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**PART 1**

**KEEPING OF ANIMALS**

**§2-101. Definitions.**

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

ANIMAL — any domestic animal or fowl, any wild animal or any household pet.

DOMESTIC ANIMAL — any animal normally or ordinarily domesticated or raised in this area and climate as livestock or for work or breeding purposes, or normally or ordinarily kept as a household pet.

HOUSEHOLD PET — any dog, cat or other domestic animal normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.

LARGE ANIMAL — any wild or domestic animal of the bovine, equine or sheep family or of similar size.

PERSON — any person, firm, partnership, association or corporation.

SMALL ANIMAL — any wild or domestic animal such as a rabbit, hare, guinea pig, rat, mouse or chinchilla.

WILD ANIMAL — any animal, bird, fowl or reptile not normally or ordinarily domesticated; not normally or ordinarily raised in this area and climate as livestock or for work or breeding purposes or not normally or ordinarily kept as a household pet.

2. In this Part the singular shall include the plural, the plural shall include the singular and the masculine shall include the feminine.

(Ord. 555, 3/10/1969; as revised by Ord. 785, 11/21/1983; and by Ord. 948, 10/16/2000, §1)

**§2-102. Certain Animals Prohibited.**

1. It shall be unlawful for any person to keep pigs, hogs, swine, bees, snakes greater than two feet, nor shall any person keep any arachnid or crustacean that is poisonous.
2. Any animal which has become prohibited by this Part but which was previously allowable is excepted from the provisions herein, except that there shall be no

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breeding or replacement of any such animal and all animals remain subject to other pertinent ordinances and laws, including those relating to public nuisance.

(Ord. 555, 3/10/1969; as revised by Ord. 785, 11/21/1983; and by Ord. 948, 10/16/2000, §2)

### **§2-103. Permit Required for Keeping of Wild Animals.**

1. No person other than a registered veterinarian in the course of his professional duties shall be permitted to maintain, keep or possess within the Borough of Ambler any animal herein defined as a wild animal unless application for a permit shall have been made by such person to the Public Safety Committee of the Borough of Ambler and a permit shall have been issued therefor.
2. The application for such permit shall have attached thereto a registered veterinarian's health certificate for each animal to be covered by said permit, shall be verified by an affidavit and shall set forth the following:
  - A. Type, number and size of animals to be covered by the permit.
  - B. Purpose of keeping such animals.
  - C. Period for which permit is requested.
  - D. Description of the quarters in which the animals will be kept, including plans and specifications thereof where appropriate.
  - E. Circumstances, if any, under which the animals will be removed from quarters.
  - F. Biographical information of applicant and any other person to be placed in charge of the animals, with particular emphasis on the knowledge of such persons about the animals in question and experience of such persons in handling the animals in question.
  - G. Such additional information as the Public Safety Committee of the Borough of Ambler may require.

(Ord. 555, 3/10/1969; as revised by Ord. 785, 11/21/1983)

### **§2-104. Issuance, Duration and Revocation of Permit; Fee.**

1. The Public Safety Committee shall review or cause to be reviewed each application for a permit under this Part and may either approve or reject such application or require modification of the same. When the Public Safety Committee has approved the application, the Borough Secretary shall issue a permit. The permit

shall be nontransferable, and shall be valid for one calendar year. The Secretary, on advice of the Public Safety Committee, shall also have the power to revoke any such permit.

2. The applicant for a permit under this Part shall, at the time of his application, pay a fee as established from time to time by Borough Council.

(Ord. 555, 3/10/1969; as revised by Ord. 785, 11/21/1983)

### **§2-105. Keeping of Animals Regulated.**

It shall be unlawful for any person to keep any animals, except household pets, except as provided in this Section:

- A. Large animals shall be confined in quarters no part of which shall be closer than 100 from the exterior limits of any dwelling or of any property line.
- B. Small animals shall be kept confined in quarters no part of which shall be closer than 25 from the exterior limits of any dwelling or of any property line, except where said animals are kept in a pet shop or store.
- C. The keeper of every such animal shall confine the same in an enclosure sufficient to prevent such animal from running at large, and such enclosure shall be of a size conducive to good sanitary practices and adequate and sanitary drainage facilities shall be provided.
- D. Every keeper of any animal shall cause the litter and droppings therefrom to be collected daily in a container or receptacle that when closed shall be rat-proof and fly-tight, and after every such collection shall cause such container or receptacle to be kept closed. At least twice a week, every such keeper shall cause all litter and droppings so collected to be disposed of in such manner as not to permit the presence of fly larvae.
- E. Every keeper of any animal shall cause all feed provided therefor to be stored and kept in a rat-proof and fly-tight building, box, container or receptacle.
- F. The keeper shall use every reasonable precaution to insure that animals are not teased, abused, mistreated, annoyed, tormented or in any manner made to suffer by any person or by any means.
- G. Animals which are enemies by nature, or are temperamentally unsuited, shall not be quartered together or so near each other as to cause said animals fear or to be abused, tormented or annoyed.
- H. The keeper shall maintain premises so as to eliminate offensive odors or excessive noise.

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- I. The keeper shall not permit any condition causing disturbance of peace and quiet of his neighbor.
- J. Animals must be maintained in quarters so constructed as to prevent their escape. The keeper assumes full responsibility for recapturing any animal that escapes from his premises. The keeper shall make adequate provision and safeguards to protect the public from the animals.
- K. Every person shall conform to all present and future laws of the Commonwealth of Pennsylvania and the United States of America, the ordinances of the Borough and the rules and regulations of the Public Safety Committee in any way connected with animals including specifically anti-cruelty laws.

