

**CITY OF ST. MARYS  
ORDINANCE NO. 300**

AMENDING CHAPTER 2, PART 1, OF THE ST. MARYS CITY CODE, RELATING TO THE REGULATING OF DOGS FOUND AT LARGE, TO BE CONSISTENT WITH CURRENT CITY PRACTICES.

WHEREAS the City of St. Marys has discontinued its operation of a kennel for the housing of dogs and other animals;

AND WHEREAS, pursuant to the provisions of the Pennsylvania Dog Law, Act of December 7, 1982, P.L. 784, Act No. 225, the City currently delivers stray animals to the Elk County Humane Society for further disposition;

AND WHEREAS City Council deems it to be in the best interest of the City to continue the current practice with respect to the disposition of stray animals;

NOW THEREFORE, St. Marys City Council ordains as follows:

Chapter 2, Part 1, of the St. Marys City Code, is amended as follows:

Section 1.

Section 102 of Chapter 2 is amended to state as follows:

Section 102. Appointment and Duties of Dog Control Officer

A Dog Control Officer may be appointed by City Council to serve at its pleasure. In the absence of such appointment, any humane society police officer appointed by the Court of Common Pleas of Elk County shall have all of the powers of a Dog Control Officer under this Part. All City police officers, along with the Dog Control Officer, shall have concurrent powers of enforcement as established under this Part and under the Dog Law, as from time to time amended.

Section 2.

Section 104 of Part 2 is amended to state as follows:

Section 104. Seizing of Dogs.

The Dog Control Officer or any police officer may seize any dog found running at large in the City of St. Marys. Such dogs are to be impounded with the Elk County Humane Society.

Section 3.

Section 105 of Chapter 2 is amended to state as follows:

Section 105. Licensed Dogs.

The Dog Control Officer, the City Chief of Police, or any City police officer shall, upon detention of any licensed dog running at large, notify the owner by registered or certified mail, with return receipt, that the dog is impounded at a licensed kennel or with the Elk County Humane Society, and to claim such dog within 5 days after receipt of notice. If the dog is not claimed within the notice period, the dog may be sold or given to the Elk County Humane Society for further disposition in accordance with the Dog Law.

Section 4.

Section 106 of Chapter 2 is amended to read as follows:

Section 106. Unlicensed Dogs.

Unlicensed dogs that are found running at large shall be seized and detained for a period of 48 hours at a licensed kennel or at the Elk County Humane Society, except for any dog which is seriously ill or injured or forfeited with the owner's permission. After 48 hours, the dog may be humanely killed or retained by the Elk County Humane Society for further disposition.

Section 5.

Section 107 of Chapter 2 is amended to read as follows:

Section 107. Threatening Dogs.

Dogs that, in the opinion of any police officer or the Dog Control Officer, constitute a threat to public health and welfare may be humanely killed by the police officer or the Dog Control Officer.

Section 6.

108 of Chapter 2 is amended to read as follows:

Section 108. Penalties.

1. The owner of the dog shall pay a penalty to the City of St. Marys in the amount of \$15 for each time that the dog is detained under this Part.
2. Any person allowing a dog to run at large a third time or thereafter in violation of this Part shall , upon conviction thereof, be sentenced to pay a fine of not more than \$600.00 plus costs and, in default of payment of said fine and costs, to undergo imprisonment for a term not to exceed 30 days.

ADOPTED THIS 23 day of January, 2017.

CITY OF ST. MARYS

Attest:   
Secretary

BY:   
Mayor