

Chapter 110

ANIMALS

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[HISTORY: Adopted by the Board of Supervisors of Rye Township as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 243.

Parks and recreation — See Ch. 260.

ARTICLE I

Dogs

[Adopted 3-12-1990 by Ord. No. 90-2]

§ 110-1. Definitions.

The following words and phrases shall have the meanings hereby respectively ascribed thereto, except where the context clearly indicates a different meaning:

DOG — Any domestic animal which is a household pet which normally and ordinarily is kept in or permitted to be at large in the dwelling of its owner.

PERSON — Any natural person, partnership, firm, association, corporation or any other entity.

§ 110-2. Requirements.

It shall be unlawful for any person to keep any dog except as provided in this section:

- A. The keeper of any such dog shall confine the same in an enclosure sufficient to prevent such dog from running at large, and such enclosure shall be maintained in a clean and sanitary condition at all times. Such enclosure shall be conducive to such sanitation procedure and adequate and sanitary drainage facilities shall be provided;

- B. If any such dog is kept in the dwelling owned or occupied by its owner, such owner shall be required to follow such procedure and practices as to sanitation to insure that no public nuisance shall be created or maintained and no threat to the health of persons living elsewhere in the dwelling shall be created.

§ 110-3. Running at large; noise disturbances.

- A. It shall be unlawful for any owner or custodian of any dog to permit such dog to run at large upon the public streets, highways, parks, other public property of Rye Township or upon private property without the consent of the owner thereof. A dog which is on a leash or which is subject to the act or control of the direction of its owner or custodian shall not be deemed to be running at large.
- B. It shall be unlawful for any person to allow any dog to make any loud or harsh noise or disturbance which shall disturb or interfere with the peace, quiet, rest of the public within the Township of Rye.

§ 110-4. Violations and penalties. [Amended 6-9-1997 by Ord. No. 97-1]

Any person who violates or permits the violation of this article shall, upon being found liable therefor in a civil enforcement proceeding commenced by a municipality, pay a fine not exceeding \$600, plus all court costs, including reasonable attorneys' fees incurred by the municipality. No such judgment shall be imposed until the date of determination of the violation by the Magisterial District Judge. If the violator does not pay or timely appeal the judgment of the Magisterial District Judge, the Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure.

§ 110-5. Prosecution.

Any violation of this article that would also violate any state law may be prosecuted under that state law or under this article.

§ 110-6. Enforcement.

Nothing herein shall prevent the Rye Township Board of Supervisors, in their discretion, to enter into agreements with any officially recognized humane society for the purpose of enforcing this article.

ARTICLE II
Animal Control

[Adopted 11-29-2005 by Ord. No. 05-02]

§ 110-7. Definitions.

- A. As used in this article, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

ANIMAL — Any domestic animal or fowl, any wild animal or any household pet.

DOMESTIC ANIMAL — Any animal normally or ordinarily domesticated or raised in this area and climate as livestock or for work or breeding purposes, or normally or ordinarily kept as a household pet.

HOUSEHOLD PET — Any dog, cat, or other domestic animal normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.

LARGE ANIMAL — Any wild or domestic animal of the bovine, equine or sheep family.

PERSON — Any person, firm, partnership, association, or corporation.

SMALL ANIMAL — Any wild or domestic animal, such as a rabbit, hare, guinea pig, rat, mouse, or chinchilla; and any wild or domestic fowl, such as a chicken, turkey, goose, duck, or pigeon (excepting homing pigeons).

WILD ANIMAL — Any animal, including bird, fowl, or reptile not normally or ordinarily domesticated; not normally or ordinarily raised in this area and climate as livestock or for work or breeding purposes; or not capable of being kept as a household pet.

- B. In this article, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

§ 110-8. Certain animals prohibited.

It shall be unlawful for any person to keep any pigs, hogs or swine at any place within Rye Township, Perry County, except in those areas of the Township that have been designated as intensive agriculture or agriculture district, or in what could be commonly defined as a farm consisting of not less than 25 or more acres in size.

§ 110-9. Keeping of animals regulated.

It shall be unlawful for any person to keep any domestic animals, except household pets, except as provided in this section:

- A. Large animals shall be confined in quarters no part of which shall be closer than 100 feet from the exterior limits of any dwelling or of any property line.
- B. Small animals shall be kept confined in quarters no part of which shall be closer than 25 feet from the exterior limits of any dwelling or of any property line.
- C. The keeper of every such animal shall confine the same in an enclosure sufficient to prevent such animal from running at large, and such enclosure shall be of a size conducive to good sanitary practices and adequate and sanitary drainage facilities shall be provided.

- D. Every keeper of any animal shall cause the litter and droppings therefrom to be collected daily in a container or receptacle that when closed shall be ratproof and flytight, and after every such collection shall cause such container or receptacle to be kept closed. At least twice a week, every such keeper shall cause all litter and droppings so collected to be disposed of in such manner as not to permit the presence of fly larvae.
- E. Every keeper of any animal shall cause all feed provided therefor to be stored and kept in a ratproof and flytight building, box, container, or receptacle.

§ 110-10. Household pets.

It shall be unlawful for any person to keep any household pet except as provided in this section:

- A. If any such pet shall be kept in a dwelling owned or occupied by its owner, such owner shall be required to follow such procedures and practices as to the number of such pets to be kept there, and as to sanitation, to insure that no public nuisance shall be created or maintained and no threat to the health of persons living elsewhere than in such dwelling shall be created.
- B. If any such pet shall be kept in an enclosure outside such dwelling, the provisions of § 110-9 of this article, insofar as the same applies to small animals, shall be applicable to the keeping of such household pets.

§ 110-11. Violation of state law.

Any violation of this article that would also violate any state law shall be prosecuted under that state law and not under this article.

§ 110-12. Violations and penalties.

Any person who shall violate any provision of this article shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$300, and/or to undergo imprisonment for a term not to exceed 90 days. Each day that a violation of this article continues shall constitute a separate offense.