

BOROUGH OF CASTLE SHANNON
ORDINANCE NUMBER 801

**AN ORDINANCE OF THE BOROUGH OF CASTLE SHANNON,
ALLEGHENY COUNTY, PENNSYLVANIA, FOR CONTROLLING
ANIMAL DEFECATION ON PUBLIC PROPERTY, PRESCRIBING
PENALTIES FOR OWNERS WHO ALLOW ANIMALS TO LEAVE
EXCREMENT ON PUBLIC, OR OTHER PERSON'S PROPERTY; AND
ALLOWING FOR CERTAIN EXCEPTIONS**

WHEREAS, residents of the Borough of Castle Shannon have reported to the Borough Council of the Borough of Castle Shannon problems relating to animals defecating and/or urinating upon public property or on property of persons other than the owner of the animal, and

WHEREAS, the Council of the Borough of Castle Shannon is desirous of implementing legislation prohibiting persons having possession, custody or control of such animals from knowingly or negligently permitting such action by those animals and providing penalties therefor in order to promote the safety, health *and* general welfare of the community,

NOW, THEREFORE, **BE IT ORDAINED AND ENACTED** by the Borough Council of the Borough of Castle Shannon, in lawful session duly assembled, and it is hereby **ORDAINED AND ENACTED** as follows:

Section 1: Purpose

The purpose of this legislation is to protect and promote the safety, health and general welfare of the community and residents of the Borough of Castle Shannon and to establish the responsibility and liability of animal owners arising from the conduct of their pets.

Section 2: Animal Defecation on Public and Private Property Restricted

No person having possession, custody or control of any animal shall knowingly or negligently permit any dog or other animal to commit any nuisance, i.e. defecation or urination, upon any gutter, street, driveway, alley, curb or sidewalk in the Borough of Castle Shannon, 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 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.

Section 3: Disposal of Animal Feces

A. Any person having possession, custody or control of any dog or other animal which commits a nuisance, i.e. defecation or urination, in any area other than the private property of the owner of such dog or other animal, as prohibited in section 1, above, shall be required to immediately remove any feces from such surface and either:

1. Carry same away for disposal in a toilet.
2. Place same in a nonleaking container for deposit in a trash or litter receptacle.

B. No person shall deposit or dispose of such animal feces in a storm water catch basin or other conveyance of a storm water system within the Borough.

Section 4: Dogs accompanying Blind or Handicapped Persons Exempted

The provisions of sections 2 and 3 above shall not apply to a guide dog accompanying any blind persons or to a dog used to assist any other physically handicapped person.

Section 5: Violations and Penalties

Any person who shall violate any provision of this Ordinance shall, **upon** conviction thereof, be sentenced to pay a fine not to exceed Six Hundred Dollars (\$600.00) plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed thirty (30) days.

Section 6: Repealer

Any ordinance or part of ordinance conflicting with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 7: Saving Clause

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 6 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 8: Severability

If any provision of this ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions which shall continue in full force and effect.

Section 12: Effective Date

This Ordinance shall enter into effect ninety (90) days after final enactment hereof.

ORDAINED AND ENACTED into law this _____ day of 7(//e z , 1998.

ATTEST

BOROUGH OF CASTLE SHANNON

Dawn Crabb
Dawn Crabb
Borough Manager/Secretary

Regis J. Zezulewicz, Jr.
Regis J. Zezulewicz, Jr.
President of Council

Examined and approved this
9 day of Al mil , 1998.

Approved as to Form

Thomas P. O'Malley
Thomas P. O'Malley, Mayor

Dennis R. Blond
Dennis R. Blond, Solicitor