

Chapter 2

Animals

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Part 1**Prohibiting the Feeding of Pigeons****§2-101. Pigeon Feeding Prohibited.**

It shall be unlawful for any person, firm, corporation or any agent thereof, to do, authorize, aid or abet any other person to place or cause to be placed, throw or let fall intentionally, or negligently, accumulate or maintain upon any private property any food, seed, birdseed or any other liquid or organic matter upon which pigeons will feed or accumulate.

(*Ord. 91-11, 9/11/1991, §1*)

§2-102. Birdfeeders.

The placing of birdseed only in a birdfeeder shall not be a violation of this Section. Birdfeeders shall not exceed 1 cubic foot in size. That is, they shall not exceed 1 foot in any measured dimension thereof.

(*Ord. 91-11, 9/11/1991, §2*)

§2-103. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 91-11, 9/11/1991, §3; as amended by Ord. 05-02, 6/1/2005*)

§2-104. Abatement of Nuisance.

1. The Council shall have the power as a body, by committee or by its police officers together with their assistance, to enter upon any premises at any time to investigate the violation of any condition defined under this Part. After investigation, the Council shall declare any condition that it may specify as a nuisance, and it may order the same to be removed, abated, suspended, or altered in accordance with the following procedure:

A. After complaint, or on its own motion, the Council, after investigation, shall serve upon the owner or person liable by registered mail, notification of a violation. If mail service cannot be made, posting of a public notice on the premises shall be deemed sufficient notice.

B. In the event the respondent fails to comply with the written order within 10 days, the Council may issue a written order to its police officers directing them to abate or remove the nuisance.

(*Ord. 91-11, 9/11/1991, §4*)

Part 2**Regulating the Number of Pets Allowed per Dwelling Unit****§2-201. Definitions.**

The following terms used in this Part shall be defined as follows:

Breeder - any person who keeps animals for compensation.

Borough - the Borough of Swissvale, Allegheny County, Pennsylvania.

Dwelling unit - a building, apartment, or portion of any building, including any apartment building, boarding home or condominium development, that is designed or used as the principal place of residence of one person or family and which contains a facility for cooking.

Family - one or more persons occupying a dwelling unit living as a single housekeeping unit.

Kennel - an establishment where animals are bred, trained or boarded.

Person - every natural person, firm, co-partnership, association, or corporation.

Pet - any dog, cat, fowl, rodent, reptile or other animal.

(*Ord. 90-3, 3/14/1990, §1*)

§2-202. Number of Pets Per Dwelling Limited.

No person or family shall be permitted to own, harbor, or maintain more than five pets per dwelling unit located within the Borough limits.

(*Ord. 90-3, 3/14/1990, §2*)

§2-203. Litters Excluded.

This Part shall not apply to litters of young which have not yet been weaned or young which have been weaned for less than 6 weeks. Neither shall this Part apply to animals owned or harbored by registered breeders, or to animals harbored by persons owning and/or operating a registered kennel.

(*Ord. 90-3, 3/14/1990, §3*)

§2-204. Violation and Penalty.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 90-3, 3/14/1990, §4; as amended by Ord. 05-02, 6/1/2005*)

Part 3**Dogs and Cats at Large; Removal of Waste****§2-301. Running at Large Prohibited.**

From and after the effective date of this Part, it shall be unlawful for the owner of any dog or cat to permit the same to run at large throughout the Borough.

(Ord. 84-3, 9/12/1984, §1)

§2-302. Dogs and Cats; Leashing of Dogs.

Any dog or cat must be confined on the premises of the owner. When said animals are allowed off of the premises of the owner it must be under the control of the owner or owners at all times. Dogs are permitted on the streets, thoroughfares and highways of the Borough only when on a leash and in the care and control of the owner.

(Ord. 84-3, 9/12/1984, §2; as amended by Ord. 05-02, 6/1/2005)

§2-303. Seizure and Detention of Dogs and Cats at Large.

The police and other authorized officers of the Borough and/or any other person to whom this task is properly delegated are authorized to seize and detain any dog or cat which is found running at large upon the public streets, thoroughfares or highways of this Borough or upon the property of other than the owner of such dog or cat and accompanied by the owner or keeper.

