

## **Chapter 2**

### **Animals**

#### **Part 1**

#### **Keeping of Animals**

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**Part 1****Keeping of Animals****§2-101. Definitions.**

As used in this Part, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

*Exotic animal or pet*—the type of animal that is not indigenous to the Commonwealth of Pennsylvania. Those exotic animals that are indigenous to the Commonwealth of Pennsylvania are limited by law to two per household. A pet such as any type of pot belly pigs or farm animal or fowl, not possessed at the time of the enactment of this Part, is not permitted in the Borough of Oklahoma unless physical possession of said pet preceded the enactment of this Part.

*Owner*—the proprietorship of certain exotic animal, farm animals or fowl or a dog, includes every person having a right of property in such exotic animal, farm animal or fowl or dog, and every person who keeps or harbors such exotic animal, farm animal or fowl or dog or has it in his or her care, and every person who permits such exotic animal, farm animal or fowl or dog to remain on or about any premises occupied by him or her.

*Running at large*—being upon any public highway, street, ally, park or any other public land, or upon property of another person other than the owner, and not being accompanied by or under the control of the owner or any other person having said custody of said exotic animal, farm animal or fowl or dog.

(Ord. 2005-2, 11/14/2005, §1)

**§2-102. Appointment and Duties of Dog Warden.**

A Dog Warden shall be appointed by Council for the Borough or Oklahoma to serve during its pleasure. Such warden along with the Borough of Vandergrift Police Department and/or Pennsylvania Constable shall have the concurrent responsibility for the enforcement of this Chapter and of the Dog Law, 3 P.S. 459-101 *et seq.*; provided, that he or she shall not have the power to make arrests under this Act of Assembly or any other Act or Assembly or ordinance of the Borough of Oklahoma.

(Ord. 2005-2, 11/14/2005 §2)

**§2-103. Unlawful to Allow Exotic Animals, Farm Animals or Fowl or Dogs to Run at Large.**

It shall be unlawful for the owner of any dog or dogs or exotic animal, farm animal or fowl to allow or permit such dog or dogs or exotic animals. farm animals or fowls to run at large in the Borough of Oklahoma.

(Ord. 2005-2, 11/14/2005, §3)

**§2-104. Seizing of Exotic Animals, Farm Animals or Fowls or Dogs.**

The Dog Warden or any police officer or constable may seize any exotic animal, farm animal or fowl or dog found at large in the Borough of Oklahoma. Such exotic

animal, farm animal or fowl or dog is to be impounded in a licensed kennel.

(*Ord. 2005-2, 11/14/2005, §4*)

**§2-105. Licensed Dogs.**

The Dog Warden, Pennsylvania State Police or Constable shall notify the owner of a licensed dog by registered or certified mail, with return receipt, that the dog is impounded and will be disposed of in 5 days if not claimed. Five days after the return receipt has been received, and the dog has not been claimed, the dog may be sold or destroyed in accordance with §302 of the Dog Law, 3 P.S. §459-302.

(*Ord. 2005-2, 11/14/2005, §5; as amended by Ord. 2015-04, 12/14/2015*)

**§2-106. Unlicensed Dogs.**

Unlicensed dogs that are seized shall be held in such kennel for 48 hours and if not claimed may be destroyed in accordance with §303 of the Dog Law, 3 P.S. §459-303.

(*Ord. 2005-2, 11/14/2005, §6*)

**§2-107. Penalties.**

1. Each time than an exotic animal, farm animal or fowl or dog is seized within a 30-day period from the previous seizure, the owner shall pay a fine of \$50 to the Borough of Oklahoma as well as reasonable fees for keeping the animal in a kennel in the amount as established from time to time by resolution of the Council of Oklahoma.

2. Any person allowing an exotic animal, farm animal or fowl or dog to run at large a third time within a 30-day period from the first seizure in violation of this Part shall, upon conviction of thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fines and costs, to a term of imprisonment not to exceed 30 days.

(*Ord. 2005-2, 11/14/2005, §8*)