

Chapter 2

Animals

Part 1 Dog Nuisances

- §2-101. Disturbance of the Peace
- §2-102. Warning to Owners of Disturbing Dogs
- §2-103. Injury to Humans
- §2-104. Curbing of Dogs
- §2-105. Number Kept on Premises Limited
- §2-106. Penalties

Part 1**Dog Nuisances****§2-101. Disturbance of the Peace.**

It shall be unlawful to own, harbor or keep in custody any dog which disturbs the peace by barking, howling or making other loud noises to the annoyance and discomfort of any person in the Borough of Millbourne. Continuous barking, howling or the making of other loud noises by any dog for more than any 1 hour or continuous barking for periods of less than 1 hour but more than ½ hour, which periods occur on two or more consecutive days, shall be deemed to be a disturbance of the peace and a cause of annoyance and discomfort to persons in the Borough of Millbourne.

(Ord. 268, 1/3/1978, Art. III)

§2-102. Warning to Owners of Disturbing Dogs.

1. Any person may request the Borough Police Department to warn any person who shall own, harbor or keep in custody any dog which disturbs the peace by barking, howling or making other loud noise to the annoyance and discomfort of persons in the Borough of Millbourne. A warning by the police shall consist of delivery of a copy of this Part to the residence in the Borough of Millbourne of any such owner, keeper or custodian.

2. In the absence of any such warning made by said police, the complaining person may request the Secretary of the Borough of Millbourne to provide such warning. Any such request shall be in writing and shall identify and specify the residence of the owner, keeper or custodian of the dog or other animal and shall identify and specify the residence of the person making the request. Upon receipt of such request, the Secretary shall mail a copy of this chapter to the person identified as the owner, keeper or custodian of the dog or other animal.

3. A violation of this Part shall be deemed to have occurred upon a second or subsequent violation of §2-101 above after the date of delivery of the warning.

(Ord. 268, 1/3/1978, Art. III)

§2-103. Injury to Humans.

It shall be unlawful for the owner of any dog to permit said dog to injure any human being by biting, jumping on, knocking down or attacking said human being.

(Ord. 268, 1/3/1978, Art. III)

§2-104. Curbing of Dogs.

No person owning, harboring, keeping or in charge of any dog shall cause, suffer or allow such dog to soil, defile, defecate on or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, park or any place where people congregate or walk, or on any public property whatsoever, or on any private property without the permission of the owner of said property. The restriction in this Section shall not apply to public streets within the cartway (or that portion of the street lying between the curblines) nor to the area within 1 foot of the edge of the cartway or

curbline.

(*Ord. 268, 1/3/1978, Art. III*)

§2-105. Number Kept on Premises Limited.

It shall be unlawful to keep more than four dogs 6 months of age or older on any premises in the Borough of Millbourne, regardless of the number of owners; provided, however, that this Section shall not apply to any premises for which a kennel license has been obtained pursuant to Article II of the Dog Law, 3 P.S. §459-206 *et seq.*

(*Ord. 268, 1/3/1978, Art. III*)

§2-106. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 268, 1/3/1978, Art. III; as amended by Ord. 447, 5/20/2015*)