

CHAPTER 2

ANIMALS

**Part 1
Animals**

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CHAPTER 2

ANIMALS

Part 1

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§101. Title and Purpose. This Chapter shall be known as the Animal Ordinance of White Deer Township, Union County, Pennsylvania. The purpose of this Ordinance is to provide regulations to protect the health, safety and welfare of the residents of White Deer Township and to ensure that animals within White Deer Township are treated in a safe and humane manner. Residents may keep animals within White Deer Township for noncommercial purposes subject to the following regulations.

§102. Definitions. For the purposes of this Chapter, the following words and phrases, unless the context clearly indicates otherwise, shall be defined as follows:

ANIMAL - Any of a kingdom (Animalia) of living things including insects, fish, amphibians, reptiles, birds, and mammals, but excluding humans. Animals may be domesticated or nondomesticated.

ANIMAL CONTROL OFFICER - The persons or entity appointed by the Township whose duties shall consist of enforcing the provisions of this Chapter and such other duties as the Board of Supervisors of White Deer Township shall approve by Resolution.

CAT - The genus and species known as Felis catus.

DOG - The genus and species known as Canis familiaris.

KEEPING AND MAINTAINING AN ANIMAL - The keeping and maintaining of an animal shall include but not be limited to providing food, shelter and/or medical care for said animal or permitting said animal access to said food and/or shelter notwithstanding the fact that said food and/or shelter is not intended for said animal.

NUISANCE - Continuous or incessant noise for a period of fifteen (15) minutes, odors, vectors, dust, vibrations, or excretion of bodily waste beyond an owner's or renter's property.

OFFICER - Any person employed by the Commonwealth of Pennsylvania or the Township, whose duty it is to preserve peace, make arrests, enforce the Pennsylvania Dog Law (Act 225 of 1982, P.L. 784), as amended, or enforce this Chapter.

OWNER - Any person having the right of property in any animal or having control of or custody of any animal, or any person who harbors or permits an animal to remain on or around property owned by that person.

RUNNING AT LARGE - An unrestrained animal upon a public highway, street, alley, park or any other public land or upon property of another person other than the owner. This shall include but not be

limited to chasing motor vehicles or bicycles, or harassing any person in such a manner as to cause intimidation or apprehension of bodily harm.

TETHERING - The restraint of a domestic animal by tying it to any object or structure by any means, not to include using a handheld leash for the purpose of walking the animal.

TOWNSHIP - White Deer Township, Union County, Pennsylvania.

§103. Authority of Township. The Board of Supervisors of White Deer Township is hereby authorized and empowered to employ an Animal Control Officer as provided in §104 hereof to carry out the provisions of this Ordinance, upon such terms and conditions of compensation as may be approved by the Board of Supervisors of White Deer, from time to time.

§104. Animal Control Officer; Office Established. There is hereby established the office of the Animal Control Officer of White Deer Township whose duties shall consist of enforcing the provisions of this Chapter and such other duties as the Board of Supervisors of White Deer Township shall approve by Resolution.

§105. Prohibitions. The following shall be prohibited unless specifically permitted by other provisions of this Chapter:

(1) Running At Large. It shall be unlawful for any person(s) to permit any dog, cat, or other animal, owned, kept, maintained, or in the custody or control of such person(s) to run at large in White Deer Township.

(a) This prohibition shall not be applicable in the Agricultural-Preservation, Agricultural-Residential and Woodland-Preservation Zoning Districts.

(b) Animals may be permitted to run at large on lands owned by the Township in areas designated by the Township from time to time by resolution.

(2) Disturbing the Peace and Endangering the Health or Property of Others. It shall be unlawful for any person(s) who own, keep, maintain or control any dog, cat, or other animal:

(a) To permit, by frequent and habitual barking, howling, or yelping, unreasonably loud and disturbing noises of such character, intensity and duration so as to disturb the peace, quiet and good order of any neighborhood;

(b) To permit said dog, cat, or other animal to injure, threaten or endanger any person(s) by jumping on, knocking down, attacking or menacing said person(s) or to threaten, endanger, harm, destroy or injure the property of another person(s); or

(c) To permit said dog, cat, or other animal to create offensive odors or unsanitary conditions which are a menace or hazard to the health, comfort or safety of others.

Whenever it is established that any dog, cat, or other animal has bitten any person(s), or shows signs of being infected with rabies, the

person(s) who own, keep, maintain or control said animal, upon the order of the Pennsylvania Department of Health or an Officer, shall quarantine said animal in a veterinarian's kennel for a period of ten (10) days at such person(s) expense.

(3) Animal Defecation. It shall be unlawful for any person(s) to cause or permit any dog, cat, or other animal owned, kept, maintained, or in the custody or control of such person(s) to soil, defile, defecate, urinate, or commit any nuisance on any lawn, yard, common thoroughfare, sidewalk, passageway, bypath, play area, park, or any other place where people congregate or walk, whether public or private property, other than the property of such person(s) or of another who consents prior thereto.

