

AN ORDINANCE OF THE BOROUGH OF UNION CITY, ERIE COUNTY, PENNSYLVANIA, PROHIBITING ANIMALS FROM RUNNING AT LARGE, PROHIBITING CERTAIN ANIMAL NOISES AND THE DEFOULING OF PROPERTY AND PRESCRIBING PENALTIES.

The Borough of Union City, Erie County, Pennsylvania, ordains as follows:

SECTION I. The following words and phrases, when used in this ordinance, shall have the meanings subscribed to them in this section, except where the context clearly indicates or requires a different meaning:

"Animal Owner" - Any person, who or which owns, possesses, maintains, houses or keeps any animal or animals within the Borough of Union City whether for compensation or otherwise.

"Permit" - To suffer, allow, consent, let; to give, leave or license; to acquiesce by failure to prevent, or to expressly accept or agree to the doing of any act.

"Person" - A natural person, partnership, corporation, fiduciary or association. Whenever used in any section prescribing and imposing a penalty, the term "person" as applied to any partnership, association or other entity, shall also mean the partners or members thereof, and as applied to corporations, the officers thereof.

SECTION II. It shall be unlawful for an animal owner to permit such animal to run at large in the Borough of Union City either upon the public streets or highways or upon property other than that of the owner of such animal.

SECTION III. An animal owner which confines an animal to his or her premises shall not permit said animal to make any loud or harsh noise or disturbance which shall interfere with or deprive the peace, quiet, rest or sleep of any person within the Borough.

SECTION IV. No animal owner shall permit said animal to defile, befoul, corrupt or otherwise desecrate any sidewalk, walkway or the property of another.

SECTION V. The Police Department of the Borough of Union City shall, upon receiving a complaint or information (excluding anonymous complaints or information), that an animal owner is permitting an animal to do any of the acts prohibited by this ordinance, investigate the complaint or information, and, upon a finding of probable cause to believe that the animal owner is in violation of this ordinance, issue or cause to be issued to such animal owner a written warning which shall notify such animal owner of the violation and that his or her animal shall be so controlled as to prevent future violations of this ordinance.

SECTION VI. The Police Department shall maintain a record of all warnings served pursuant to Section 5 of this ordinance, and, upon receiving a second complaint or information (excluding anonymous complaints or information) alleging a violation of this ordinance, investigate the alleged violation. Upon a find of probable cause to believe the animal owner has again violated this ordinance, then, in that event, the Police Department shall initiate summary proceedings against such owner in accordance with the Pennsylvania Rules of Criminal Procedure.

SECTION VII. Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than Ten (\$10.00) Dollars nor more than Three Hundred (\$300.00) Dollars, and all costs or prosecution, for each and every offense and in default of payment of such

fine and costs, to imprisonment for not more than ten (10) days in the Erie County Jail. Provided, however, each day's violation of any of the provisions of this ordinance shall constitute a separate offense.

SECTION VIII. Any ordinance conflicting with this ordinance, is hereby repealed insofar as the same affects this ordinance.

Ordained and enacted into an ordinance this 16th day of August 1977.

ATTEST: Wesley C. Allen
Acting Borough Secretary-Treas.

Harold Maynard
President of Council

Approved this 16th day of August 1977.

Frank E. Hake
Mayor

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 845 enacted by the Borough of Union City on August 16, 1977.

Wesley C. Allen
Acting Borough Secretary