

CHAPTER 2

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PART 1

CONDITIONS FOR KEEPING ANIMALS

§101. DEFINITIONS AND INTERPRETATION.

The following words and terms, as used in this Part, shall have the meanings hereby respectively ascribed thereto, except where the context clearly indicates a different meaning:

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

DOMESTIC ANIMAL – any animal as hereinafter defined as a household pet or a small animal. [Ord. 2-2001]

HOUSEHOLD PET – any dog, cat or other domestic animal normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.

LARGE ANIMAL – any animal of the bovine, equine, emu, goat, llama, ostrich, sheep or swine family. [Ord. 2-2001]

PERSON – any natural person, partnership, association, firm or corporation.

RUNNING AT LARGE – an animal being upon any public, street, avenue, way, court, drive, alley, park, or any other public land, or upon any property of another person other than the owner, and not being accompanied by and under the control of the owner or any other person having custody of said animal. [Ord. 2006-1]

SMALL ANIMAL – any domestic animal such as a rabbit, hare, guinea pig, rat, mouse, hamster or chinchilla; or any domestic fowl such as a chicken, turkey, goose, duck or pigeon (excepting homing pigeons); or any dog or cat not otherwise defined above as a household pet. [Ord. 2006-1]

WILD ANIMAL – any animal, bird, fowl or reptile, not normally or ordinarily domesticated; not normally or ordinarily raised in this area and climate as livestock or for work or breeding purposes; or not normally or ordinarily kept as a household pet.

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

(Ord. 320, 6/4/1973, §1; as amended by Ord. 2-2001, 7/2/2001 and as amended by Ord. 2006-1, 4/3/2006)

§102. UNLAWFUL TO KEEP CERTAIN ANIMALS.

It shall be unlawful to keep any large animals, poisonous reptiles or other types of poisonous animals, poisonous spiders, poisonous insects or snakes exceeding 3 feet in length.

(Ord. 320, 6/4/1 973, §2; as amended by Ord. 2-2001, 7/2/2001)

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§103. UNLAWFUL TO KEEP WILD ANIMALS; EXCEPTION.

It shall be unlawful for any person to keep any wild animal at any place within the Borough of Bedford, except where the same shall be permitted under the Zoning Ordinance [Chapter 27], in a park, zoological garden or similar establishment for exhibit to the public or to any portion thereof.

(Ord. 320, 6/4/1973, §3)

§104. CONDITIONS FOR KEEPING DOMESTIC ANIMALS.

It shall be unlawful for any person to keep any domestic animals, except household pets, except as provided in this Section.

- A. Small animals shall be kept confined in quarters no part of which shall be closer than twenty-five (25') feet from the exterior limits of any dwelling of any person other than the owner of such animals.
- B. The keeper of every such domestic animal shall confine the same in an enclosure sufficient to prevent such animal from running at large, and such enclosure shall be maintained in a clean and sanitary condition at all times. Such enclosure shall be of a size conducive to good sanitation practices and adequate and sanitary drainage facilities shall be provided.
- C. Every keeper of a domestic animal shall cause the litter and droppings therefrom to be collected daily in a container or receptacle of such a type that, when closed, it 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 manner as not to permit the presence of fly larvae.
- D. Every keeper of a domestic animal shall cause all feed provided therefor to be stored and kept in a rat-proof and fly-tight building, box, container or receptacle.

(Ord. 320, 6/4/1 973, §4; as amended by Ord. 2-2001, 7/2/2001)

§105. CONDITIONS FOR KEEPING HOUSEHOLD PETS.

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

- A. If any such pet shall be kept in a dwelling owned or occupied by its owner, such owner shall be required to follow such procedures and practices, as to the number of such pets to be kept there, and as to sanitation, to insure that no public nuisance shall be created or maintained and no threat to the health of persons living elsewhere than in such dwelling shall be created.
- B. If any such pet shall be kept in an enclosure outside such dwelling, the provisions of the §104 of this Part, insofar as the same apply to small animals, shall be applicable to the keeping of such household pet.

(Ord. 320, 6/4/1973, §5)

§106. UNLAWFUL TO ALLOW ANIMALS TO RUN AT LARGE.

It shall be unlawful for the owner of any animal or animals to fail to prevent such animal or animals from running at large in the Borough of Bedford.

(Ord. 2006-1, 4/3/2006)

§107. PENALTY FOR VIOLATION.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$20 nor more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment no to exceed 30 days. Each day that a violation continues shall constitute a separate offense.

(Ord. 320, 6/4/1 973, §6; as amended by Ord. 2-2001, 7/2/200 1 and Ord. 2006-1, 4/3/2006)

PART 2

ANIMAL DEFECATION

§201. ANIMAL DEFECATION ON PUBLIC AND PRIVATE PROPERTY RESTRICTED.

