

Chapter 78

ANIMALS

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[HISTORY: Adopted by the Borough Council of the Borough of Dallastown as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 136.

Zoning — See Ch. 224.

ARTICLE I

Riding on Sidewalks

[Adopted 10-4-1974 by Ord. No. 293]

§ 78-1. Prohibited acts.

From and after the passage of this article, it shall be unlawful for any person to ride, walk or stand any horse, pony, donkey, mule, cattle or similar animals upon any sidewalk located within the Borough of Dallastown, York County, Pennsylvania.

§ 78-2. Violations and penalties.¹

Any person violating any of the provisions of this article shall, upon conviction thereof, be punishable by a fine of not more than \$600, plus costs of prosecution, and in default of payment of such fine and costs by imprisonment for not more than 30 days.

¹ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

ARTICLE II

Dogs and Cats**[Adopted 1-4-1988 by Ord. No. 387]****§ 78-3. Running at large.**

No person who owns, possesses or controls any dog or cat shall allow the same to run at large within the Borough of Dallastown. For the purpose of this section, to "run at large" shall be defined to be the presence of a dog or cat in any place except upon the premises of the owner unless such dog or cat is on a leash, said leash not exceeding eight feet in length, and under control of a person physically able to control or under actual control of a person physically able to control it. Such dog or cat not on a leash or under control of a person physically able to control it is hereby declared to be a public nuisance.

§ 78-4. Discharge of excreta.

No person shall permit any dog or cat to discharge such animal's excreta upon any public or private property, other than property of the owner of such dog or cat, within the borough unless such person removes and cleans up such animal's excreta from the public or private property immediately after such excreta is deposited thereon. The discharge of such animal's excreta upon any public or private property, other than the property of the owner of such animal, is hereby declared to be a public nuisance, provided further that this section shall not apply to a dog used for assistance by the blind.

§ 78-5. Accumulation of excreta.

No dog or cat owner shall permit the accumulation of such animal's excreta in a pen or other open-air enclosure within the borough where such accumulation creates a menace to the health of the community or residents nearby and a breeding place for rodents, vermin and insects. For purposes of this section, a pen or open-air enclosure shall include a yard or other outside area within the Borough of Dallastown.

§ 78-6. Noise.

No person may keep or harbor any dog which habitually barks, howls or yelps or any cat which habitually cries or howls to the extent that it disturbs the peace and quiet of the neighborhood or in such a manner as to disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Said dog or cat is hereby declared to be a public nuisance.

§ 78-7. Barking in outdoor enclosures.

No person shall permit any dog to be confined in a pen or open-air enclosure, as defined in § 78-5, where its barking shall constitute a public nuisance, as defined in § 78-6.

§ 78-8. Public parks.

No dog or cat shall be allowed in any public park within the Borough of Dallastown.

§ 78-9. Number of animals restricted.

No person shall keep more than a total of four dogs, cats, fowl or other small domestic animals unless such animals are maintained in accordance with the provisions of the borough's Zoning Ordinance and zoning approval has been obtained.²

§ 78-10. Liability of owner.

The owner of any dog or cat within the Borough of Dallastown shall be responsible for such animal and the violation of this article.

§ 78-11. Violations and penalties.³

In addition to or separate from the action for abatement of a nuisance, if any is brought by the Borough of Dallastown, any person violating any of the provisions of this article shall, upon conviction thereof, be punishable by a fine of not more than \$600, plus costs of prosecution, and in default of payment of such fine and costs by imprisonment for not more than 30 days.

² Editor's Note: See Ch. 224, Zoning.

³ Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

