

YEAR 1985  
AN ORDINANCE PROVIDING FOR THE CONTROL  
OF DOGS AND OTHER ANIMALS: PROHIBITING  
THE RUNNING AT LARGE OF ANIMALS: DEFINING  
CERTAIN ACTIONS OF DOGS AND OTHER ANIMALS  
AS A NUSANCE AND PROHIBITING THE SAME:  
PROVIDING FOR THE PUBLIC PEACE, SAFETY,  
COMFORT, CONVENIENCE AND GENERAL WELFARE:  
AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF

BE IT ENACTED AND ORDAINED by the Borough Council of the Borough  
of Jermy, Lackawanna County, Pennsylvania, and it is hereby enacted and  
ordained by authority of the same as follows:

Section 1. DEFINITIONS

The following terms, whenever used in this Ordinance, shall have  
the meaning indicated in this Section, except where the context  
indicates a different meaning.

- (a) "DOG" shall mean any member of the canine genus.
- (b) "OWNER" means any person owning, possessing, controlling,  
keeping and/or harboring a dog or other animals.
- (c) "PERSON" shall mean any natural person, partnership,  
corporation or association.
- (d) "IMPOUND" shall mean to apprehend, catch, trap, net, or at  
last resort, when life or property is threatened, to kill  
any dog or other animal.
- (e) "AT LARGE" is any dog or other animal when it is off the  
property of its owner and not restrained by a competent  
person.
- (f) "RESTRAINED" means when a dog or other animal is controlled  
by a leash or chain, not exceeding six (6) feet in length  
and where such chain or leash shall prevent such dog or  
other animal from terrorizing or attacking persons.

## Section 2. RUNNING AT LARGE

It shall be unlawful for any owner of any dog or other animal to allow such dog or other animal to run at large. It shall be the duty of every police officer or authorized local agency to impound any dog or other animal found at large.

## Section 3. HARBORING A NUISANCE

It shall be unlawful for any owner of any dog or other animal to keep any such dog or animal, which by frequent howling, barking, baying, yelping or screeching, shall disturb the peace of the neighborhood or constitute a health hazard to the citizens of the Borough of Jermyrn, and the keeping of such dog or animal is hereby declared a public nuisance. It shall be the duty of any police officer or authorized local agency to impound any such dog or other animal.

## Section 4. NOTICE OF APPREHENSION

Whenever a dog or other animal has been apprehended in accordance with Section 2 and/or Section 3 hereof, the police or other authorized local agency shall notify the owner or owners of such dog or other animal of said apprehension and of the violation of this Ordinance. For the first violation of any provision of this Ordinance, the police officer or other authorized local agency shall issue a warning to the owner. Any subsequent violation of a provision of this Ordinance shall constitute a summary offense and the police officer or other authorized local agency shall issue a Citation to such owner, charging a violation of this Ordinance.

Section 5. PLEA OF DEFENDANT

The defendant shall, within ten (10) days of the issuance of a Citation, either (a) plead not guilty by appearing before the District Magistrate, entering his plea and posting such security for his appearance at trial as the issuing authority shall require, or (b) notify the District Magistrate in writing of his plea and forward a sum equal to the fine and costs specified in the Citation, or (c) plead guilty by forwarding to the District Magistrate an amount equal to the fine and costs specified in the Citation. Failure to respond to the Citation, as herein provided, in the time specified, shall result in the issuance of a Warrant for the arrest of the defendant.

Section 6. FINE AND PENALTIES

An owner of a dog or other animal violating any provision of this Ordinance shall pay a fine of not more than Twenty-Five Dollars (\$25.00), or in default of payment thereof shall undergo imprisonment for a period not exceeding twenty-four (24) hours.

Section 7. SEVERABILITY CLAUSE

Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

SECTION 8. All Ordinances or portions of Ordinances inconsistent herewith, or any part hereof, are hereby repealed.

SECTION 9. This Ordinance shall take effect November 15, 1985.