

ANIMALS

**Chapter 26
ANIMALS**

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- 26-1. Definitions.
- 26-2. Keeping restricted; poisonous reptiles prohibited.
- 26-3. Enclosures; shelters; sanitation.
- 26-4. Leashing.
- 26-5. Nuisance.
- 26-6. Public institutions and private enterprises.
- 26-7. Violations and penalties.
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26-1. Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

HEALTH OFFICER - The Director of the State, County or Borough Health Department, or his authorized agent.

KEEPER or PERSON - Any individual, firm or corporation owning, keeping, having, using or maintaining any of the animals herein referred to.

RATPROOF - A state of being constructed so as to effectively prevent entry of rats.

SANITARY - Any condition of good order and cleanliness which precludes the probability of disease transmission.

SMALL ANIMALS - Dogs, cats, rabbits, hares, guinea pigs, chinchillas, chickens, turkeys, geese, ducks, hamsters, pigeons (except homing pigeons), rats and mice.

26-2. Keeping restricted; poisonous reptiles prohibited.

- A. It shall be unlawful for any person to keep, own or maintain, use or have in his possession any animals as defined in this Chapter, within the corporate limits of the Borough of Exeter, except that such animals may be kept under the conditions hereinafter set forth.

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- 1 B. No person shall keep or maintain within the limits of the
2 Borough of Exeter any poisonous snake or other poisonous
3 reptile under any circumstances whatsoever.

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5 **26-3. Enclosures; shelters; sanitation.**

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7 The following practices shall be observed in the keeping of
8 said animals under this Chapter:

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10 A. Required enclosure.

- 11 (1) Every keeper of any said animals shall confine the
12 same in any enclosure sufficient to prevent their
13 running at large, and such enclosure shall be
14 maintained in a clean, sanitary condition at all
15 times, and an approved insecticide shall be used as
16 often as deemed necessary by the Health Officer.

- 17
18 (2) Said enclosures shall be constructed at a distance
19 of not less than thirty (30) feet from any dwelling
20 house.

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23 B. Every keeper shall provide a shelter or area of a size
24 sufficient to be conducive to good sanitation practices,
25 and said keeper shall provide adequate and sanitary
26 drainage for the shelter or area.

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28 C. Disposal of litter.

- 29 (1) Every keeper of any said animals shall cause the
30 litter and droppings therefrom to be collected daily
31 in a container or receptacle of such a type, that
32 when closed it is ratproof and fly tight, and after
33 each such collection shall cause such container or
34 receptacle to be kept closed.

- 35
36 (2) At least twice a week each such keeper shall cause
37 all litter and droppings so collected to be disposed
38 of in such way as not to permit the presence of fly
39 larvae.

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42 D. Every keeper of any said animals shall cause all feed
43 provided therefore to be stored and kept in a ratproof, fly
44 tight building, box, container or receptacle.

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46 **26-4. Leashing.**

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48 No keeper or custodian of a dog, whether licensed or not, or of
49 a cat shall suffer or permit such animal to go or be off the
50 premises owned by or in the possession of such person unless the

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1 dog or cat shall be accompanied by a person who is capable of
2 controlling such animal and who has the animal securely confined
3 and controlled by an adequate leash not more than six (6) feet
4 long.

26-5. Nuisance.

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8 It shall be the duty of the keeper of animals provided for in
9 this Chapter to maintain and operate the housing and keeping of
10 such animals in such a manner as not to create a nuisance as
11 determined by any court of competent jurisdiction.
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26-6. Public institutions and private enterprises.

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15 Medical laboratories, educational institutions, veterinary
16 hospitals, pet shops or other similar activities shall keep and
17 maintain animals under the same conditions prescribed by this
18 Chapter and with the distance and structural requirements herein
19 set forth.
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26-7. Violations and penalties.

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23 Any person violating any of the provisions of this Chapter
24 shall upon conviction thereof, be punishable by a fine not
25 exceeding three hundred (\$300.00) dollars and costs of prosecution,
26 and on default in payment of the fine and costs, by imprisonment in
27 the County jail for a term not exceeding ninety (90) days.
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26-8. Effect.

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31 This Chapter shall be cumulative of all other sanitary
32 ordinances or regulations of the Borough of Exeter unless in
33 conflict with the terms of said ordinances and regulations, in
34 which case the terms of this Chapter shall prevail.
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AN ORDINANCE AMENDING THE EXETER BOROUGH CODE AMENDING CHAPTER 26, ANIMALS, BY ADDING THE FOLLOWING SECTIONS:

SECTION 26 - C (3)

An Ordinance of the Borough of Exeter amending Chapter 26 Section 26 - C (3) Miscellaneous Provisions by adding the following:

Article 3 Enclosure, Shelters and Sanitation:

No person shall allow an animal's droppings to remain on public property or any private property and the droppings must be collected of immediately in a receptacle of such a type that when closed, it is ratproof and fly tight and disposed of in such a way as to not permit the presence of fly larvae.

