

ORDINANCE OF THE RICHLANDTOWN BOROUGH COUNCIL AMENDING THE RICHLANDTOWN BOROUGH CODE OF ORDINANCES CONCERNING THE REGULATIONS OF KEEPING CERTAIN ANIMALS WITHIN RICHLANDTOWN BOROUGH, THE KINDS OF ANIMALS PERMITTED AND PROHIBITED WITHIN RICHLANDTOWN BOROUGH AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF

IT IS HEREBY ENACTED AND ORDAINED, by the Council of Richlandtown Borough, Bucks County, Pennsylvania, as follows:

SECTION I

Chapter 2, Part 2 of the Richlandtown Code of Ordinance is hereby amended and revised as follows:

§2-201. 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, including birds, fish, reptiles and insects.

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.

KEEPER – any person, firm or corporation owning or actually keeping, having, using or maintaining any of the animals herein referred to.

LARGE ANIMAL – any wild or domestic horse.

OWNER – any person having a right of property or having custody of any animal, or any person who harbors or permits an animal on or around his or her property.

PERSON – any person, firm, partnership or corporation.

SMALL ANIMAL – any wild or domestic animal such as a rabbit, hare, guinea, pig, rat, mouse or chinchilla, and any wild or domestic fowl such as a chicken, turkey, goose, duck, or pigeon (except homing pigeons).

WILD ANIMAL – any animal, including 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 capable of being 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.

§2-202. Kinds of Animals Permitted.

Any person is permitted to maintain, keep or possess within the Borough of Richlandtown, subject to the numerical limitations of §2-206, any of the following animals which classification shall be strictly construed:

- A. Cage birds: includes parakeets, parrots, canaries, finches, lovebirds, myna birds and other birds ordinarily keep in cages in households; it excludes wild birds captured or rescued and kept in cages, as well as poultry.
- B. Cats.
- C. Dogs.
- D. Ferrets.
- E. Frogs.
- F. Gerbils.
- G. Goldfish and carp.
- H. Guinea pigs.
- I. Hamsters.
- J. Horses.
- K. Lizards.
- L. Mice: white.
- M. Rabbits: restricted to European type rabbits commonly kept as pets.
- N. Rats: white
- O. Salamanders: any tailed amphibian.
- P. Snakes: nonpoisonous.
- Q. Toads.
- R. Tropical Fish: limited to those customarily maintained in a household aquarium except piranhas.
- S. Turtles.
- T. Vietnamese pot bellied pig.

§2-203. Certain Animals Prohibited.

It shall be unlawful for any person to keep any pig, hog or swine at any place within the Borough. This prohibition shall not include Vietnamese pot bellied pigs.

§2-204. Keeping of Animals Regulated.

It shall be unlawful for any person to keep any domestic animal, 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 feet 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 feet from the exterior limits of any dwelling or of any property line.
- 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 and construction conducive to the animal's health, and adequate 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 therefore to be stored and kept in a rat-proof and fly-tight building, box, container, or receptacle.

§2-205. 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 insure 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 §2-204 of this Part, insofar as the same applies to small animals, shall be applicable to the keeping of such household pet.

§2-206. Limitations on Number of Animals.

Except for species of fish, it shall be unlawful to keep more than five (5) animals six (6) months of age or older on any premises, regardless of the number of owners, unless said premises is a zoo, petting zoo, kennel, aviary, cattery, pet shop or veterinary clinic which has received zoning approval to operate as such, as well as the appropriate licenses, permits and/or certifications required for such operation.

§2-207. 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.

§2-208. Penalties.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$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 shall constitute a separate offense.

SECTION II REPEALER

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION III SEVERABILITY

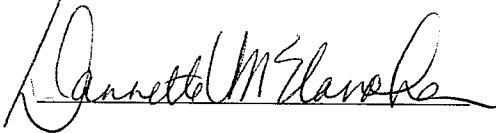
If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section, or part thereof not been included herein.

SECTION IV EFFECTIVE DATE


This Ordinance shall become effective five (5) days after enactment or upon recordation of this Ordinance within the Borough's official Ordinance Book, whichever comes later.

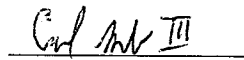
ENACTED this 9th day of July, A.D., 2012

ATTEST:


Doreen McGlavin

RICHLANDTOWN BOROUGH COUNCIL


Robert Shinn, President


Carl Raub, Mayor

