

**NEW BETHLEHEM BOROUGH,  
CLARION COUNTY, PENNSYLVANIA**

Ordinance No. 928

**AN ORDINANCE REGULATING ANIMALS,  
WITHIN THE BOROUGH OF NEW BETHLEHEM**

**WHEREAS**, it is the intent of the Council of New Bethlehem Borough to take reasonable measures to protect the health, safety, general welfare and well-being of the community and, in particular, to maintain clean and safe public areas for Borough residents and visitors;

**WHEREAS**, the Council of New Bethlehem Borough believes that a continued prohibition of certain animals within the Borough, restrictions on certain animals, prohibition of nuisances, establishment of a responsibility for damage caused by animals and establishment of a duty to clean up waste, will alleviate the health hazards and safety risks created by animals, then;

**BE IT ORDAINED BY THE COUNCIL OF NEW BETHLEHEM BOROUGH, CLARION COUNTY, PENNSYLVANIA as follows:**

**Section 1. Compliance with State Law.** All owners of dogs, cats or other domestic animals shall comply with all applicable state laws and regulations regarding such animals, including, without limitation, licensing and rabies vaccinations.

**Section 2. Licensing.**

**A. Dogs.** Any dog over the age of three (3) months within the limits of New Bethlehem Borough must be licensed as required by Clarion County and State law and must wear a dog tag or collar displaying the owner or custodian's name and address or telephone number.

**B. Cats.** Effective as of June 1, 2017, any cat over the age of three (3) months that is allowed outside the home, business or building of the animal's owner within the limits of New Bethlehem Borough must be licensed by the Borough, must be spayed or neutered, and must wear a tag, collar or other form of identification displaying the owner or custodian's name and address or telephone number. Identification may include a microchip provided that the existence of the microchip is noted on the license application. Regularly harboring or feeding of feral cats shall create a presumption of ownership.

1. The application and license certificate shall state the name if any, the breed, sex, age, color and markings of the cat, the name, address, email address and telephone number of the owner and the year of licensure and such other information as the Borough may require. Before a license is issued, proof of rabies vaccination shall be provided. Fees shall be paid to the Borough according to the following schedule or as established by resolution from time to time:

|                     | 1-Year License | 3-Year License | Lifetime License |
|---------------------|----------------|----------------|------------------|
| Spayed/Neutered     | \$10           | \$25           | \$75             |
| Unspayed/Unneutered | \$25           | \$70           | \$175            |

2. Cat owners may qualify for the reduced "spayed/neutered" rate if the Borough is in possession of, or has been presented at the time of application for the cat license, of evidence documenting and affirming that the animal has been spayed or neutered, or that the animal is otherwise unable to breed or be bred, in certificate form from a veterinarian.

**Section 3. Unlawful to Allow Dogs to Run at Large.** It shall be unlawful for the owner, custodian or keeper of any dog to allow such animal to run at large at any time, either upon any of the streets, alleys, cemetery or public grounds in the Borough of New Bethlehem, or upon the property of other than the owner, custodian or keeper of such dog, unless accompanied by and under the immediate control by leash at a distance not to exceed fifteen (15) feet from such owner, custodian or keeper.

**Section 4. Seizure, Impounding and Redemption of Animals Found at Large.** It shall be the duty of any animal control, or police officer of the Borough of New Bethlehem or Clarion County who witnesses any dog running at large in conflict with this ordinance, or who receives information of any dog so running at large, to seize such dog and to have it conveyed it to a licensed kennel in accordance with state law.

If the owner of a detained animal can be identified by license tag or microchip, the owner shall be given immediate notice, either in person or by phone and the animal may be returned to the owner upon payment of a seizure fee as established from time to time by resolution of New Bethlehem Borough Council. If not immediately returned, notice of seizure shall be sent by the Borough to the owner of such dog or cat by personal service or by registered or certified mail, return receipt requested, or as otherwise required by law, and such dog or cat may be redeemed by the owner thereof, within not less than five (5) days from the date of mailing of the notice, or such time as may otherwise be required by law, upon payment to the Borough of the charges incurred by reason of such detention, including seizure fee, costs of transportation, care and feeding.

