

Ordinance No. 3-20-24B

AN ORDINANCE AMENDING THE SCOTT TOWNSHIP CODE OF ORDINANCES, CHAPTER 41 ANIMALS, ARTICLE I, CONTROL OF DOGS, ADOPTED JULY 23, 1996 BY ORDINANCE NO. 7-23-C-1996, AMENDED 6-21-2017 BY ORD. NO. 6-21-17C, IN ITS ENTIRETY.

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of the Township of Scott, Columbia County, Pennsylvania, as follows:

Section 1. The text of **Chapter 41 Animals** of the Code of Scott Township is hereby AMENDED to state in its entirety the following:

Article I  
PURPOSE AND DEFINITIONS

**§ 41-10 Purpose.**

This article is being enacted in order to control the nuisances, health and safety concerns, and inconvenience resulting from the presence of animals in the public and privately-owned areas of Scott Township and to further the general welfare and safety of the people of Scott Township.

**§ 41-11 Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**ANIMAL**

A creature with specialized sense organs, voluntary movement, responses to factors in the environment, and the ability to acquire and digest food.

**DANGEROUS ANIMAL**

Any animal capable of creating, threatening, or risking a hazardous, perilous, or unsafe condition. This term includes, but is not limited to, bobcats, wolves, crocodiles, alligators, or any other animal which presents a danger to life or limb.

**DOMESTIC ANIMAL**

Any animal normally or ordinarily domesticated or raised as livestock or for work or breeding purposes.

**DOMESTIC FOWL**

Any fowl, such as grouse, pheasants, turkeys, partridges, ducks, geese, and chickens, with the exception of roosters.

**EXOTIC ANIMAL**

Any animal that is wild, fierce, dangerous, noxious, or naturally inclined to do harm or inflict serious bodily injury and is not normally or ordinarily raised as livestock or kept as a

household pet including, but not limited to, bears, coyotes, lions, tigers, leopards, jaguars, cheetahs, cougars, wolves, nonhuman primates, any crossbreed of these animals which have similar characteristics in appearance or features, any animal of a species prohibited by Title 50, Code of Federal Regulations, as amended, and any animal prohibited by the Commonwealth of Pennsylvania. Exotic animals, however domesticated, shall also include, but not be limited to:

- (1) Amphibians: all venomous frogs, toads and other similar venomous amphibians.
- (2) Bear (Ursidae): all bears including, but not limited to, grizzly bears, brown bears, black bears and polar bears
- (3) Cat Family (Felidae): all except commonly accepted domestic cats including, but not limited to, lions, pumas, panthers, mountain lions, leopards, jaguars, ocelots, margays, tigers, bobcats, and wild cats.
- (4) Crocodilians: all alligators, caimans, crocodiles, gavials and other similar crocodilians.
- (5) Dog Family (Canidae): all except domesticated dogs including, but not limited to, wolf, fox, coyote, dingo or offspring of domesticated dogs bred with a wolf, fox, coyote and dingo.
- (6) Pig: all wild swine, excluding (a) Vietnamese potbellied pigs, and (b) domestic pigs considered as livestock.
- (7) Porcupine (Erethizontidae): all porcupines, skunks and other members of the Erethizontidae family.
- (8) Primates (Hominidae): all sub-human primates.
- (9) Raccoons (Procyonidae): all raccoons and civets.
- (10) Reptiles: all venomous and constricting snakes and all venomous lizards.
- (11) Venomous Invertebrates: all venomous spiders and scorpions.
- (12) Weasels (Mustelidae): all except commonly accepted domesticated ferrets, including but not limited to, weasels, martens, mink, wolverine, badgers, otters, ermine, and mongoose.

#### **HOUSEHOLD PET**

Any domestic cat, including all breeds of cat recognized by the American Cat Fanciers Association, domestic dog, including all breeds of dog recognized by the American Kennel Club, and any other domestic animal normally and ordinarily kept in or permitted to be at large in the dwelling of its owner. This term specifically excludes wild animals, exotic animals, or dangerous animals, as defined herein, even though the owner of such wild, exotic, or dangerous animal desires to keep it as a pet.

**LARGE ANIMAL**

Any domestic animal of the Bovidae, equine, Suidae, camelid, or sheep family, including but not limited to, horses, cows, sheep, goats, llamas, pigs (except Vietnamese potbellied pigs and domestic pigs), hogs, and swine.

**OWNER**

Any person owning or having a right of property to an animal, or any person having the control and custody of an animal, or the parent(s) or guardian(s) of any child under the age of 18 years who owns or has the control and custody of an animal.

**PERSON(S)**

Any individual, partnership, company, association, society, trust, or corporation, or other group or entity.

**SMALL ANIMAL**

Any small animal, such as a rabbit, hare, or chinchilla.

**WILD ANIMAL**

Any animal, including any mammal, bird, or reptile, not normally or ordinarily domesticated; not normally or ordinarily raised in Scott Township as livestock or for work or breeding purposes; and not a household pet as defined above.