(Ord. 84-3, 9/12/1984, §3)

§2-304. Impounding and Detention of Dogs and Cats.

Any dog or cat found running at large upon public or private property or upon the streets or highways of the Borough of Swissvale which is seized by the police or any other authorized officer or person shall be taken and impounded in a place provided for that purpose. If the owner be known or marks of identification be found on the collar of the dog or cat so that the owner can be ascertained, the owner or his agent shall be notified by registered or certified mail with return receipt within a period of 5 days after the dog or cat is seized and impounded to reclaim said dog or cat. The owner shall have 24 hours after receiving notice of the seized and impounding of said dog or cat to reclaim it and to pay the cost of impoundment and detention. If the dog or cat is not claimed within 5 days of notification, said dog or cat may be sold, or it may be destroyed in a humane manner. If the dog or cat is unlicensed or unmarked and the owner cannot be ascertained, it shall be kept and fed for 48 hours, except if it is ill or injured. Any person may view such detained dog or cat during, normal business hours. If said dog or cat is unclaimed within 48 hours it may be sold or it may be destroyed in a humane manner. No animal seized pursuant to this Part shall be sold, either directly or indirectly, for purposes of vivisection or research, or transported or conveyed for such purposes.

(Ord. 84-3, 9/12/1984, §4)

§2-305. Depositing of Waste; Removal.

It is hereby declared that the depositing of waste by dogs or cats upon public or private property within the Borough constitutes a health hazard. From and after the effective date of this Part it shall be unlawful for the owner or person in charge of a dog or cat to allow the animal to deposit waste within the Borough without the owner or the custodian of the dog or cat immediately removing the waste material and having the same deposited in a recognized sanitary manner. The owner or person in charge of said animal depositing waste within the Borough shall cause the waste to be removed from the public or private property immediately before allowing the animal to move from the general vicinity of the waste deposit.

(*Ord. 84-3, 9/12/1984, §5*)

§2-306. Statutory Provisions Not Abrogated.

Nothing contained in the provisions of this Chapter shall be construed as an abrogation of any of the laws of the Commonwealth of Pennsylvania which deal with animals.

(*Ord. 84-3, 9/12/1984, §6*)

§2-307. Ordinance Applicable to Licensed Animals.

Compliance with ordinance or statute requiring application for an animal license or payment of a license fee shall not bar enforcement of this Part.

(*Ord. 84-3, 9/12/1984, §7*)

§2-308. Violations and Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 84-3, 9/12/1984, §8; as amended by Ord. 05-02, 6/1/2005*)

Part 4**Teasing or Striking Dogs Prohibited****§2-401. Teasing or Striking Dogs Prohibited.**

It shall be unlawful for any person to willfully and maliciously taunt, torment, tease, beat, kick or strike any dog used by the Police Department of the Borough of Swissvale, in the performance of the functions or duties of such Department, or to interfere with or meddle with any such dog used by said Department or any member thereof in the performance of the functions or duties of said Department or of such officer or member. Any person who shall violate any of the provisions of this Part shall be deemed guilty of an offense, which shall be a summary offense.

(Ord. 80-8, 8/13/1980, §1)

§2-402. Injuring or Killing Dogs Prohibited.

It shall be unlawful for any person to willfully or maliciously torture, mutilate, injure, disable, poison or kill any dog used by the Police Department of the Borough of Swissvale in the performance of the functions or duties of such Department, or to interfere with or meddle with any such dog used by said Department or any member thereof in the performance of any of the functions or duties of said Department or of such officer or member. Any person who shall violate any of the provisions of this Part shall be deemed guilty of an offense, which shall be a summary offense.

(Ord. 80-8, 8/13/1980, §2)

§2-403. Violations and Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1000 plus costs and, in default of payment of said fines and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues after notification in accordance with this Part shall constitute a separate violation of this Part.

(Ord. 80-8, 8/13/1980, §3; as amended by Ord. 05-02, 6/1/2005)

