

Chapter 2

Animals

Part 1

Keeping and Burial of Animals and Fowl

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Part 1**Keeping and Burial of Animals and Fowl****§2-101. Keeping of Animals and Fowl.**

1. No person, firm or corporation shall keep any fowl, cattle, horse, hog, goat, sheep, mule, donkey, jackass or any other livestock at any place within the Borough of Lewisberry, York County, Pennsylvania.

2. When used in this Part, fowl shall mean any poultry, land fowl and waterfowl. (*Ord. 1985-3, 11/4/1985, §1; as amended by Ord. 2012-1, 9/4/2012, §1*)

§2-102. Animals Running at Large.

1. No person, firm or corporation shall keep, maintain or harbor any animal, animals or fowl in such a manner that by reason of noise, odor, appearance, or other objectionable condition, creates a hazard or adversely affects the reasonable enjoyment of surrounding property or which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of the other property in the neighborhood in which such premises are located. Such conduct is hereby declared to be a public nuisance.

2. No person, firm or corporation shall keep, maintain or harbor any animal, animals or fowl which habitually crys or howls to the extent that it disturbs the peace and quiet of the neighborhood or in such a manner as to disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such conduct is hereby declared to be a public nuisance. For the purpose of this subsection “habitually” shall be defined to be at least twice in any 7-day period.

3. No person, firm or corporation shall allow any animal, animals or fowl to discharge such animal's or fowl's excreta upon any public or private property, other than the property of the owner of such animal or fowl, within the Borough, unless such person immediately thereafter removes and cleans up such animal's or fowl's excreta from the public or private property. Such conduct is hereby declared to be a public nuisance.

4. No person, firm or corporation shall allow any animal, animals or fowl to run at large. For the purpose of this Section “to run at large” shall be defined to be the presence of such animal or fowl in any place except upon the premises of the owner unless such animal or fowl is on a leash and under the control of a person physically able to control it or under actual control of a person physically able to control it. Such conduct is hereby declared to be a public nuisance.

(*Ord. 1985-3, 11/4/1985, §2*)

§2-103. Burying of Animals.

No person, firm or corporation shall bury any animal or fowl set forth in §2-101 of this Part at any place within the limits of the Borough of Lewisberry. Any person burying any other dead animal or fowl within the limits of the Borough of Lewisberry shall be required to bury the same not less than 3 feet below the surface of the ground

and not closer than 3 feet to any property line.

(Ord. 1985-3, 11/4/1985, §3)

§2-104. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$25 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 1985-3, 11/4/1985, §4; as amended by Ord. 2007-2, 12/17/2007)