

## **CHAPTER 2**

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**PART 1**

**DOGS AT LARGE**

**§2-101. Definitions.**

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

**OWNER** - any person having a right of property in any dog or having custody of any dog, or any person who harbors or permits a dog to remain on or around his or her property.

**RUNNING AT LARGE** - being upon any public highway, street, alley, park or any other public land, or upon property of another person other than the owner, and not being accompanied by or under the control of the owner or any other person having custody of said dog.

*(Ord. 537, 6/6/1983 as revised by Ord. 568, 10/5/1987)*

**§2-102. Unlawful to Allow Dogs to Run at Large.**

It shall be unlawful for the owner of any dog or dogs to allow or permit such dog or dogs to run at large in the Borough.

*(Ord. 537, 6/6/1983 as revised by Ord. 568, 10/5/1987)*

**§2-103. Seizing of Dogs.**

Any police officer or dog warden may seize any dog found at large in Borough. Such dogs are to be impounded in a licensed kennel.

*(Ord. 537, 6/6/1983 as revised by Ord. 568, 10/5/1987)*

**§2-104. Licensed Dogs.**

Owners of licensed dogs are to be notified by registered or certified mail, with return receipt, that the dog is impounded and will be disposed of in 10 days if not claimed. Ten days after the return receipt has been received, and the dog has not been claimed, the dog may be sold or destroyed in accordance with the 1982 Dog Law.

*(Ord. 537, 6/6/1983 as revised by Ord. 568, 10/5/1987)*

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### **§2-105. Unlicensed Dogs.**

Unlicensed dogs that are seized are to be held in such kennel for 48 hours and if not claimed may be destroyed in accordance with the 1982 Dog Law.

*(Ord. 537, 6/6/1983 as revised by Ord. 568, 10/5/1987)*

### **§2-106. Threatening Dogs.**

Dogs that, in the opinion of any police officer or dog warden, constitutes a threat to public health and welfare may be killed by the police or dog warden.

*(Ord. 537, 6/6/1983 as revised by Ord. 568, 10/5/1987)*

### **§2-107. Penalty.**

The first two times a dog is seized, the owner shall pay a fine of \$15 to the Borough as well as reasonable fees for keeping the animal in a kennel.

Any person allowing an animal to run at large a third time in violation of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300; and/or to imprisonment for a term not to exceed 90 days.

*(Ord. 537, 6/6/1983 as revised by Ord. 568, 10/5/1987)*

**PART 2**

**ANIMAL NUISANCES**

**§2-201. Animal Noises.**

No dog or other animals shall be permitted by the owner or custodian to bark, howl or make other noise at times and for continuous periods of time, to the annoyance and discomfort of other persons in the Borough of Collingdale. Continued barking, howling and the making of other noise between the hours of 9 p.m. and 7 a.m., or on 2 or more consecutive days during daylight hours, or for any period of time in excess of 2 hours shall be deemed to be an annoyance and discomfort of other persons in the Borough of Collingdale.

*(Ord. 537, 6/6/1983, §1(6))*

**§2-202. Animal Defecation on Public and Private Property Restricted.**

No person, having possession, custody or control of any animals, shall knowingly or negligently permit any dog or other animal to commit any nuisance, i.e. defecation or urination, upon any gutter, street, driveway, alley, curb or sidewalk in the Borough, or upon the floors or stairways of any building or place frequented by the public or used in common by the tenants, or upon the outside walls, walkways, driveways, alleys, curbs or stairways of any building abutting on a public street or park, or upon the grounds of any public park or public area, or upon any private property other than the property of the owner of such animal.

*(Ord. 524, 11/9/1981, §4; as revised by Ord. 568, 10/5/1987)*

**§2-203. Disposal of Animal Feces.**

Any person having possession, custody or control of any dog or other animal which commits a nuisance, i.e. defecation or urination, in any area other than the private property of the owner of such dog or other animal, as prohibited in §2-202 shall be required to immediately remove any feces from such surface and either:

- A. Carry same away for disposal in a toilet.
- B. Place same in a nonleaking container for deposit in a trash or litter receptacle.

*(Ord. 524, 11/9/1981, §4; as revised by Ord. 568, 10/5/1987)*

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### **§2-204. Dogs Accompanying Blind or Handicapped Persons Exempted.**

The provisions of §§2-201 and 2-202 hereof shall not apply to a guide dog accompanying any blind persons, or to a dog used to assist any other physically handicapped person.

*(Ord. 524, 11/9/1981, §4; as revised by Ord. 568, 10/5/1987)*

### **§2-205. 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 \$300, or to imprisonment for a term not to exceed 90 days.

*(Ord. 524, 11/9/1981, §4; as revised by Ord. 568, 10/5/1987)*

**PART 3**

**PIT BULL DOGS**

**§2-301. Definition.**

As used in this Part, the term “Pit Bulls” shall include any of the following breeds of dogs: Straffordshire, Terrier, American Pit Bull, Pit Bull, any dog that fits into the above American Kennel definitions, dogs displaying the majority of traits of any of the above breeds, and any dog bred for fighting.