In no event shall any animal required to be licensed by law be released from detention and impoundment until it has been licensed. Payment of the seizure fee, expenses and costs shall not bar prosecution of the owner for any violation of law.

If the animal is not licensed and the owner is unknown, written notice of the impoundment shall be posted at the New Bethlehem Police and Borough Building for a period of three calendar (3) days from the day of seizure, describing the animal, the place and time of the seizure and the location of impoundment.

**Section 5. Disposition of Unclaimed Animals Other than Dogs**

a. Unlicensed animals, other than dogs, may be adopted or ownership transferred to an animal shelter or sold for the benefit of the Borough if not redeemed or claimed within five (5) days after notice of impounding.

b. Licensed cats may be adopted, ownership transferred to an animal shelter or sold for the benefit of the Borough if not redeemed within ten (10) days from the date of an impounding notice to the owner of the licensed cat.

**Section 6. Duty To Remove Waste and Avoid Nuisances.**

**A. Waste.** Any person owning or having control or custody of any animal shall not permit the animal to defecate upon the public property of New Bethlehem Borough or upon the private property of another unless the person immediately removes the feces and properly disposes of it; provided, however, that nothing herein contained authorizes such person to enter upon the private property of another without permission. Persons with defective eyesight while relying upon a dog specifically trained for these purposes shall be exempt from compliance with this Section.

**B. Nuisance.** For purposes of this ordinance, the term “nuisance” shall be defined as any act, conduct or circumstance, which is injurious to health, or indecent and offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property of others.

1. No person shall feed, keep or harbor any dog, cat, rabbit or other animal in the Borough so as to create offensive odors, excessive noise or unsanitary conditions which are a menace to the health, comfort or safety of the public, or otherwise permit the commission or existence of a nuisance as defined herein.

2. No owner or occupant of private property within the limits of New Bethlehem Borough shall allow animal waste to accumulate so as to become a nuisance.

3. Any dog, cat or other animal, which by frequent and habitual barking, howling, screeching, yelping or baying, or in any way or manner disturbs the quiet of any person of the community, or which disturbs or endangers the comfort, repose or health of persons, is hereby declared to be committing a nuisance. No owner or person having custody of such animal shall harbor or permit it to commit such a nuisance. Any animal which makes noise repeatedly for a period of thirty (30) minutes during the hours of 7:00 a.m. to 11:00 p.m. or repeatedly for a period of fifteen (15) minutes during the hours of 11:00 p.m. to 7:00 a.m. regardless of whether the animal is physically situated in or upon private property shall constitute a nuisance; provided, that at the time the animal is making such noise, no person is trespassing or threatening to trespass upon private property in or upon which the animal is legitimately situated, nor is there any other legitimate cause which justifiably provoked the animal.

**Section 7. Traps.** The Borough may purchase and make available humane traps, at such costs as the Borough Council may determine appropriate by resolution, to residents of the Borough for use at their own risk in removing cats or other animals to an animal control or humane society facility or for trapping animals and caring for them until such time as an animal rescue group can take custody of them. Nothing herein shall permit any person to trespass upon private property.

**Section 8. Damage Caused By Dogs, Cats and Other Animals.** The cost of repairing damage to any premises, personal or real property, located within New Bethlehem Borough limits, caused by any dog, cat or other animal, shall be the responsibility of the animal's owner or custodian. Recovery for any such damages may be pursued by the victim of such damage by civil action in the local courts. Nothing herein shall require the Borough to pursue recovery of damages for a resident.

**Section 9. Unlawful to Keep Certain Animals and Fowls.** No person, firm or corporation shall keep any cattle, swine, horses, goats, sheep, mules, donkeys, ponies or other livestock, rabbits, chickens or other fowls, or wild or exotic animals within the Borough of New Bethlehem. A wild or exotic animal is a dangerous, or undomesticated animal or venomous reptile which is not of a species customarily used as an ordinary house pet or livestock and which would ordinarily be confined to a zoo or found in the wilderness.

**Section 10. Shelter and Care.** Dogs and cats shall be provided adequate water, food and care, and access to shelter which protects them against inclement weather, keeps them dry and allows them to preserve a normal body temperature.

**Section 11. Number of Pets.** No person or residence shall be permitted to own, harbor or maintain so many animals as to create a nuisance within Borough limits.

