

**BROWNSVILLE TOWNSHIP
FAYETTE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2-09

**AN ORDINANCE OF THE TOWNSHIP OF BROWNSVILLE, RELATING TO
PETS**

WHEREAS, it is the opinion of the Brownsville Township Supervisors that it is necessary for the protection of the public health, safety and welfare to regulate pets within the Township; and

WHEREAS, it is necessary to enforce the care and control of such pets by their owners.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township of Brownsville, Fayette County, Pennsylvania, by its supervisors and it is hereby ordained and enacted by authority of the same, as follows:

SECTION ONE: It shall be unlawful for any owner or owners of dogs or cats to permit the same to run at large within the Township of Brownsville.

SECTION TWO. It shall be unlawful for any owner or owners of dogs or cats to permit the same to make excessive noise to the disturbance, annoyance or fright of persons in the vicinity or passersby.

The nuisance as contemplated by this Ordinance shall be the unreasonable barking or making of noise by dogs, which noise interferes with or deprives any person of the peace, quiet, rest, sleep, or legitimate enjoyment of their property within the Township.

Any unreasonable barking or other noise making by dogs shall be presumed by the proof of the continuous barking or making of such noise for two periods, each of which is in excess of fifteen (15) minutes, and both of which periods occur within twenty-four (24) hours of each other.

SECTION THREE: No person owning or harboring or having the care of a vicious dog should suffer or permit such animal to go unconfined on the premises of such.

A. Definitions:

1. A vicious dog as the term is used in this Ordinance means:

a. Any dog with a propensity, tendency or disposition to attack, to cause or otherwise endanger the safety of human beings or domestic animals; or

b. Any dog which attacks a human being or a domestic animal on two occasions without provocation; or

c. Any pit bull terrier which is defined as any Staffordshire Bull Terrier dog or any mixed breed of dog which contains as an element of its breed, the breed of Staffordshire Bull Terrier or American Staffordshire Terrier be identifiable as partially of the breed of Staffordshire Bull Terrier or American Staffordshire Terrier by a qualified veterinarian duly licensed by the Commonwealth of Pennsylvania.

A vicious dog is unconfined as the term is used in this Ordinance if the dog is not securely confined indoors or confined in a securely enclosed, locked pen or structure upon the premises of the person described in the Subsection B hereof. Such pen or structure must have secure sides and a secure top. If the pen or structure has no bottom secured to the sides, the sides must be imbedded in the ground no less than two (2) feet.

B. No person owning or harboring or having the care of a vicious dog should suffer or permit such dog to go beyond the premises of such person unless such dog is securely leashed and muzzled.

SECTION FOUR: Any animal which scratches, digs or defecates upon any lawn, tree, shrub, plant, building or any other public or private property, other than the property of the owner or person in charge or control of such animal, is hereby declared to be a nuisance.

No person, having possession, custody or control of any animals, shall knowingly or negligently permit any dog or other animal to commit any nuisance upon any gutter, street, driveway, curb or sidewalk in the Township, or upon the floors or stairways of any building or place frequented by the public or used in common by the tenants, or upon the outside walls, walkways, driveways, curbs or stairways of any building abutting on a public street or park, or upon the grounds of any public park or public area, or upon any private property other than the property of the owner of such animal.

Any person having possession, custody or control of any dog or other animal which commits a nuisance in any area other than the private property of the owner of such dog or other animal, as prohibited in the prior section, shall be required to immediately remove the said feces from such surface and carry the feces in a non-leaking container.

SECTION FIVE. Any owner, person, firm, association or corporation who shall violate any provision of this ordinance shall, upon conviction thereof,

be sentenced to pay a fine of not less than twenty-five dollars (\$25) nor more than one thousand dollars (\$1,000.00), or to imprisonment for a term not less than five (5) days nor more than ninety (90) days.

SECTION SIX. All ordinances and regulations inconsistent herewith are hereby repealed.

ORDAINED and **ENACTED** by the Supervisors of Brownsville Township, Fayette County, Pennsylvania, on this 2nd day of March, 2008.

BROWNSVILLE TOWNSHIP SUPERVISORS




Homer Yeardie

ATTEST:



Secretary



Timothy Scott



Barry Bookshar