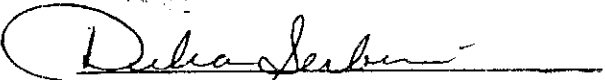
This Ordinance shall become effective as of

ENACTED AND ORDAINED this 10TH Day of November, 1998



CHAIRMAN

ATTEST:


BOROUGH SECRETARY

Approved this

Day of November, 1998.


MAYOR

EXETER BOROUGH ORDINANCE
NO. 3 of 2007

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF EXETER, LUZERNE COUNTY, PENNSYLVANIA, IMPOSING A RESTRICTION ON ALL PERSONS WITHIN THE BOROUGH OF EXETER FROM HOUSING, POSSESSING, TRANSPORTING, TREATING, BREEDING, AND/OR TRAINING ANY EXOTIC ANIMALS WITHIN THE BOROUGH LIMITS OF EXETER.

WHEREAS, AN ORDINANCE ADOPTED, IMPOSING A RESTRICTION ON THE POSSESSION OF EXOTIC ANIMALS BY ANY PERSONS INSIDE THE BOUNDARY LIMITS OF THE BOROUGH OF EXETER PROVIDING FOR PENALTIES ON ANY INDIVIDUALS WHO VIOLATE SAID ORDINANCE; AND

WHEREAS, THE BOROUGH OF EXETER, HEREINAFTER "BOROUGH", IS DESIROUS OF PLACING THESE RESTRICTIONS ON ANY PERSONS WITHIN THE BOROUGH LIMITS OF EXETER BASED UPON CONCERN FOR THE HEALTH, SAFETY AND WELFARE OF ALL BOROUGH RESIDENTS AND ALL PERSONS WITHIN THE BOROUGH LIMITS OF EXETER;

NOW, THEREFORE, THE LANGUAGE OF SAID ORDINANCE SHALL READ:

SECTION 1.

A. EXOTIC ANIMALS ARE BANNED WITHIN THE BOROUGH LIMITS OF EXETER.

B. NO PERSON OR PERSONS IS ALLOWED TO POSSESS, HOUSE, TRANSPORT, TREAT, BREED, AND/OR TRAIN ANY EXOTIC ANIMALS WITHIN THE BOROUGH LIMITS OF EXETER.

C. THIS BAN APPLIES TO ALL RESIDENTS OF EXETER. THIS BAN APPLIES TO ALL PERSONS WITHIN THE BOROUGH OF EXETER WHO ARE NOT RESIDENTS BUT ARE PHYSICALLY WITHIN THE BOUNDARY LIMITS OF THE BOROUGH OF EXETER.

SECTION 2. - DEFINITIONS

A. EXOTIC ANIMALS SHALL BE DEFINED THE SAME WAY IT IS DEFINED BY THE PENNSYLVANIA GAME COMMISSION AND THE PENNSYLVANIA FISH COMMISSION IN THE PENNSYLVANIA CODE.

SECTION 3. - SPECIAL EXEMPTIONS

A. IF ANY PERSON OR PERSONS WITHIN THE BOROUGH LIMITS OF EXETER ARE DESIROUS OF OBTAINING A SPECIAL USE PERMIT SO THAT AN EXOTIC ANIMAL CAN BE PERMITTED WITHIN THE EXETER BOROUGH LIMITS, SAID INDIVIDUAL MUST OBTAIN A SPECIAL USE PERMIT FROM THE POLICE CHIEF OF EXETER BOROUGH OR HIS DESIGNEE.

B. SPECIAL USE PERMITS MUST BE OBTAINED THIRTY (30) DAYS IN ADVANCE OF THE DATE THE EXOTIC ANIMAL WILL BE WITHIN THE EXETER BOROUGH LIMITS.

SECTION 4. - PENALTIES

A. ANY PERSON IN VIOLATION OF THIS ORDINANCE SHALL PAY A FEE OF THREE HUNDRED (\$300.00) DOLLARS PER DAY FOR EACH DAY IN VIOLATION AND BE SUBJECT TO THIRTY (30) DAYS IMPRISONMENT.

SHOULD ANY PORTION WHATSOEVER OF THIS ORDINANCE BE HELD INVALID OR UNENFORCEABLE FOR ANY REASON BY ANY COURT OF COMPETENT JURISDICTION, SUCH PORTION SHALL BE DEEMED SEVERABLE, BUT ONLY TO THE EXTENT OF SUCH HOLDING AND SUCH HOLDING SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE.


ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH BE THE SAME ARE HEREBY REPEALED.

THIS ORDINANCE SHALL TAKE EFFECT February 6th, 2007.

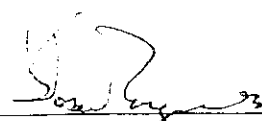
ORDAINED AND ENACTED INTO LAW THIS 6 DAY OF Feb, 2007.

ATTEST:


BOROUGH SECRETARY

EXETER BOROUGH COUNCIL

PRESIDENT OF COUNCIL

APPROVED THIS 6 DAY OF February, 2007.


MAYOR