§ 2-111 Disturbance of the Peace.

[Ord. 1975-7, 7/7/1975; as amended by Ord. 2009-8, 12/7/2009]

1. It shall be unlawful to own, harbor or keep in custody any dog which disturbs the peace by barking, howling or making other loud noises to the annoyance and discomfort of any person in the Borough of Forty Fort. Continuous barking, howling or the making of other loud noises by such dog for more than any one hour or continuous barking for periods of less than one hour but more than 1/2 hour, which periods occur on two or more consecutive days, shall be deemed to disturb the peace and to cause the annoyance and discomfort of persons in the Borough of Forty Fort.

2. Animals and Birds.

A. Owning, possessing, harboring or controlling any animal or bird which howls, barks, meows, squawks or makes other sounds continuously and/or incessantly for a period of 10 minutes or makes such noise intermittently for 1/4 hour or more to the disturbance of any person at any time of the day or night regardless of whether the animal or bird is situated in or upon private property; provided, however, that at the time the animal or bird is making such noise, no person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated or for any other legitimate cause which teased or provoked the animal or bird.

B. This subsection only applies when two or more persons file the complaints about the animal or bird. However, prior to filing the complaint, the complainants must first request the person owning, possessing, harboring or controlling the animal or bird to take action to prevent the animal or bird from creating a noise disturbance. If after making the request to the person owning, possessing, harboring or controlling the animal or bird, the noise disturbance continues, a complaint may be filed.

§ 2-112 Warnings.

[Ord. 1975-7, 7/7/1975; as amended by Ord. 1983-1, 2/7/1983, § A.2]

1. Any person may request the Borough Police Department to warn any person who shall own, harbor or keep in custody any dog which disturbs the peace by barking, howling or making other loud noise to the annoyance and discomfort of persons in the Borough of Forty Fort.

2. A warning by the police shall consist of delivery of a copy of this Part at the residence in the Borough of Forty Fort of any such owner, keeper or custodian.

3. Any such request shall be in writing, shall identify and specify the residence of the owner, keeper or custodian of the dog or other animal and shall identify and specify the residence of the person making the request. Upon receipt of such request, the secretary shall mail a copy of this Part to the person identified as the owner, keeper or custodian of the dog or other animal.

4. A violation of this Part shall be deemed to have occurred upon a second or subsequent violation of § 2-111 above after the date of delivery of the warning.

§ 2-116 Violations and Penalties.

[Ord. 1975-7, 7/7/1975; as amended by Ord. 1983-1, 2/7/1983, § A.3; and by Ord. 2009-8, 12/7/2009]

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not more than $1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each section of this Part which shall be found to have been violated shall constitute a separate offense.