

Dog Owner Responsibility Ordinance

ORDINANCE 2006-9DOG OWNER RESPONSIBILITY ORDINANCE

BE IT ORDAINED by the Council of the City of Hazleton as follows:

1. Dogs are Personal Property

- (a) The City of Hazleton recognizes that dogs are personal property.
- (b) No city, county, or state authority shall restrict or prohibit the ownership of dogs by breed.
- (c) No breed specific ordinances enacted in Hazleton shall stand.
- (d) The City of Hazleton recognizes the right of the people to own any breed of dog in a responsible manner.
- (e) It is the responsibility of the owner to provide for the dog for the entirety of its life.

2. Containment

- (a) All dogs shall be securely contained to their owner's property, but may not be inhumanely restrained by tying to a restraint for more than eight (8) continual hours per day.
- (b) The dog owner shall protect the public from his/her dogs that are not contained behind fenced enclosures. The assumption of liability is upon the dog owner.
- (c) All dogs shall be securely leashed when off of the owner's property, and under the supervision of a person who is physically capable of controlling the dog.
- (d) Parents who allow their child to lead a dog in public access areas, assume all liability for any accident, harm, injury, or trespass caused.
- (e) Dog owners who allow a child to lead their dog in public access areas, assume all liability for any accident, harm, injury, or trespass caused.
- (f) Owners of dogs found at large, must produce immunization as required by the state, documentation to authorities, upon demand.

3. Standard of Care

- (a) The owner shall provide his/her dog with shelter appropriate to the climate, and to the breed of dog.
- (b) The owner shall provide a clean, healthy environment.
- (c) The owner shall provide his/her dog with food, and plentiful clean drinking water daily.
- (d) The owner shall provide for the dog's necessary veterinary services.
- (e) Violations of statutes a, b, c, d, shall be considered cruelty to animals.
 - (1) If found guilty the Court shall fine the owner an amount no greater than \$300.00, and/or imprisonment to commensurate with the harm done to the animal.
 - (2) The Court may remove the animal from the custody of the owner.

4. Dogs At Large

- (a) Any owner who allows his/ her dog to run at large shall be fined one hundred dollars (\$100.00) for the first violation.
- (b) The second violation shall incur a fine of two hundred (\$200.00) dollars.

- (c) After the second violation, training shall be required by a certified obedience trainer.
- (d) The third violation shall incur a fine of four hundred (\$400.00) dollars.
- (e) The fourth violation by the owner dog shall be confiscated by the Animal Control Authorities and, after evaluation of temperament by qualified personnel, either placed into a responsible home, or humanely euthanized, as verified by documentation.
- (f) Nothing in this section shall pertain to owners hunting with dogs.
- (g) If a dog is found to be unlicensed, the owner will be subjected to a fine double the original amount stated in a, b and d of this section.

5. Owner Liability

- (a) A dog owner will be held liable for any harm, injury, or trespass done by his/her dog when at large, off of the owner's property, and out of the owner's immediate control. This liability shall include remuneration, fines, and/or jail time depending upon the severity of the damage done by the dog.
- (b) A dog owner shall be charged with aggravated nuisance and animal cruelty if he/she is found facing off dogs in any public area with the purpose of simulating a dog fight, or promoting a dog fight, or planning a dog fight, and fined five hundred (\$500.00) dollars. The dog owner shall be placed on strict probation for the period of one (1) year, during which time, if any violations occur, the dog owner shall be fined one thousand (\$1,000.00) dollars, and he/she shall lose custody of the dog. The dog shall be evaluated by qualified personnel and either be placed in a responsible home or be humanely euthanized.
- (c) A dog owner shall be charged with aggravated nuisance should his/her dog menace a person when at large. The owner shall be fined five hundred (\$500.00) dollars and placed on probation for six (6) months, during which time if any violations occur, he/she shall lose custody of the dog. The dog shall be evaluated by qualified personnel and either be placed in a responsible home or humanely euthanized.
- (d) A dog owner shall pay remuneration and fines when his/her dog kills or injures an animal, or animals, belonging to another person when at large off the owner's property. The dog owner shall be placed on strict probation for the period of one (1) year, during which time should any further violations occur, the dog shall be removed from the custody of the owner. The dog shall be evaluated by qualified personnel and either placed into a responsible home or removed from the owner.
- (e) Any dog owner by whose violations has caused his/her dog to be removed from his/her custody shall not be allowed to own another dog for a period of ten (10) years.
- (f) No dog owner will be held liable if the dog bites, injures, or kills an intruder, a burglar, a trespasser, or anyone who threatens the owner, or his/her safety, while on or off of the owner's property, while the dog is under control of the owner.

6. Dog Abandonment

- (a) Any person who abandons a dog by dumping it alongside any thoroughfare or by moving away and leaving the dog shall be subject to a fine of one thousand (\$1,000.00) dollars, and jail time and/or community service, not to exceed six (6) months.

All Ordinances or parts of Ordinances inconsistent with this Ordinance shall be and the same are hereby repealed.

ORDAINED BY COUNCIL this 13th day of July 2006.