



Legislation Details (With Text)

File #: 2010-0650 **Version:** 1

Type: Ordinance **Status:** Passed Finally

File created: 6/22/2010 **In control:** Committee on Public Safety Services

On agenda: **Final action:** 7/6/2010

Enactment date: 7/6/2010 **Enactment #:** 22

Effective date: 7/12/2010

Title: Ordinance amending the City Code at Title Six - Conduct, Article III - Dogs, Cats and Other Animals, various chapters, to change the name of Animal Control to the Bureau of Animal Care and Control.

Sponsors: Darlene M. Harris

Indexes: PGH. CODE ORDINANCES TITLE 06 - CONDUCT

Code sections:

Attachments: 1. 2010-0650.doc

Date	Ver.	Action By	Action	Result
7/12/2010	1	Mayor	Signed by the Mayor	
7/6/2010	1	City Council	Passed Finally	Pass
6/30/2010	1	Standing Committee	AFFIRMATIVELY RECOMMENDED	Pass
6/22/2010	1	City Council	Read and referred	Pass

Ordinance amending the City Code at Title Six - Conduct, Article III - Dogs, Cats and Other Animals, various chapters, to change the name of Animal Control to the Bureau of Animal Care and Control.

The Council of the City of Pittsburgh hereby enacts as follows:

Section 1. Amending Title Six - Conduct, Article III - Dogs, Cats and Other Animals, Chapter 631, Animal Bites, as follows:

ARTICLE III: DOGS, CATS AND OTHER ANIMALS

CHAPTER 631: ANIMAL BITES

§ 631.01 DEFINITION.

The previously titled "Animal Control department" shall hereafter be referred to as the "Bureau of Animal Care and Control," falling under the jurisdiction of the Director of Public Safety.

§ 631.02[1] REPORTS AND QUARANTINE NOTICE.

(a) It shall be the duty of any person treating a patient or another person who has received a bite or laceration caused by a mammal to report such injury to the City of Pittsburgh **Bureau of Animal Care and Control** [Department]. The report shall give the name, age, sex and address of the person treated, date of

occurrence and if available, the name and address of the animal's owner and the animal's breed, sex, age, color and history of vaccination.

(b) The Police Department, City of Pittsburgh **Bureau of Animal Care and Control** [Department] or other authorized local agency is hereby authorized to investigate a reported biting incident and to notify the mammal owner, by a quarantine notice form the animal is required to be quarantined for not less than ten (10) days following the evening of the day of the bite. If the bite was inflicted by a wild animal or a stray unlicensed dog or cat that is not reclaimed from the impounding facility within seventy-two (72) hours or a licensed animal not reclaimed within ten (10) days, the animal may be euthanized and the remains prepared and turned over to the Allegheny County Health Department for appropriate testing for rabies virus.

(c) Following the investigation of each biting incident, the Police Department, City of Pittsburgh **Bureau of Animal Care and Control** [Department] or other authorized local agency shall send a report to the Allegheny County Health Department on an animal bite reporting form as provided by the Department.

Section 2. Amending Title Six - Conduct, Article III - Dogs, Cats and Other Animals, Chapter 633, Section 633.05, Rabies Vaccination, as follows:

§ 633.05 RABIES VACCINATION.

Proof of a dog or cat's current rabies vaccination shall be provided to an employee of the City **Bureau of Animal Care and Control** [Department] upon request.

Section 3. Amending Title Six - Conduct, Article III - Dogs, Cats and Other Animals, Chapter 633, Section 633.12, Number of Pets Permitted in City Limits; Exceptions, as follows:

§ 633.12 NUMBER OF PETS PERMITTED IN CITY LIMITS; EXCEPTIONS.

No person or residence shall be permitted to own, harbor or maintain more than five (5) dogs or cats or any combination thereof within City limits. This section shall not affect any person or residence whose number of dogs, cats or any combination thereof exceeds the limit of five (5) prior to the effective date of this section and upon elimination of dogs or cats by adoption, death or any permanent removal from that person or residence, owners exceeding the limit of five (5) are not permitted to obtain additional dogs or cats. This section shall not affect kennels and catteries that have been granted a kennel/cattery permit by the City **Bureau of Animal Care and Control** [Department] nor shall it affect kennels registered with the Pennsylvania Department of Agriculture.

