

## **Chapter 58**

### **ANIMALS**

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**[HISTORY: Adopted by the Borough Council of the Borough of Mansfield as indicated in article histories. Amendments noted where applicable.]**

#### **GENERAL REFERENCES**

Bird sanctuary — See Ch. 63.

Parks and recreation — See Ch. 114.

#### **ARTICLE I General Provisions**

**[Adopted 1-11-1965 by Ord. No. 196]**

##### **§ 58-1. Keeping of cattle, goats, sheep and bees. [Amended 5-10-1965]**

No person, firm or corporation shall keep any cattle, goats, sheep or any hive of bees at any place within the Borough of Mansfield except as provided herein.

##### **§ 58-2. Keeping of horses and mules. [Amended 5-10-1965]**

No person, firm or corporation shall keep any horse, ass or mule within the Borough of Mansfield except as provided herein.

##### **§ 58-3. Keeping of fowl. [Amended 5-10-1965]**

No person, firm or corporation shall keep any chickens or fowl at any place within the Borough of Mansfield except as provided herein.

**§ 58-4. Sanitary inspections; licenses; fees. [Amended 5-10-1965]**

- A. No person, firm or corporation shall keep cattle, goats, sheep, bees, horses, asses, mules, chickens or other fowl within the Borough of Mansfield after the effective date of this article unless such keeping shall be licensed and otherwise comply with the terms of this article.
- (1) Within 15 days of the effective date of this article and whenever the occasion shall arise thereafter, the Health Inspector of the Borough of Mansfield shall inspect the habitation of all such animals, fowl or insects as are mentioned in §§ 58-1, 58-2 and 58-3 hereof and determine whether said habitation by reason of its situation in regard to highways and dwellings is such as may or does create a nuisance by reason of odors, noise, unsanitary conditions, breeding places for flies or vermin and danger to health, safety and property.
  - (2) In the event that such inspection shall disclose no nuisance or threat thereof, the owner of such animals, fowl or insects shall be issued an annual license to maintain the same at the place and in the manner disclosed by such inspection.
  - (3) In the event that such inspection shall disclose a nuisance or threat thereof, the Health Officer shall refuse to approve a license therefor and shall make such recommendations as are proper to the owner of such animals, fowl and insects, to be complied with within 10 days of the date of such recommendation. In the event of noncompliance, the owner of said animals, fowl or insects shall be presumed to be in violation of this article and any license theretofore granted shall be suspended.
  - (4) Inspection as heretofore provided for shall be made annually and at such other times as the Health Officer by reason of complaints or upon his own initiative shall deem proper. Licenses hereunder shall be issued by the Borough Secretary upon approval of the Health Officer, and said Secretary shall charge a fee of \$2 therefor, to be paid into the general fund of the Borough of Mansfield. **[Amended 12-7-1965]**
- B. Temporary exhibitions of animals, fowl or insects mentioned herein shall, upon approval of the Health Officer, be allowed without license, in the discretion of the Borough Council.

**§ 58-5. Importation of infected animals.**

No animals, fowl or bees mentioned in this article suffering from communicable disease or a member of a group of animals, fowl or bees subject to quarantine for any reason shall be imported into the Borough of Mansfield.

**§ 58-6. Burial of animals.**

No person shall bury any animals mentioned in this article within the limits of Mansfield Borough. Any person, firm or corporation burying any other animal or fowl within the limits

of Mansfield Borough shall be required to bury the same not less than three feet below the surface of the ground.

**§ 58-7. Violations and penalties. [Amended 12-3-1975 by Ord. No. 276]**

Any person, firm or corporation who or which shall violate any of the provisions of this article shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300 and costs of prosecution. Each day a violation continues shall constitute a separate offense.

**ARTICLE II**

**Dogs**

**[Adopted 1-9-1991 by Ord. No. 352]**

**§ 58-8. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**BOROUGH** — The Borough of Mansfield, Tioga County, Pennsylvania.

**DOG** — Any member of the animal species *canis familiaris*, whether male or female, neutered or spayed, six months or more in age.

**OWNER** — Any person having the right of property in any dog, who keeps a dog, who owns a dog in his care or custody or who willingly permits a dog in or about a premises occupied by him.

**PERSON** — Any individual, male or female, firm, corporation, partnership, association, trust, estate or other legal entity.

**POLICE** — Any full-time or part-time member of the Police Department of the Borough of Mansfield or any officer of the Pennsylvania State Police or any Pennsylvania Dog Enforcement Officer.

**§ 58-9. Number of dogs restricted.**

It shall be unlawful for any person to own, keep, care for, have custody of or knowingly permit at any time more than three dogs, in any combination thereof excluding work dogs, to be upon any property in the Borough, excluding properly licensed animal shelters; animal hospitals and clinics; grooming parlors; animal training schools and boarding kennels.

**§ 58-10. Removal of excrement.**

No person shall appear with an animal upon the public ways, within public places or upon the property of another, absent that person's consent, without some means for the removal of excrement; nor shall any person fail to remove any excrement deposited by such animal. This section shall not apply to a blind person while walking his or her guide dog.

**§ 58-11. Leash or other restraint required.**

No person shall permit any dog to be unattended within the Borough, and said person shall require said dog to be restrained by a leash or other appropriate device of control so that it cannot stray beyond the premises on which it is secured or so that it is under reasonable control of some person.

**§ 58-12. Barking dogs.**

- A. It shall be unlawful for any person knowingly to keep or harbor any dog which habitually barks, howls, or yelps to the great discomfort of the peace and quiet of the neighborhood or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such dogs are hereby declared to be a public nuisance.
- B. Petitions complaining of vicious or barking dogs.
  - (1) Whenever any person shall complain to the Police Department that a dog which habitually barks, howls or yelps is being kept by any person in the Borough, the Police Department shall notify the owner of the said dog that a complaint has been received and that the person should take whatever steps necessary to alleviate the barking, howling or yelping.
  - (2) If the warning given to the person alleged to be keeping a dog as set forth in Subsection B(1) above is ineffective, then a verified complaint of at least two citizens not from the same family may be presented to the Police Department, alleging that a dog which habitually barks, howls or yelps is being kept by any person within the Borough. The Police Department shall inform the owner of such dog that said petition has been received and shall cite the owner of the dog for the violation of this section.

**§ 58-13. Violations and penalties.**

Any person or persons convicted of violating this article shall be subject to a fine of not more than \$300 and costs.