No person, having possession, custody or control of any animal, shall knowingly or negligently permit any dog or other animal to defecate upon any gutter, street, driveway, alley, curb or sidewalk in the Borough of Bedford, or upon the floors or stairways of any building or place frequented by the public or upon the outside walls, walkways, driveways, alleys, curbs or stairways of any building abutting on a public street or park, or upon the grounds of any public park, cemetery or public area, or upon any private property except as provided in §203 hereof.

(Ord. 7-89, 11/6/1989, §1)

§202. DISPOSAL OF ANIMAL FECES.

Any person having possession, custody or control of any dog or other animal which defecates in any public or private area prohibited in §201 shall be required to immediately remove any feces from such surface and either:

- A. Carry same away for disposal in a toilet.
- B. Place same in a nonleaking container for deposit in a trash or litter receptacle.

(Ord. 7-89, 11/6/1989, §2)

§203. EXCEPTIONS.

The provisions of §§201 and 202 shall not apply to the following:

- A. Private property which is owned or leased by the person having possession, custody or control of the animal.
- B. A guide dog accompanying any blind person or a dog used to assist any other physically handicapped person.

(Ord. 7-89, 11/6/1989, §3)

§204. PENALTIES.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$20, nor more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.

(Ord. 7-89, 11/6/1989, §4; as amended by Ord. 2-2001, 7/2/2001)

PART 3

ANIMAL NOISE DISTURBANCES

§301. INTENT AND PURPOSE.

The Borough Council, finding that excessive levels of sound are detrimental to the physical, mental and social well-being of the people as well as to their comfort, living conditions, general welfare and safety and being therefore a public health and welfare hazard, hereby declares it to be necessary to provide for the greater control and more effective regulation of excessive sound and the sources of excessive sound within the Borough of Bedford.

(Ord. 2-2001, 7/2/2001)

§302. NOISE DISTURBANCE.

It shall be illegal within the Borough of Bedford for any person or persons to own, possess, harbor or control any animal or bird which makes any noise continuously and/or incessantly for a period of 10 minutes or makes such noise intermittently for ½ hour or more to the disturbance of any person any time 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.

(Ord. 2-2001, 7/2/2001)

§303. EXCEPTIONS.

This Part shall not be deemed to prohibit or otherwise declare unlawful any agricultural operations protected from nuisance suits by Act of June 10, 1982, P.L. 454, No. 133, §1 et seq., 3 P.S. §951 et seq.

(Ord. 2-2001, 7/2/2001)

§304. PENALTIES.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$20 nor more than \$600 and, in default of payment, to imprisonment for a term not to exceed 30 days.

(Ord. 2-2001, 7/2/2001)

PART 4

ILLEGAL TO FEED OR INTRODUCE WATERFOWL ON BOROUGH PROPERTIES OR WATERWAYS

§401. DEFINITIONS.

As used in this Part, the following terms shall have the meanings indicated:

BOROUGH PROPERTY – Property owned by or under the control, care, or maintenance of the Borough of Bedford, including, but not limited to, Fort Bedford Park, the Public Square, the Green, other parks, as well as public streets, alleys, sidewalks, and parking lots.

FEED or FEEDING – Includes the provision or dissemination of food or any substance likely to be eaten by waterfowl, in any manner in the vicinity of waterfowl, or placing, scattering or depositing such food or substances so as to lure, attract or entice such waterfowl.

WATERFOWL – Includes those species of birds commonly known as swans, geese or ducks.

WATERWAYS – A general term referring to lakes, ponds, streams, creeks, and stormwater basins.

(Ord. 2008-1, 2/4/2008)

§402. PROHIBITED ACTS.

It shall be unlawful for any person to feed waterfowl on Borough Property or any public waterways within the Borough of Bedford.

(Ord. 2008-1, 2/4/2008)

§403. INTRODUCTION OR DROP-OFF OF WATERFOWL.

It shall be unlawful for any person to introduce any waterfowl onto any Borough Property or public waterways within the Borough of Bedford.

(Ord. 2008-1, 2/4/2008)

§404. ENFORCEMENT.

This Article shall be enforced by the Borough of Bedford Police Department.

(Ord. 2008-1, 2/4/2008)

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§405. VIOLATIONS AND PENALTIES.

Any person who shall violate any provision of this Article shall, upon conviction thereof, be sentenced to pay a fine of not less than \$30 nor more than \$300 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day's violation of any provision of this Article shall constitute a separate offense.

(Ord. 2008-1, 2/4/2008)