it shall be the duty of the owner or custodian of any cats now kept permanently caged and more than six months old, which shall be kept and shall remain in the Municipality of Bethel Park for a period exceeding 72 hours, to apply for and to procure from the Municipal Secretary or to have in his or her possession a currently valid license for every such cat owned or kept.
2. License requirements and procedures. If made for a period of one year, a municipal license application shall be accompanied by a license fee payable to the Municipality of Bethel Park in the amount of \$2. If the application is for three years, it shall be accompanied by a license fee payable to the Municipality of Bethel Park in the amount of \$5. Each application shall be accompanied by a certificate signed by a duly licensed veterinarian in the Commonwealth of Pennsylvania, which certificate shall certify that the cat for which a license has been applied was vaccinated against rabies and distemper, said vaccinations shall not expire or terminate during the coming licensing period, and that the cat is otherwise in good physical condition and free of communicable diseases.

30.1.2. Licensing of dogs; municipal licenses not required. From the effective date of this ordinance hence, owners or custodians of dogs shall not be required to apply for and obtain municipal licenses for such individual dogs, but each such owner or custodian of one or more dogs shall still be required to obtain from the Treasurer's Office of Allegheny County, a Commonwealth of Pennsylvania dog license required by the Pennsylvania Dog Law, 3 P.S. §§ 459-201 through 459-205.

#### 30.2 Issuance of tag; display on pet. [Amended 7-20-1987 by Ord. No. 7-20-87A; 1-12-1998 by Ord. No. 1-12-98B]

- 30.2.1. Upon application having been duly made as required by the Treasurer's Office of Allegheny County and upon issuance of a dog identification tag, each owner or custodian shall cause to be displayed on and affixed to the collar or harness of each dog owned, a Pennsylvania dog license tag duly issued by the Treasurer's Office of Allegheny County. Failure of such owner or custodian of a dog to affix and display the Commonwealth of Pennsylvania dog tag on the collar or harness of such dog or dogs shall submit the owner or custodian of such dog or dogs to the penalties hereafter provided.
- 30.2.2. Upon application having been duly made in accordance with Section 30.1.1, Subsection 2, of this ordinance, accompanied by the proper certificate and fee, the Municipal Secretary shall issue to the applicant a metal tag, together with a written license for each cat to be licensed. It shall be the duty of the owner or custodian of each cat to affix said metal tag upon a collar or harness worn by the cat, and failure to do so will subject the owner or custodian of said pet to the penalties hereafter provided.

**30.3 Seizure of untagged animals. [Amended 1-12-1998 by Ord. No. 1-12-98B]**

- 30.3.1 The duly constituted agents and police officers of the municipality shall have the right and duty to examine the collar or harness of all pets, including dogs, to determine if the owner or custodian of such pet, if such pet is a dog, has complied with this ordinance and the laws of the Commonwealth of Pennsylvania or, if such pet is a cat, has complied with the provisions of this ordinance. Any pet, including a dog, within the Municipality of Bethel Park which, after the effective date of this ordinance, shall be found not to be wearing or displaying a Commonwealth of Pennsylvania metal dog tag, if such pet is a dog, or a Municipality of Bethel Park metal pet tag, if such pet is a cat, shall be seized by such agent or police officer and placed under restraint in the custody of such person or persons as the Municipal Council may, in its discretion, designate from time to time.

**30.4 Special personnel authorized.**

- 30.4.1 The Municipal Council may, from time to time, retain or hire a special officer or officers and provide the same with the necessary equipment for the purpose of seizing, restraining and confining any pet found within the limits of the municipality and contrary to the provisions of this ordinance, and the Municipal Council may enter into a contract or contracts for the compensation of such special officer or officers, providing for a proper compensation to the same upon either a time basis or a unit basis, as said Council may decide.

**30.5 Kennel license required.**

- 30.5.1 Any person, firm, association or corporation which customarily has in its custody four or more pets (except for cats where the number shall be six or more) over the age of six months is hereby declared to be a person, firm, association or corporation engaged in the business or occupation of running a kennel and all such persons, firms, associations or corporations so engaged shall be required on or before the first day of June of this year and on or before the 15th day of January of each succeeding year hereafter to procure a kennel license. The application for a kennel license shall be made in writing, shall set forth the actual owner or owners of the kennel, the location of which shall be on a tract of land five or more acres in area (under one ownership), and shall contain a certificate of the fact that all pets over the age of six months kept at said kennel have been vaccinated against rabies and said vaccination will not expire or terminate during the coming licensing period; and shall have attached to it the certificate of a duly authorized veterinarian in the Commonwealth of Pennsylvania that all pets over the age of six months kept at said kennel have, at a certain date, been vaccinated against rabies and said vaccination will not expire or terminate during the coming licensing period. The kennel license fee shall be \$25 per annum and the amount, payable to the Municipality of Bethel Park, shall accompany each application for a kennel license. All pets owned by or confined to any such kennel shall not be permitted off the limits of the kennel property without being held in leash and accompanied by a proper attendant. Each pet shall have affixed to its collar or harness the metal license tag provided in cases of pets not confined to a kennel.