ARTICLE II  
ANIMALS PROHIBITED AND PERMITTED

**§41-20 Animals prohibited.**

It shall be unlawful for any person to own or keep the following animals within Scott Township zoning districts C (commercial), I (interchange), IC (interchange commercial), LI (light industrial), RS (residential suburban), or RU (residential urban):

- (a) Dangerous Animals
- (b) Exotic Animals
- (c) Wild Animals
- (d) Large Animals
- (e) Roosters
- (f) Other fowl that make unreasonable noise or disturbs the peace of another

person as set forth in this Chapter.

It shall be unlawful for any person to own or keep the following animals within Scott Township zoning district AR (Agriculture-Rural):

- (a) Dangerous Animals
- (b) Exotic Animals
- (c) Wild Animals

**§ 41-21 Domestic Animals.**

The owner or person in control of every such domestic animal shall confine the same in an enclosure or fencing sufficient to prevent such domestic animal from running at large, and such enclosure shall be of a size conducive to good sanitary practices, and adequate and sanitary drainage facilities shall be provided.

**§ 41-22 Chickens and other Domestic Fowl.**

1. Chickens and other domestic fowl, not to exceed a total of six of any combination of types of domestic fowl, per property, are permitted in Scott Township. More than six chickens or other domestic fowl are permitted in Scott Township's AR (Agriculture-Rural) zoning district, provided the ownership or control of such chickens or other domestic fowl comply with the use and dimensional requirements of the AR zoning district.
2. Chickens and other Domestic Fowl shall be kept in a chicken coop, enclosure or fenced area at all times. No chicken coops, enclosures or fenced areas shall be permitted in the front or side yard of any lot.
3. A building permit shall be obtained for all chicken coops and fencing for containing the chickens or other Domestic Fowl. For the purpose of this chapter, a chicken coop will be considered an accessory building (not connected to main structure) under the zoning ordinance and must meet all regulations relating to accessory buildings in applicable Township ordinances.
4. Coops, enclosures and fenced areas shall be kept in a clean, dry, odor-free, neat and sanitary condition at all times with adequate ventilation and adequate sun/shade and must be reasonably impermeable to rodents, wild birds, and predators, including dogs, cats, racoons, and the like.
5. No part of any coop or enclosure shall be closer than 15 feet from any dwelling situate on the property; and no part of any coop, enclosure, or fence shall be closer than 25 feet from any adjoining property line.
6. Except as otherwise permitted in the AR zoning district, chickens and other domestic fowl shall be kept for personal use and consumption only, and the owner or person in control shall not engage in any commercial sales, breeding or other commercial endeavor with regard to the chickens or other domestic fowl or eggs generated thereby. The eggs must be for the owner's personal use and cannot be sold.

**§ 41-23 Small Animals.**

1. Small animals as defined herein are permitted to be kept in Scott Township.
2. Small animals kept outdoors shall be kept in a hutch, enclosure or fencing sufficient to

prevent such small animal from running at large. No hutches, enclosures or fenced areas shall be permitted in the front or side yard of any lot.

3. A building permit shall be obtained for all outdoor animal hutches, enclosures or fences for containing Small Animals. For the purpose of this chapter, an animal hutch will be considered an accessory building (not connected to main structure) under the zoning ordinance and must meet all regulations relating to accessory buildings in applicable Township ordinances.
4. Hutches, enclosures and fenced areas shall be kept in a clean, dry, odor-free, neat and sanitary condition at all times with adequate ventilation and adequate sun/shade and must be reasonably impermeable to rodents, wild birds, and predators, including dogs, cats, racoons, and the like.
5. No part of any animal hutch or enclosure shall be closer than 15 feet from any dwelling situate on the property; and no part of any hutch, enclosure or fence shall be closer than 25 feet from any adjoining property line.
6. Except as otherwise permitted in the AR zoning district, small animals shall be kept for personal use and consumption only, and the owner or person in control shall not engage in any commercial sales, breeding or other commercial endeavor with regard to the small animals.

**§ 41-24 Household Pets.**

Household pets as defined herein are permitted in Scott Township in accordance with the following:

1. In the event of a legitimate nuisance complaint, dogs and cats may be limited to three of each species per household.
2. Household pets that are kept in a dwelling owned or occupied by the household owner shall maintain pet sanitation and odor control to ensure that no nuisance shall be created and no threat posed to the health of persons living on the premises, or to the health and quiet enjoyment of other persons.
3. If a household pet is permanently kept outside the dwelling, it shall be kept in a fenced-in enclosure on the property, no closer than 25 feet from an adjoining property line, with housing to protect the household pet from the weather and the elements, so long as the household pet does not create a nuisance.
4. All owners or persons in control of household pets shall maintain sanitation and odor control, to ensure that no nuisance shall be created or maintained and that no threat shall be created or maintained to the health of persons living on the premises or to the health and quiet enjoyment of other persons.

5. If a household pet is permanently kept inside the dwelling, all owners and persons in control of household pets shall cause litter and droppings to be collected daily in a container or receptacle which, when closed, shall be rodent proof and fly tight and, after every such collection, shall cause the container or receptacle to be kept closed. At least twice a week, every such owner or person in control of a household pet shall cause all litter and droppings so collected to be disposed of in such a manner as not to permit the presence of fly larvae or malodorous conditions.
6. All owners and persons in control of household pets shall cause all food for the household pet to be stored and kept in a rodent proof and fly tight building, box, container, or receptacle.

