

**CODE OF WAYMART BOROUGH
DOG AND ANIMAL CONTROL – CHAPTER 15**

**CHAPTER 15.
Dog and Animal Control**

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[HISTORY: An Ordinance of Waymart Borough adopted as Ordinance No. 2020-1, being amended on April 14, 2020 and prohibiting the harboring of a dog or other animal nuisance and prescribing penalties for violations.]

§ 15-01. General Restrictions.

No person shall keep or harbor any dog, cat, or other animal in the Borough so as to create offensive odors, excessive noise or unsanitary conditions which are a menace to the health, comfort, or safety of the public or otherwise permit the commission or existence of a nuisance as defined herein.

§ 15-02. Limitations on Barking and Noise.

Any dog, cat, or other animal which, by frequent and habitual barking, howling, screeching, yelping or baying, or in any way or manner disturbs the quiet of any person of the community, or which disturbs or endangers the comfort, repose or health of persons, is hereby declared to be committing a nuisance. No owner or person having custody of such animal shall harbor or permit it to commit such a nuisance.

§ 15-03. Impacts on Other Property Owners.

Any dog, cat, or other animal that scratches, digs or defecates upon any lawn, tree, shrubs, plants, building or any other public or private property, other than the property of the owner or person in charge or control of such animal is hereby declared to be a nuisance.

§ 15-04. Nuisance Abatement.

No person being the owner or in charge or control of any dog, cat, or other animal, shall permit such animal to commit a nuisance on any school grounds, city park or other public property, or upon any private property other than that of the owner or person in charge or control of such dog, cat, or other animal without the permission of the owner of such property, where the owner or person in charge or control of such animal immediately removes all feces deposited by such animal and disposes of the same in a sanitary manner, such type of nuisance shall be considered abated.

§ 15-05. Dogs Trained to Assist Humans with Eyesight or Hearing.

The Borough Council may, by resolution and for good cause, waive any of the requirements

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contained herein or establish classes of exemption.

§ 15-06. Violations.

Any person violating any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of first, \$50; second, \$150 and third, \$600 and costs of prosecution for each offense thereof.

§ 15-07. Conflicts and Validity.

The enactment of this Chapter shall serve as a repeal of any other Chapter inconsistent herewith. If any section, paragraph, clause or provision of this Chapter be held invalid, the validity thereof shall not affect any of the other provisions of this Chapter.