**30.6 Replacement of tags lost or stolen. [Amended 1-12-1998 by Ord. No. 1-12-98B]**

- 30.6.1 In the event that any pet license issued by the Municipality of Bethel Park has been lost or stolen, the owner or custodian of such cat shall obtain from the proper officer of the municipality a replacement tag for a fee of \$0.50, upon affidavit of the owner certifying such loss or theft.
- 30.6.2 In the event that a dog tag issued by the Treasurer's Office of Allegheny County pursuant to the Pennsylvania Dog Law is lost or stolen, then the owner or custodian of said dog shall obtain a

replacement tag from the Allegheny County Treasurer's office as required by 3 P.S. § 459-203 by producing the license certificate for the lost tag and paying the appropriate fee.

30.7 Impoundment procedure; notice to owner. [Amended 2-11-1985 by Ord. No. 2-11-85H; 10-10-2005 by Ord. No. 10-10-05]

30.7.1 All pets more than six months of age found running at large, whether registered or unregistered, shall be seized by a municipal police officer or other duly authorized animal control officer for such purpose on sight. When such pet has been seized and impounded, the owner or custodian of such pet, if known, shall be given immediate notice to claim such within five days of notice. All domestic animals, i.e., dogs and cats, will be scanned to determine ownership of said animal. If the owner of such animal is unknown, said animal may be destroyed or sold within a period of five days. Prior to being destroyed, all animals seized by a municipal police officer or authorized animal control officer will be offered to a no-kill shelter for adoption. Any municipal police officer may kill any dog which is deemed, after due consideration by said police officer given the fact situation as said police officer believes exists at the time, to constitute a threat to public health and welfare.

30.8 Redemption. [Amended 10-10-2005 by Ord. No. 10-10-05]

30.8.1 The owner or custodian of any pet seized and impounded under the provisions of this ordinance may, before the expiration of the five-day period noted above, redeem such pet by paying all costs for feeding, care, boarding and fines imposed against such owner or custodian for violation of this ordinance. Information on securing a valid dog or cat license will be provided to owners of unlicensed animals.

30.9 Animals running at large prohibited. [Amended 8-13-1990 by Ord. No. 8-13-90C]

30.9.1 On and after the effective date of this ordinance, it shall be unlawful for any person or persons who are the owners or custodians of any pet to permit any pet owned by him, her or them or under his, her or their supervision and control to run at large either in the day or at nighttime, either upon the public streets and highways (including state and county highways) of the Municipality of Bethel Park or upon the property of persons other than the owner of such pets.

30.9.2 For the purpose of this provision, the terms "supervision and control" shall, in addition to their common definitions, mean that the owners, custodian or any member of his family or the servant or owner of a pet shall supervise and control such pet in a manner so as to prevent such pet from defecating on any public property. Such person supervising or in control of the pet shall promptly remove any deposits and dispose of such in a lawful manner.

30.10 "Running at large" defined. [Amended 10-10-2005 by Ord. No. 10-10-05]

30.10.1 For the purpose of this ordinance, the phrase "running at large" shall be defined as running about loose on the street, or upon property of persons other than the owners of such pets, unleashed, whether accompanied or unaccompanied by the owner or custodian or by any member of his family or by any servant or agent of the owner of such pets.

30.11 Impoundment of animals running at large; redemption procedure. [Amended 10-10-2005 by Ord. No. 10-10-05]

30.11.1 In the event that a pet licensed pursuant to the terms of this ordinance is found running at large within the Municipality of Bethel Park, said pet may be seized on sight, either in the daytime or nighttime by any municipal police officer or other duly authorized animal control officer and impounded. In such event, the owner or custodian of said pets, if known, shall be notified of such impoundment and shall be given a period of five days to redeem said pet upon payment of all costs assessed against the owner, including the cost of boarding the pet during the period of the

impoundment and on payment of the penalty hereafter set forth for the violation of this ordinance.

30.12 Acquisition of personnel and material required for impoundment authorized.

30.12.1 The Council for the Municipality of Bethel Park may from time to time provide for such places, means or methods and equipment as it shall deem necessary for the purpose of keeping in custody any pet seized under the provisions of this ordinance or, in its discretion, the Council may provide such places, means or methods under the control and management of any individual authorized for such purposes.