*(Ord. 567, 10/5/1987, §1)*

**§2-302. Pit Bulls Running at Large.**

Pit Bulls are considered dangerous dogs and potentially hazardous to the community. Pit Bulls shall at no time or under any circumstances be permitted to run loose in or upon the Borough of Collingdale. Any Pit Bull running loose in or upon the Borough of Collingdale shall be subject to restraint, confinement, impoundment and/or destruction by any police officer or other authorized person of the Borough. It shall be the duty of any Borough Police Officer or other authorized personnel of the Borough to take whatever action is necessary under the circumstances to properly secure and restrain any loose Pit Bull, including the immediate destruction of the dog, and they are hereby authorized to do so.

*(Ord. 567, 10/5/1987, §2)*

**§2-303. Licensing of Pit Bulls**

1. No person shall own, keep or harbor any Pit Bull over 6 months of age in any household, residence or on any property whatsoever within the Borough without first obtaining a Pit Bull Kennel License from the Borough of Collingdale.
2. Applications for a Pit Bull Kennel License shall be filed with the Borough Manager and shall provide the following information:
  - A. Name of applicant.
  - B. Name of owner of Pit Bull if different from applicant.
  - C. Address where Pit Bull will be kept.
  - D. Number of Pit Bulls to be kept or housed on premises.
  - E. Exact location on the property where the Pit Bull(s) will be kept.
  - F. Method to be used to secure or restrain the Pit Bull(s) on the property.

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- G. Name of the person who will be responsible for the care and confinement of the Pit Bull(s).
  - H. Any other information requested by the Borough.
3. All applications shall be accompanied by a \$50 application fee which is nonrefundable. The fee includes the cost of processing the application and any inspection prior to licensing.
  4. Pit Bull Kennel Licenses shall be issued by the Borough Manager or his duly authorized agent only after the appropriate fees have been paid and, if the applicant has fully complied with all applicable codes, statutes and regulations, including the Borough Zoning Code and the Pennsylvania Department of Agriculture regulations.
  5. Pit Bull Kennel License fees are as follows:
    - A. One Pit Bull ----- \$ 500 per year
    - B. Two Pit Bulls ----- \$1,000 per year
    - C. Three Pit Bulls ---- \$3,000 per year
    - D. More than Three Pit Bulls ----- \$3,000 plus  
\$3,000 for each  
Pit Bull above three
  6. **Revocation of License** If the applicant, owner or other person responsible for any Pit Bull kept within the Borough violates any provision of this Part or any other applicable ordinance, code, statute or regulation, then any license issued hereunder shall be automatically revoked and the license fee shall be retained by the Borough. The Borough reserves the right to refuse to issue or reissue a Pit Bull Kennel License to any person who has violated any provision of this Part or other applicable ordinance, code, statute or regulation.
  7. **Bond Requirement** Any person who owns, keeps or harbors a Pit Bull must post a \$20,000 bond with the Borough of Collingdale to insure payment of any damages or injuries which might be caused by said Pit Bull.

(Ord. 567, 10/5/1987, §3)

### §2-304. Confinement of Pit Bulls.

1. All Pit Bulls must be confined in a secured building or enclosure.
2. Pit Bulls may not be kept, housed or harbored in an exterior yard without first obtaining approval from the Zoning Hearing Board of the Borough of Collingdale. In no case are Pit Bulls permitted to be kept, housed or harbored in an exterior yard unless the area is securely fenced with a fence approved by the Borough

Manager or his authorized agent. Said fence must be at least 8 feet high and shall also require approval by the Zoning Hearing Board of the Borough of Collingdale.

3. All entrances to and exits from a property where a Pit Bull is confined must post a warning sign, the size and type of which must be approved by the Borough.
4. Any Pit Bull which is taken off or removed from its area of confinement into or upon the Borough of Collingdale must be kept securely leashed and muzzled at all times.

*(Ord. 567, 10/5/1987, §4)*

**§2-305. Destruction of Pit Bulls.**

Any Pit Bull which bites or attacks a person for any reason must be destroyed at the owner's expense or permanently removed from the Borough of Collingdale. If said Pit Bull is not removed from the Borough or destroyed, it shall be subject to seizure and/or destruction by the Borough or its duly authorized agent.

*(Ord. 567, 10/5/1987, §5)*

**§2-306. Penalties.**

1. 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 \$300 per day, each day in which any provision of this Part is violated constituting a separate offense and the fines therefor being cumulative, and/or to imprisonment for a term not to exceed 30 days.
2. In addition, any person, firm or corporation violating the provisions of this Part shall be subject to the following:
  - A. Forfeiture of their bond.
  - B. Revocation of Pit Bull Kennel License and retention of the License by the Borough.
  - C. Prohibition from obtaining another Pit Bull Kennel License for up to 5 years.

*(Ord. 567, 10/5/1987, §6)*

