

ARTICLE 717  
Dogs

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CROSS REFERENCES

Dog Law - see 3 P.S. §460-101 et seq.; 7 Pa. Code Ch. 21 et seq.

Dogs at large - see 3rd Class §2403(8) (53 P.S. §37403(8));

GEN. OFF. 705.01

Dogs in parks - see GEN. OFF. 741.02(s)

**717.01 DUTIES OF DOG LAW ENFORCEMENT OFFICER.**

The Dog Law Enforcement Officer shall be the executive officer in charge of activities relating to dogs. In addition to other duties defined in this article, he shall have charge of the dog pound, and cause it to be kept clean and in a sanitary condition. He shall perform all other duties which may be prescribed by the Director of Public Safety.  
(1944 Code Ch. 3 § 15.)

**717.02 SEIZURE OF DOGS AT LARGE.**

It shall be the duty of the Dog Law Enforcement Officer to seize and detain any dog, whether licensed or not, which is found running at large, either upon the public streets, highways, parks or other public property of the City, or upon the property of any person which is other than the owner of such dog, and unaccompanied by the owner or keeper. Such officer is hereby authorized and empowered to go upon any premises and enter any building to seize and detain any dog found running at large, unaccompanied by the owner or keeper, when he is in immediate pursuit of any dog. A State dog warden or a local police officer is hereby authorized to kill any dog which is found running at large and which is deemed after due consideration by that officer to constitute a threat to the public health and welfare of the City. (Ord. 11-1995 §1. Passed 7-5-95.)

**717.03 DISPOSITION OF IMPOUNDED DOGS; NOTICE AND REDEMPTION.**

(a) It shall be the duty of the Dog Law Enforcement Officer to dispose of any dog, forty-eight hours after capture and detention, which does not bear a proper license tag, if found running at large. He shall cause any dog bearing a proper license tag which is seized and detained to be properly kept and fed, and shall cause immediate notice either personal or by registered mail to be given to the person in whose name the license was registered, to claim such dog, within ten days. The owner of a dog so detained shall pay all reasonable expenses incurred by reason of its detention, under the provisions of this section, before the dog is returned. These expenses are hereby fixed at two dollars (\$2.00) for the first forty-eight hours or less of detention, and fifty cents (50¢) per day thereafter.

(b) If, after ten days from the giving of such notice, such dog has not been claimed, the Dog Law Enforcement Officer or his agent shall dispose of the dog by sale or by destruction in some humane manner. All moneys derived from the sale of such dog shall be considered equivalent to the expense of its detention.

(1944 Code Ch. 3 §17, 18. )

**717.04 AFFIDAVIT OF HUMANE DISPOSITION.**

As required by 7 Pennsylvania Code Section 25.3, it shall be the duty of the Dog Law Enforcement Officer quarterly to execute and forward to the Middletown District Office of the Department of Agriculture, a sworn return upon blanks furnished by the Department, in order to obtain from the Commonwealth the fees prescribed by law for such holding and humane disposition.

**717.05 AGREEMENT WITH HUMANE ASSOCIATION.**

Any humane association which meets the approval of the Director of Public Safety may enter into a working agreement with the Director for the purpose of finding proper homes for the dogs apprehended, assist in their public or private sale, and do such acts and things in cooperation with the Dog Law Enforcement Officer which the Director approves.

(1944 Code Ch. 3 §20. )

**717.06 RETURN AND DISPOSITION OF MONEY RECEIVED.**

The Dog Law Enforcement Officer shall, at least once a month, make a return to the Director of Public Safety, under oath or affirmation, of moneys received by or through him or his assistants, by virtue of his office, or on account of any matter connected with his office. Immediately upon making such return, he shall pay over such amount to the City Treasurer, which shall become a part of the General Fund. He shall in like manner pay into the City treasury all fees received by him from the Commonwealth on account of the humane disposition of dogs, as well as any moneys received from the public or private sale of dogs. (1944 Code Ch. 3 §21.)

**717.07 POWER TO MAKE ARREST.**

The Dog Law Enforcement Officer is hereby invested with power to make arrests and to have all the powers, duties, obligations and privileges conferred by law upon police officers of cities of the third class.

(1944 Code Ch. 3 §23.)

#### 717.08 LEASH REQUIREMENT.

All dogs must wear a collar displaying current license and current rabies vaccination verification tags and shall be under control of a leash when on City sidewalks or streets or upon any public property such as parks and buildings of the City.  
(Ord. 7-1996 §1. Passed 5-21-96.)

#### 717.09 BARKING DOGS.

(EDITOR'S NOTE: This section was repealed by Ordinance 9-1980, passed June 3, 1980. See Article 714 for relevant provisions.)

#### 717.10 REMOVING DOG EXCREMENTS.

No owner or keeper of any dog shall allow or permit any such dog to excrement upon any public or private property of the City unless such owner or keeper removes the excrement and disposes of same in a sanitary manner.  
(Ord. 5-2012. Passed 2-21-12.)

#### 717.99 PENALTY.

Whoever violates any provision of this article shall upon conviction be fined not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000) and costs of prosecution, and in default of payment thereof, shall be imprisoned for not more than ten days (10 days). (Ord. 1-2009. Passed 1-6-09.)