30.13 Disposition of unclaimed animals. [Amended 10-10-2005 by Ord. No. 10-10-05]

30.13.1 In the event that the owner or custodian of any pet seized and held under the terms of this ordinance shall not redeem such pet within five days, the municipal authorities, by their proper officer, shall have authority to destroy or to offer said animal to a no-kill shelter. No pets seized and impounded shall be sold for the profit of any individual.

30.14 Animals prohibited where food is sold. [Amended 7-20-1987 by Ord. No. 7-20-87A]

30.14.1 It shall be unlawful from and after the effective date of this ordinance for any pets, licensed or unlicensed, on leash or running loose, to be permitted in that part of premises which is used as a store for the sale of food for human consumption. This section is not to be construed to pertain to animals used by the handicapped.

30.15 Penalties for owners of unlicensed animals or animals found running at large. [Amended 2-11-1985 by Ord. No. 2-11-85H]

30.15.1 In the event that any person shall fail to obtain a license as hereinabove provided or shall violate the provisions of Sections 30.9, 30.10, 30.11 and 30.21 of this ordinance, he shall, upon conviction in a summary proceeding, pay a fine of not less than \$50, nor more than \$100. Where any person has been convicted of the violation of Section 30.9 twice in a twelve-month period, for the third and subsequent offenses the municipal police officer may issue a citation pursuant to the Dog Law, 3 P.S. § 459-903, and upon conviction of a misdemeanor of the third degree such person shall pay a fine of not more than \$2,500.

30.16 Penalties for owners of premises where food is sold where an animal is found. [Amended 2-11-1985 by Ord. No. 2-11-85H]

30.16.1 The owner or person in control of any premises used for the preparation or sale of food for human consumption in which any pet is willfully permitted shall, upon conviction in summary proceeding, pay a fine of not less than \$25, nor more than \$50. This section is not to be construed to pertain to animals used by the handicapped.

30.17 Penalties for owners of animals found where food is sold. [Amended 2-11-1985 by Ord. No. 2-11-85H; 7-20-1987 by Ord. No. 7-20-87A]

30.17.1 The owner or custodian of any pet which is found on any premises used for the preparation or sale of food for human consumption shall, upon conviction in summary proceeding, pay a fine of

not less than \$25 nor more than \$50. This section is not to be construed to pertain to animals used by the handicapped.

**30.18 Specific repealer.**

30.18.1 This ordinance specifically repeals Ordinance No. 3-9-64A.

**30.19 General repealer.**

30.19.1 Any ordinance or part of any ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed to the extent of such conflict.

**30.20 Treatment of animals that bite persons. [Added 6-12-1972 by Ord. No. 6-12-72B]**

30.20.1 It shall be unlawful for the owner of any dog, cat or other animal that bites any person, regardless of the circumstances or whether the animal is vaccinated for rabies protection or not, not to confine said animal, either within an enclosure at home, a veterinary hospital or restrained by leash composed of a chain or other indestructible material, for a period of not less than 10 days following the evening of the day of the bite. Initially and at the end of the ten-day period it is strongly recommended that the animal be examined by a veterinarian. After quarantine date, the animal must be seen by the Animal Control Officer to verify its health.

**30.21 Species of pets not permitted. [Added 2-11-1985 by Ord. No. 2-11-85H]**

30.21.1 After the effective date of this ordinance it shall be unlawful to keep, harbor or possess live members of the equine, bovine, ovine, porcine, caprine species or gallinaceous fowl within the Municipality of Bethel Park, except on a farm, which farm shall be a single tract of land consisting of not fewer than five acres under one ownership.

**30.22 When effective. [Added 1-12-1998 by Ord. No. 1-12-98B]**

This ordinance shall be effective immediately.

**30.23 Severability. [Added 1-12-1998 by Ord. No. 1-12-98B]**

The provisions of this ordinance are declared to be severable, and if any section, clause or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this ordinance, but they shall stand notwithstanding such other invalid section, clause, phrase or sentence.

**30.24 General repealer. [Added 1-12-1998 by Ord. No. 1-12-98B]**

Any ordinance or part of an ordinance conflicting with the provisions of this ordinance is and the same shall be hereby repealed to the extent of such conflict.

**30.25 Specific repealer. [Added 1-12-1998 by Ord. No. 1-12-98B]**

This ordinance specifically repeals former Sections 30.1, 30.2, 30.3 and 30.6 insofar as those sections required owners or custodians of dogs to apply for and obtain a municipal license for such dogs. This ordinance also specifically repeals any reference in Chapter 30, Article I, to the licensing of any pets other than cats. This ordinance only requires owners or custodians of cats in the municipality to apply for and obtain a municipal license from the

Secretary. Owners and custodians of dogs are required to apply for and obtain a Commonwealth of Pennsylvania dog tag from the Treasurer's Office of Allegheny County.