

ORDINANCE NO. 2057

AN ORDINANCE AMENDING CHAPTER 2, ANIMALS, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED, TO AMEND CERTAIN PROVISIONS RELATING TO ANIMAL NUISANCES AND THE KEEPING OF ANIMALS GENERALLY.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Burgess and Town Council of the Borough of Pottstown, Montgomery County, Pennsylvania, and **IT IS HEREBY ENACTED AND ORDAINED** by the authority of same as follows:

SECTION 1. Section 106, Noise, of Part 1, Prohibiting the Keeping of Animals Causing Nuisances, of Chapter 2, Animals, of the Code of Ordinances of the Borough of Pottstown, as amended, shall be amended to read as follows:

"§106. Noise. It shall be unlawful within the Borough of Pottstown for any person or persons to own, possess, harbor or control any animal which makes any noise continuously and/or excessively or intermittently for one-quarter (1/4) hour or more to the disturbance of any person, any time of day or night,..."

SECTION 2. Section 110, Notice of Violation, of Part 1, Prohibiting the Keeping of Animals Causing Nuisances, of Chapter 2, Animals, of the Code of Ordinances of the Borough of Pottstown, as amended, shall be amended to read as follows:

"§110. Notice of Violation.

1. Method of Serving Notice. Prior to the issuance of a citation for a violation of this Part, it shall

be necessary to serve written notice upon the animal owner in one of the following ways, unless it is determined by the enforcing officer that notice is not required due to immediate concerns of public health and safety:..."

SECTION 3. Section 201, Keeping of Pigs Prohibited, of Part 2, Keeping of Certain Animals, of Chapter 2, Animals, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to read as follows:

"§201. Keeping of Pigs and Other Farm Animals Prohibited. No person or persons, partnerships, firms or corporations shall keep any pig or any other farm animal within the limits of the Borough of Pottstown. Such farm animals shall include, but not be limited to donkeys, cows, horses, sheep, fowl (including, but not limited to ducks, geese, chickens and roosters), and goats."

SECTION 4. Section 202, Prohibited Animals, of Part 2, Keeping of Certain Animals, of Chapter 2, Animals, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to read as follows:

"§202. Prohibited Animals. It shall be unlawful to keep any wild animals, whether purchased from a pet store or pet export show or caught from the wilderness or outside, or acquired in any other fashion, in the Borough of Pottstown. Such prohibited wild animals shall include, but not be limited to, migratory birds, fox, bear, deer, monkeys, racoons, opossums, skunks, venomous snakes, venomous spiders, alligators or crocodiles."

SECTION 5. Section 204, Shelter Standards, of Part 2, Keeping of Certain Animals, of Chapter 2, Animals, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to read as follows:

§204. Shelter Standards. Any person owning or having in his custody animals on a tract of land less than one-half ($\frac{1}{2}$) acre shall meet the following standards:

- A. Animals shall be provided with a shelter having a roof and at least three (3) enclosed sides, and be contained within a fenced area with:
 - 1. Twelve square feet ($12' \times 2'$) of shelter area for each dog, cat or other animal of similar size;
- B. The following fenced area outside the shelter for each animal:
 - 1. Three hundred square feet ($300' \times 2'$) for each dog, cat, or other animal of similar size;
- C. Both the shelter and fenced area shall provide a five foot (5') side yard and shall be at least thirty feet (30') from the rear of the main building.

SECTION 6. The Borough Manager, in conjunction with the Police Department and Code Enforcement Office, shall be permitted to establish reasonable rules and regulations relating to the enforcement and permitting with respect to the animals described in Part 2 of Chapter 2, Animals, of the Code of Ordinances of the Borough of Pottstown.

SECTION 7. In all other respects, the remaining provisions of Chapter 2, Animals, of the Pottstown Borough Code of Ordinances, as amended, to the extent not inconsistent herewith are hereby re-enacted and re-ordained.

SECTION 8. This Ordinance shall become effective immediately upon enactment.

ENACTED AND ORDAINED this 12TH day of JANUARY, A.D.
2009.

THE BURGESS AND TOWN COUNCIL
OF THE BOROUGH OF POTTSTOWN

BY: 
President

ATTEST: Virginia L. Takel
Secretary

Approved this 12TH day
of JANUARY, A.D., 2009.

Sharon V. Thomas
Mayor