Section 4. Amending Title Six - Conduct, Article III - Dogs, Cats and Other Animals, Chapter 633, Section 633.13, Litter Registration; Limits; Exceptions, as follows:

§ 633.13 LITTER REGISTRATION; LIMITS; EXCEPTIONS.

All litters of puppies and kittens born within City limits are required to be registered with the City **Bureau of Animal Care and Control** [Department] within ten (10) working days of birth. There shall be no fee to register the first litter born between January 1 and December 31 of any year. Each household excluding those holding a current kennel/cattery permit shall be limited to one (1) litter of puppies or kittens per year. The five (5) pet limit described in § 635.03 shall not include litters of young under twelve (12) weeks of age that have been registered with the Department. This section shall not affect kennels registered with the Pennsylvania

Department of Agriculture.

Section 5. Amending Title Six - Conduct, Article III - Dogs, Cats and Other Animals, Chapter 633, Section 633.18, Animal Care and Control Informational Service and Duties, as follows:

§ 633.18 BUREAU OF ANIMAL CARE AND CONTROL INFORMATIONAL SERVICE AND DUTIES.

In addition to the other duties set forth in this Title, the City **Bureau of Animal Care and Control** [Department] shall:

- (a) Provide informational service for the public on all mammal inquiries, including licensing and identification requirements, control, City regulations, maintenance and health, disposal, selection, training and instruction, nuisance report referrals, abuse and cruelty;
- (b) Provide a central mammal lost and found service in conjunction with Animal **Care and Control** Officers; and
- (c) Provide referrals of humane programs to schools and concerned organizations utilizing voluntary assistance from the local humane groups.

Section 6. Amending Title Six - Conduct, Article III - Dogs, Cats and Other Animals, Chapter 634, Section 634.02, Kennel/Cattery Permits, as follows:

§ 634.02 KENNEL/CATTERY PERMITS.

(a) Breeders, foster homes, pet shops, kennels and catteries that keep, harbor, board, shelter, lease, sell or give away more than five, but fewer than twenty-six (26) dogs and/or more than five (5) cats in a calendar year shall apply to the City **Bureau of Animal Care and Control** [Department] for a kennel/cattery permit on or before January 1 of each year. The **Bureau of Animal Care and Control** [Department] Supervisor shall review, approve and issue a kennel/cattery permit. The application forms and permits shall be as designated by the Supervisor of the [City] **Bureau of Animal Care and Control** [Department]. A separate permit shall be required for every location at which a kennel or cattery is kept or operated. Nonprofit animal shelters, kennels and other institutions registered with the Pennsylvania Department of Agriculture and/or the United States Department of Agriculture shall be exempt from the requirements of this Chapter. Veterinary hospitals shall be exempt from the requirements of this Chapter.

(b) The fee for a kennel/cattery permit shall be one hundred dollars (\$100.00) plus a twenty-five dollars (\$25.00) registration fee for each litter of puppies or kittens born. The first litter born during a calendar year shall be exempt from the litter registration fee. Foster homes shall be exempted from the permit fee.

(c) Every owner or keeper of a kennel shall keep for two (2) years a record of every dog and cat kept in the kennel or cattery at any time. The record shall show:

- (1) The breed, color, markings, sex and age of each dog or cat;
- (2) The date on which each dog or cat entered the kennel;
- (3) Where it came from;
- (4) To whom it belongs;
- (5) For what purpose each dog or cat is kept in the kennel or cattery;
- (6) The date on which each dog or cat leaves the kennel or cattery; and
- (7) How and to whom it is disposed.

The record shall be legible, shall be kept on the premises of the kennel or cattery and shall be open to inspection by any employee of the City **Bureau of Animal Care and Control** [Department] or police officer.

(d) Employees of the Department are hereby authorized to inspect all kennels and catteries and to enforce the provisions of this Chapter and regulations promulgated by the Department pursuant to this Chapter. It shall be unlawful for any person to refuse admittance to employees of the Department for the purpose of making inspections and enforcing the provisions of this act.

(e) It shall be unlawful for kennels or catteries described in this Chapter to operate without first obtaining a kennel/cattery permit, unless exempted under § 634.02.

(f) The Supervisor of the Department shall have the power to revoke or refuse to issue any kennel/cattery permit for conviction of any violation of this Chapter or the noncompliance with any regulations pursuant to this Chapter or for the conviction for violation of any law relating to cruelty to animals.