(4) Providing Food. It shall be unlawful for any person or persons to place food that could be consumed by a dog, cat, or other animal outside an enclosed structure. Enclosed structure shall include a pen, shelter, run or similar structure that is secured and intended for use in the housing or keeping of a dog, cat, or other animal. For purposes of this Section, devices utilized to provide food for birds shall not be a violation of this Section, provided the same is designed to prevent access by dogs, cats, or other animals.

(5) Physical Restraint of Animal. It shall be unlawful for any person or persons owning, keeping, maintaining or controlling an animal to physically restrain and leave unattended the said animal except upon lands owned by the said person or lands which the said person shall have a legal right of possess or occupy.

(6) Obstruction of Officer. It shall be unlawful for any person(s) or entity to obstruct any Officer or any other person(s) authorized to enforce the provisions of this Chapter.

§106. Detention of Animals. Any dog, cat, or other animal found running at large as provided in §105(1) hereof or disturbing the peace or endangering the health or property of others as provided in §105(2) hereof shall be taken into custody by any Officer who shall, as he deems proper in his sole discretion, either:

(1) Maintain custody of the animal and, if licensed, return it within twenty-four (24) hours to the person(s) in whose name the license has been issued;

(2) Maintain custody of the animal if licensing of the said animal is not required by law and return it within twenty-four (24) hours to the person(s) owning, keeping, maintaining or controlling the animal if such person be known; or

(3) If the person(s) owning, keeping, maintaining or controlling the animal are unknown or the animal has been captured on a previous occasion, then in that event the Officer shall remove the animal to a place of detention, and place it in the care and custody of the keeper of the place of detention.

§107. Notice to Owners. If the dog, cat, or other animal is detained as provided in §106 herein, then immediate notice shall be given to the person(s) in whose name the license has been issued or the person(s) known to

be owning, keeping, maintaining or controlling the animal. Said notice shall be either personally or by certified mail.

§108. Maintenance of Detained Animals. Any dog, cat, or other animal detained as provided in §106 herein shall be properly kept, boarded, fed, and maintained, as follows:

(1) If licensed, or if unlicensed and the person(s) owning, keeping, maintaining or controlling the said animal are known, then for a period of at least ten (10) days after notice of said detention has been given as provided in §107 hereof, after which time said animal shall be disposed of either by sale or by destruction in some humane manner and the carcass buried or disposed of, other than for the purposes of vivisection; or

(2) If unlicensed and the person(s) owning, keeping, maintaining or controlling the said are unknown, then for a period of at least three (3) days, after which time said animal shall be disposed of either by sale or by destruction in some humane manner and the carcass buried or disposed of, other than for the purposes of vivisection.

§109. Service Charges and Penalties.

(1) Service Charges. The Animal Control Officer may impose a service charge of not more than Twenty-Five Dollars (\$25.00) upon any person or persons whose animal may become the subject of capture and is returned to them by the Animal Control Officer as hereinabove provided. Such person or persons shall pay the said charge to the Township Secretary within forty-eight (48) hours after the return of the animal.

Any person or persons, whose animal may become the subject of capture and detention as hereinabove provided, may reclaim such animal by paying to the keeper of the place of detention, the sum regularly charged by said keeper for such services, plus the Twenty-Five Dollar (\$25.00) service charge provided for above which shall be paid to the Township Secretary within forty-eight (48) hours after the return of the animal. Further, if the animal is of character which requires a license under the laws of the Commonwealth of Pennsylvania and does not bear a license when impounded, proof of proper licensure must be demonstrated to the keeper of the place of detention, prior to redemption by its owner. The animal cannot be reclaimed until such time as the owner has procured a proper license.

(2) Penalties. Violations of this Chapter shall be enforced by an action brought before a District Judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Township Solicitor may assume charge of the prosecution without the consent of the District Attorney as required by Pennsylvania Rule of Criminal Procedure No. 83(c). The fine for a violation of this Chapter shall not exceed \$1,000.00 and/or imprisonment to the extent allowed by law for the punishment of summary offenses.

Any animals found by the District Judge to be a danger to the health, safety and/or property of any person or entity may, at the direction of the

District Judge, be disposed of by destruction in some humane manner and the remains disposed of in accordance with the law.

§110. Use of Charges and Fines. The charges assessed and the fines imposed hereunder shall be for the use of Township.

§111. Penalties. Any person, partnership, corporation, firm, entity or joint venture who or which has violated or shall violate or permitted or permits the violation of the provisions of this Part shall upon being found liable therefore in a civil enforcement proceeding pay a judgment of not more than ONE THOUSAND AND 00/100 DOLLARS (\$1,000.00), plus all court costs and reasonable attorney fees incurred by the Township as a result thereof.

(Ordinance No. 96-4, adopted June 25, 1996)

Any animals found by the District Judge to be a danger to the health, safety and/or property of any person or entity may, at the direction of the District Judge, be disposed of by destruction in some humane manner and the remains disposed of in accordance with the law.

(Ordinance No. 36, adopted January 25, 2011; amended by Ordinance No. 83, adopted May 26, 2026)