### ARTICLE III

#### REGULATION OF ANIMALS

##### **§ 41-30 Removal of Animal Feces from Public Places.**

It shall be unlawful for any owner or person in control of any animal to cause or allow such animal to defecate upon any street, sidewalk, passageway, park, or any other public place where people congregate or walk, unless such owner or person in control of an animal shall immediately remove and dispose of, in a sanitary manner, all feces deposited by such animal. Blind persons in control of service dogs shall not be required to immediately remove and dispose of, in a sanitary manner, feces deposited by service dogs. If a blind person is in the company of a sighted person, the sighted person shall be responsible for the immediate removal and disposal, in a sanitary manner, of feces deposited by service dogs.

##### **§ 41-31 Animal Defecation on Private Property Without Permission Prohibited.**

It shall be unlawful for the owner or person in control of any animal to cause or allow an animal to defecate upon any private property of another without the permission of the owner of said property. In the event such animal defecates on another's property, the owner or person in control of such animal shall immediately remove and dispose of, in a sanitary manner, all feces deposited on such property. Blind persons in control of service dogs shall not be required to immediately remove and dispose of, in a sanitary manner, feces deposited by service dogs. If a blind person is in the company of a sighted person, the sighted person shall be responsible for the immediate removal and disposal, in a sanitary manner, of feces deposited by service dogs.

##### **§ 41-32 Unlawful To Allow Animals To Make Noise or Disturbance**

With the exception of those animals located within the Scott Township AR (Agriculture-Rural) zoning district, no owner or person in control of any animal shall allow such animal to make any loud or harsh noise or disturbance which shall interfere with or deprive the peace, quiet, rest, or sleep of any person within Scott Township. An animal is presumed to interfere with the peace and quiet of another person when such animal is allowed to bark, howl, crow, squawk, bleat, or make such other loud noises; (a) continuously for more than any one hour, or (b)

continuously for more than 30 minutes on two or more consecutive days.

**§ 41-33 Unlawful To Allow Animals To Roam Free and Unattended.**

Any person who owns, harbors, keeps, or is in charge of any animal within or frequenting Scott Township shall either; (a) confine such animal in an enclosure sufficient to prevent it from running at large and such enclosure shall be of a size conducive to good sanitary practices, with adequate and sanitary drainage facilities, or (b) restrain such animal by a leash or other appropriate device of control, such as a remote trainer, shock collar, or similar device, so that the animal cannot stray beyond the premises on which it is secured.

ARTICLE IV  
ENFORCEMENT AND PENALTIES

**§ 41-40 Enforcement.**

The Scott Township Police and Scott Township Code Enforcement Officer shall have authority to determine if a violation of this article has occurred and to impose fines, costs and penalties in accordance with the provisions herein. All notices of violation shall include an instruction that, if the person cited pays the fines, costs and penalties stated on the notice of violation within 48 hours of the issuance of the notice, the Township will forgo prosecution of the violation.

**§ 41-41 Violations and penalties.**

Any person violating any provision of this article shall, upon conviction thereof, forfeit and pay the sum of not less than \$50, but not more than \$1,000, which shall be recoverable before any Magisterial District Judge in the same manner as provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. All fines and penalties shall be forthwith paid to the Treasurer of Scott Township. Each day's continuance of a violation of this article shall constitute a separate offense.

Section 2. This Ordinance shall take effect five (5) days from the date of its adoption.

ENACTED AND ORDAINED this 20 day of March, 2024.

ATTEST:

B. Balan  
SECRETARY

SCOTT TOWNSHIP SUPERVISORS

BY: [Signature]  
CHAIRPERSON

Director: Rachel Swartwood  
Land Use Planner: Emily Vollmer  
Administrative Assistant: Caroline Creasy

Commissioners: Dean Brewer—Dave Kovach – Randy Karschner

Planning Commission Board:  
William Brobst, Chair - Brian Johnson, Vice Chair - Terry Hoover, Secretary  
Michelle Bella, Treasurer - Tammy Robbins - John McGee - Paul Lee  
Troy Prutzman

PO Box 380  
Bloomsburg, PA 17815

Phone: 570-389-9146  
Fax: 570-389-9147

February 1, 2024

Brittany Bacon  
Scott Township  
350 Tenny Street  
Bloomsburg, PA 17815

RE: Animal Ordinance Amendment

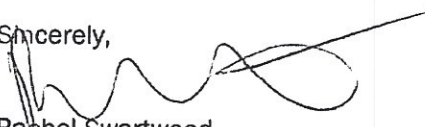
Dear Supervisors,

Our office has received the proposed Ordinance its review and comment in accordance with the PA Municipalities Planning Code. The following comment is offered:

1. "Exotic Animal" – The word Commonwealth should not be hyphenated.

We thank you for this opportunity for review. If you have any questions, please feel free to contact our office.

Sincerely,



Rachel Swartwood  
Director

Cc: File