Section 7. Amending Title Six - Conduct, Article III - Dogs, Cats and Other Animals, Chapter 634, Section 634.10, Interference; Penalty and Violation, as follows:

§ 634.10 INTERFERENCE; PENALTY AND VIOLATION.

(a) No person shall interfere with, hinder or molest any agent of the City **Bureau of Animal Care and Control** [Department] in the performance of any duty as herein provided. Any person found guilty of violating this section shall be subject to a fine of three hundred fifty dollars (\$350.00) plus costs, if it is the first offense. The penalty shall be one thousand dollars (\$1,000.00), plus costs, for each subsequent offense.

(b) Whoever violates any provision of this Chapter, excluding § 634.10(a), shall be fined three hundred fifty dollars (\$350.00), plus costs, if it is a first offense. The penalty shall be one thousand dollars (\$1,000.00), plus costs, for each subsequent offense.

Section 8. Amending Title Six - Conduct, Article III - Dogs, Cats and Other Animals, Chapter 633, Section 633.22, Off-Leash Exercise Areas, to include Riverview Park and subsequent Off-Leash Exercise Areas, and to change Environmental Services to the Bureau of Animal Care and Control, as follows:

§ 633.22 OFF-LEASH EXERCISE AREAS.

(a) **PILOT PROGRAM ESTABLISHMENT.** A pilot off-leash program shall be established under the administration of the Department of Parks and Recreation and the **Bureau of Animal Care and Control** [Department of Public Works, Bureau of Environmental Services]. The pilot off-leash program shall continue in effect for a period of three (3) years or, in the alternative, for a period ending sixty (60) days after the revocation of the program by a majority vote of City Council.

At the end of the three (3) year period the program shall be reviewed and the Council shall take action to either rescind this Chapter or take no action and allow the OLEA program to become a permanent part of the City Code.

(b) **OLEA SITES.** Dogs may be allowed to run at large only in the following areas hereby designated as Off-Leash Exercise Areas (OLEA):

- (1) Upper Frick Park
- (2) Lower Frick Park
- (3) West Park
- (4) Highland Park
- (5) Riverview Park**

and in any such area to be designated by the Department of Parks and Recreation in the future.

(c) **CONDUCT IN AN OLEA.**

(1) Any person who takes a dog into an off-leash area must have physical control of the dog by means of an adequate leash when entering and leaving the off-leash area;

(2) Must maintain voice control over the dog at all times while in the off-leash area.

(3) All dogs in an off-leash area must be licensed and must display valid license tags attached to the dog collar.

(4) Dangerous dogs, as defined in Section 633.20 of the Pittsburgh Code, are not permitted to use the off-leash areas.

(5) Any person with a dog in their possession or under their control in any OLEA shall be responsible and liable for the conduct of the animal, shall carry equipment for removing feces, and shall place feces deposited by such animal in an appropriate receptacle.

(d) **ADMINISTRATION.**

(1) The Director of Parks and Recreation is authorized promulgate regulations governing conduct and behavior within any OLEA and place appropriate signage deemed necessary for the orderly operation of and OLEA.

(2) The Director of Parks and Recreation is authorized to close to off-leash dog use any area described under subsection (b) on a temporary or permanent basis if significant problems arise which cannot be resolved jointly by the Department of Parks and Recreation and the **Bureau of Animal Care and Control** [Department of Public Works, Bureau of Environmental Services].

(3) The Director of Parks and Recreation is authorized to close any OLEA described under subsection (b) on a temporary basis in order to perform maintenance at the site.

(4) The Director of Parks and Recreation is authorized close any OLEA if a determination is made that such closure is necessary for the preservation and protection of the natural environment, public health or safety.

(5) Prior to closing any off-leash area, the Director shall consult with the **Bureau of Animal Care and Control** [Director of Public Works]. The Director of Parks and Recreation shall state in writing the reasons for closure to the Mayor and City Council.

(6) The Director shall review the impacts of off-leash activities at OLEA sites after three (3) months of operations at each site. If, based on this review, the Director finds significant problems that can not be practically corrected; the Director may close the site to off-leash use.

(7) Prior to any permanent closure, the Director shall give thirty (30) days written notice, to be posted at the site, stating the reason(s) for the closure.

(8) The Director is authorized to manage all OLEA sites and this authority shall include, but not be limited to, the authority to make minor alterations to site boundaries after reasonable notice to the public, impose operating hours and curtail use at sites as necessary for renovation, repair or for other operational reasons.