

BOROUGH OF MILLERSBURG
DAUPHIN COUNTY

Amendment to the Animal Ordinance Located in
Chapter 2 of the Code of the Borough of Millersburg

Ordinance No. 2-06

BE IT ENACTED AND ORDAINED by the Council members of Millersburg Borough, Dauphin County, Pennsylvania, as follows:

SECTION 1 – Purpose

The purpose of this Ordinance is to amend various sections of Chapter 2, Part 1, Sections 102, 103 and 104 of the Animals Ordinance of Millersburg Borough. The enactment of these amendments to the existing ordinances has been determined by the Millersburg Borough Council to be a benefit to the health, safety and welfare of the residents of Millersburg Borough.

SECTION 2 – List of Amendments

The following is a list of amendments to the existing ordinance:

1. Chapter 2, Part 1, Section 102, is hereby amended by the addition of the following: No person shall be permitted to own, harbor, or maintain more than five (5) dogs or cats or any combination thereof within Borough limits in one residence or building. This section shall not affect any person or residence whose number of dogs, cats, or any combination thereof exceeds the limit of five (5) prior to the effective date of this section, except that, upon elimination of dogs or cats by adoption, death, or any permanent removal, the limit of five (5) animals may not be exceeded. This section shall not affect kennels or catteries that are registered with the Pennsylvania Department of Agriculture.
2. Chapter 2, Part 1, Section 103, is hereby amended to read as follows:
 - A. Animal Defecation on Public and Private Property Restricted. No person, having possession, custody, or control of any animals, shall knowingly or negligently permit any dog or other animal to commit any nuisance, i.e., defecation upon any gutter, street, driveway, alley, curb or sidewalk in the Borough of Millersburg, 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, alleys, curbs or stairways or 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.
 - B. Disposal of Animal Feces. Any person having possession, custody or control of any dog or other animal which commits a nuisance, i.e., defecation in any area other than the private property of the owner of such dog or other animal, as prohibited in Section A. shall be required to IMMEDIATELY remove any

feces from such surface and dispose of said feces in a sanitary manner. The person having possession, custody or control of any dog or other animal must, when not on the property of the owner of the animal, carry in plain view on their person, materials to enable sanitary disposal.

C. Dogs Accompanying Blind or Handicapped Persons Exempted. The provisions of A. and B. hereof shall not apply to a guide dog accompanying blind persons, or to a dog used to assist any other physically handicapped person.

3. Chapter 2, Part 1, Section 104, is hereby amended to read as follows:

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of **\$50 for the first offense and \$300 for every offense thereafter**, plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

Section 3 – Repeal

All ordinances or resolutions or parts of ordinances or resolutions, insofar as they are inconsistent herewith, be and the same are hereby repealed.

SECTION 4 – Effective Date

This ordinance shall become effective five (5) days after its adoption.

ENACTED AND ORDAINED into an ordinance this 11th day of October, 2006, by the Millersburg Borough Council, Dauphin County, in Lawful Session duly assembled.

ATTEST:

MILLERSBURG BOROUGH COUNCIL

Ann Bowman Jackson
Secretary

By: Wanda B. Staff
Vice President

ENACTED AND APPROVED this 11th day of October, 2006.

Brian Keith Wilson
Mayor, Millersburg Borough