

TITLE 20
ANIMAL PROTECTIONS

Chapter 20.80—Public Nuisances

Sections:

- 20.80.005 In general.
- 20.80.010 Duty of animal owner or responsible person.
- 20.80.015 Animal defecation.

20.80.005. In general. The assembly hereby finds, determines and declares that the following animals are detrimental to the public health, safety and welfare and to the inhabitants of the borough and hereby finds, determines and declares each such animal to be a public nuisance. Each such animal may be taken into custody, impounded, held or disposed of as provided in this title or as otherwise provided by law. Such animals shall include any animal that:

- (a) Is not properly licensed or is not vaccinated in accordance with the provisions of this title;
- (b) Has been abandoned;
- (c) Is not restrained in accordance with the provisions of this title;
- (d) Is at large in violation of the provisions of this title, or as otherwise provided by law;
- (e) Molests any person, vehicle or animal not the property of its owner or responsible person, provided however, the provisions of this paragraph (e) shall not apply:
 - (1) If such person, vehicle or animal is, at the time, a trespasser upon the premises of the owner of or person responsible for the molesting animal, or
 - (2) The injury of nondomesticated wild animals while hunting such animals in a lawful manner;
- (f) Damages public or private property not owned by the owner or responsible person;
- (g) Creates excessive noise, not promptly abated, which noise is disturbing to the peace and privacy of other persons, after the owner or responsible person has been advised on at least one other occasion that the animal is creating such noise as is disturbing to others, and, in addition, there has been a written complaint filed within thirty (30) days with an animal protection officer;
- (h) Has contracted rabies or other contagious or pestilential disease and is not under the care of a veterinarian;
- (i) Is an animal in heat and is not confined in such a manner as to prevent random breeding;
- (j) Is a dangerous animal and is not confined within a building or other secure enclosure or is not securely muzzled or caged when not on the premises of its owner or responsible person as provided in section 20.70.010 hereof;

- (k) Is tied or otherwise physically fastened to any object in such a manner as to create an immediate danger to the physical well-being of the animal, whether on public or private property;
- (l) Is on premises open to the public where food or beverages are prepared, stored or sold; excluding however, seeing-eye dogs or dogs trained as ears for the deaf and in use for such purpose at the time; or
- (m) Defecates upon property specified in section 20.70.005(a) and (b) hereof including all publicly owned sidewalks and such fecal matter is not immediately removed and sanitarly disposed of in a lawful manner by the owner or responsible person.
- (n) Is maintained in a manner which creates excessive noise or offensive odors which would disturb a reasonable person on property not owned by the owner.
(Ord. No. 923, §1, 12-20-93; Ord. No. 1316 Substitute, §3, 6-21-04)

20.80.010. Duty of animal owner or responsible person. No owner or person responsible for an animal shall permit or allow such animal:

- (a) To molest a person, vehicle or animal not owned by such owner or person responsible; provided however, the provisions of this subpart (a) shall not apply to persons who at the time are trespassing upon the property of the owner or person responsible or to injury to wild animals while hunting such wild animals in a lawful manner; or
- (b) To damage public or private property not owned by the owner or responsible person; or
- (c) To create excessive noise, not promptly abated, which is disturbing to the peace or privacy of any other person, after the owner or responsible person has been advised on at least one other occasion within the past thirty (30) days that the animal is creating such noise as is disturbing others.
(Ord. No. 923, §1, 12-20-93)

20.80.015. Animal defecation. Any owner or person or responsible person who permits, takes or allows any animal to enter or remain in or upon any property specified in section 20.70.005(a) and (b) hereof, including all publicly owned sidewalks, shall immediately remove and sanitarly and lawfully dispose of all fecal matter left on such property by the animal. (Ord. No. 923, §1, 12-20-93)