(Ord. 555, 3/10/1969; as revised by Ord. 785, 11/21/1983)

### **§2-106. Household Pets.**

It shall be unlawful for any person to keep any household pet, except as provided in this Section:

- A. If any such pet shall be kept in a dwelling owned or occupied by its owner, such owner shall be required to follow such procedures and practices, as to the number of such pets to be kept there, and as to sanitation, to ensure that no public nuisance shall be created or maintained and no threat to the health of persons living elsewhere than in such dwelling shall be created.
- B. If any such pet shall be kept in an enclosure outside such dwelling, the provisions of §2-105 of this Part, insofar as the same applies to small animals, shall be applicable to the keeping of such household pet.

(Ord. 555, 3/10/1969; as revised by Ord. 785, 11/21/1983)

### **§2-107. Violation of State Law.**

Any violation of this Part that would also violate any State law shall be prosecuted under that State law and not under this Part.

(Ord. 555, 3/10/1969; as revised by Ord. 785, 11/21/1983)

### **§2-108. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, 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 30

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. 555, 3/10/1969; as revised by Ord. 785, 11/21/1983; and by A.O.





**PART 2**

**DOGS AND CATS RUNNING AT LARGE**

**§2-201. Dogs and Cats Not to be Permitted to Run at Large.**

1. It shall be unlawful for the owner, custodian or keeper of any dog or cat to allow such dog or cat to be outside the premises of such person unless the animal is in the control of such person by means of a leash. For purposes of this Section, a leash shall be defined as a physical tether, such as is made of leather, rope or chain, and shall not include any manner of electronic dog training or dog walking device, although such device may be used in addition to a conventional leash.
2. The owner, custodian or keeper of any dog, in the event such dog defecates on any property other than that of the owner, custodian or keeper, shall immediately remove and dispose of all feces, so deposited in a sanitary manner.

(Ord. 445, 7/13/1959, §1; as amended by Ord. 785, 11/21/1983; by Ord. 811, 10/21/1985, §1; by Ord. 948, 10/16/2000, §4; and by Ord. 1027, 10/21/2008)

**§2-202. Seizure and Impounding of Dogs and Cats Running at Large.**

It shall be the duty of any police officer of the Borough of Ambler who witnesses any dog or cat running at large in conflict with the provisions of §2-201 or who receives information of any dog or cat so running at large, to seize such dog or cat and to convey it to the place designated by the Borough Council as a pound. Notice of such seizure shall be sent to the owner of such dog or cat in the manner prescribed by law and such dog or cat may be redeemed by the owner thereof within the time specified by law, upon payment of the charges incurred by reason of such detention. Rates for such charges shall be determined from time to time by the Borough.

(Ord. 445, 7/13/1959, §2; as amended by Ord. 785, 11/21/1983; and by Ord. 948, 10/16/2001, §4)

**§2-203. Dogs Not to be Permitted to Continually Bark.**

It shall be unlawful for the owner, custodian or keeper of any dog to allow such dog to continually bark in such a manner as the dog shall disturb the peace and quiet of the neighborhood.

(Ord. 445, 7/13/1959, §3; as amended by Ord. 593, 7/10/1972, §1)

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### **§2-204. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, 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 30 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. 445, 7/13/1959, §4; as amended by Ord. 593, 7/10/1972, §1; by Ord. 785, 11/21/1983; and by Ord. 991, 8/15/2005)

**PART 3**

**USE OF HORSES AND SIMILAR ANIMALS FOR RECREATIONAL PURPOSES**

**§2-301. License Required.**

No person may, at any time, have upon the streets, roads, alleyways or upon property within the Borough of Ambler, to which the public is invited, any horse, pony, donkey or similar animal, to be ridden or to pull any cart or similar vehicles for recreation purposes, either for hire or gratuitous, without such person having procured a license therefor from the Borough Secretary.

(Ord. 611, 11/12/1973, §1)

**§2-302. Application.**

Any person desiring to procure a license for the use of said animals within the Borough of Ambler shall apply therefor, in writing, to the Borough Secretary, at least 10 days prior to the intended use of said animals. Such application shall set forth the name of the applicant, the address at which the person conducts his business, the hours during which such animals are to be used and the general description of the animals and the cart or other vehicle to be used.

(Ord. 611, 11/12/1973, §2)

**§2-303. Insurance Requirements.**

Any person desiring to procure a license for the use of said animals or vehicles shall file his application, as provided in §2-402 hereof and a certificate of insurance evidencing public liability and property damage protection in the minimum amount of \$500,000 per injury to \$1,000,000 for each occurrence, and property damage coverage in the amount of \$75,000 per occurrence. Said insurance shall be in such form and endorsed in such manner, as to provide protection for the users, rider of such animals or vehicles and shall be approved by the Borough Solicitor.

(Ord. 611, 11/12/1973, §3; as amended by Ord. 630, 7/7/1974,)

**§2-304. Issuance of License; Fee.**

Upon the filing of the application and the certificate of insurance and after the same has been approved by the Borough Solicitor, a license shall be issued by the Borough Secretary upon the payment of a daily license fee, as established, from time to time, by Borough Council, for each day or part of a day for the use of said animals and vehicles.

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(Ord. 611, 11/12/1973, §4; as amended by Ord. 785, 11/21/1983)

### **§2-305. Inspection by Police; Revocation of License.**

The Borough Police, under the direction of the Mayor, shall make inspections at reasonable times to determine that the proper license has been issued to the user or operator of said animals and any license issued under this Part shall be exhibited at any time on request of the Mayor or any Police Officer of the Borough. The Mayor may revoke any license hereunder granted, when he deems such revocation necessary for the benefit or protection of the public health, safety or morals.

(Ord. 611, 11/12/1973, §5)

### **§2-306. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, 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 30 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. 611, 11/12/1973, §6; as amended by Ord. 785, 11/21/1983; and by A.O.