

TURTLE CREEK BOROUGH

ORDINANCE NO. 1079

AN ORDINANCE REGULATING THE CONTROL OF DOGS,  
CATS AND OTHER ANIMALS IN THE BOROUGH;  
DECLARING CERTAIN CONDUCT TO BE A NUISANCE;  
PROVIDING PENALTIES THEREFOR.

WHEREAS, the Borough of Turtle Creek has determined to regulate the use and presence of animals in the Borough; and

WHEREAS, this Ordinance is ordained in the best interests of the health, safety and welfare of the residents of the Borough of Turtle Creek; and

WHEREAS, this Ordinance is enacted pursuant to the authority of the Borough Code.

AND NOW, THEREFORE, IT IS HEREBY ORDAINED AS FOLLOWS:

1. The Borough of Turtle Creek hereby recognizes the passage of the Pennsylvania Dog Law, Act of December 7, 1982, P. L. 784, No. 225, Art. I, §101, et seq.; 3 P.S. §459-101, et seq., as amended. All the provisions of said statute are hereby adopted and incorporated herein as though set forth herein.

2. A. The conduct set forth hereinafter shall be deemed to be a nuisance.

B. No person shall keep, harbor, maintain, have custody and/or control of any dog, cat or other animal in the Borough in such a manner as to create offensive odors, excessive noise or unsanitary conditions which pose any threat or have a deleterious effect on the health, safety, comfort or well being of the residents of the Borough of Turtle Creek;

C. No person shall keep, harbor, permit, maintain, have custody of and/or control of any such animal which by frequent or habitual or continuous or periodic barking, howling, yelping or baying or in any other manner which creates excessive noise or disturbs the quiet in the community;

D. No person shall keep, harbor, maintain, have custody and/or control or permit any dog, cat or animal which shall scratch, dig, defecate, disturb, uproot or mar any lawn, tree, shrub, plant, building or other public or private property other than the property of the owner or person having control of such animal. Where the owner or person in charge or control of such animal immediately removes all feces or wastes deposited by such animal and disposes of the same in a sanitary manner and in accordance with all Borough Ordinances, Laws of Pennsylvania, such nuisance shall be deemed to have been abated.

E. Persons using specially trained dogs to compensate for insufficient vision and hearing shall be exempt from this section.

3. Any person or entity who or which feeds, houses, controls or otherwise maintains or harbors any animal shall be presumed to be the owner or person in possession and control of said animal for the purpose of this Ordinance.

4. Any person who is the owner or controller or person having custody or presumed to be the person in control or custody of any such animal shall have the obligation at all times to see that there is compliance with the Pennsylvania Dog Law and all the provisions of this Ordinance. Failure to comply with any of the provisions of this Ordinance shall be deemed to be a summary offense. Upon conviction for each such violation, any person or entity found guilty shall be subject to a fine up to the maximum limits permitted under the Laws of the Commonwealth of Pennsylvania and/or thirty (30) days in jail.

5. If any part of this Ordinance is deemed to be illegal or unconstitutional, then it is the intent of Borough Council that it would have enacted the balance irrespective of invalid portion. Any Ordinance inconsistent with this Ordinance is hereby repealed.

ORDAINED into law this 18th day of July, 1988.

ATTEST:

BOROUGH OF TURTLE CREEK

by *Dolores G. Porter*  
Secretary

by *JMB*  
President

Approved this 19<sup>th</sup> day of July, 1988.

*James De Muzzio*  
Mayor