**Section 12. Penalty for Violations of Ordinance.** Any person, firm or corporation who violates any of the provisions of this ordinance, including, without limitation damages caused by such One Hundred Dollars (\$100.00) for a first offense and Five Hundred Dollars (\$500.00) for a second offense, plus any costs for notices, impoundment, restitution or other charges under this ordinance, and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than ten (10) days in the Clarion County Jail.

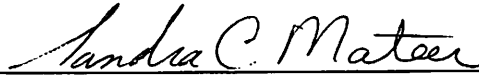
**Section 13. Enforcement.** Borough police or other officers or agents of New Bethlehem Borough so designated by the Council of New Bethlehem Borough, including without limitation, animal wardens, shall have the express authority to enforce the provisions and requirements of this ordinance but nothing herein shall require the Borough to impound any cat.

**Section 14. Severability.** If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared the intent of the Council of the Borough of New Bethlehem that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**Section 15. Repealer.** Ordinance # 870 adopted June 20, 2006, is hereby repealed, and any other ordinances or part of any ordinance conflicting with the provisions of this ordinance are hereby repealed to the extent of such conflict.

ORDAINED and ENACTED as an Ordinance of the Borough of New Bethlehem, Clarion County, Pennsylvania, this 21st day of March, 2017.

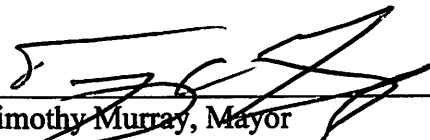
NEW BETHLEHEM BOROUGH

By:   
Sandra C. Mateer, President  
New Bethlehem Borough Council

ATTEST:

  
Secretary

The foregoing Ordinance of the Borough of New Bethlehem is hereby approved by the Mayor of New Bethlehem Borough on the 21st day of March, 2017.

  
Timothy Murray, Mayor  
Borough of New Bethlehem

**NEW BETHLEHEM BOROUGH COUNCIL  
RESOLUTION NO. 2017-1**

**RESOLUTION ADOPTING POLICY REGARDING  
ANIMAL CONTROL ORDINANCE No. 928**

**WHEREAS**, following the trap, neuter and release by an animal rescue group of more than 200 stray cats in a period of 2-3 months in the Fall of 2016, many of which were diseased and malnourished, and in order to address concerns of citizens regarding the control and care of animals within New Bethlehem Borough, the Borough adopted Ordinance No. 928 regarding animal control;

**WHEREAS**, the proliferation of numerous stray, fertile and feral cats, lacking rabies vaccinations and proper care and causing property damage has become a health and property concern for residents of the Borough;

**WHEREAS**, Borough Council wishes to establish clear procedures and set forth fees involved in compliance with the ordinance;

**NOW THEREFORE BE IT RESOLVED** that New Bethlehem Borough Council, Clarion County, PA, does hereby adopt the following policy and procedures effective as of the date of this Resolution:

**1. Microchips.** Any dog or cat that is caught or trapped by a resident on their private property may be checked for a microchip by the Police Department with the department's microchip reader to determine the animal's owner, if not wearing a tag or identifying collar. The animal's owner shall owe and pay a seizure fee of \$25.00 to the New Bethlehem Police Department for identification of the animal.

**2. Dog Impoundment.** Any dog that is impounded must be taken to a state licensed kennel in accordance with State Law. State Licensed Kennels in our area as of March 2017 include:

**Orphans of the Storm** 11878 State Route 85E, Kittanning, PA 16201 Armstrong 724-548-4520.

**Clarion Pups** 483 Pine Street Ext, Strattanville, PA 16258 814-227-9718

**Tri-County Animal Rescue Center** (no kill shelter) 9562 Route 322, Shippenville, PA 16254  
814-918-2032. [contactus@Tricounty-arc.org](mailto:contactus@Tricounty-arc.org).

**A.N.N.A. Shelter Inc.** (no kill shelter) 1555 East 10th St, Erie, PA 16511 814-451-0230.

**Indiana County Humane Society** 65 Haven Dr., Indiana, PA 15701 724-465-7387

**Gateway Humane Society**, 1211 Airport Rd., Falls Creek, PA 15840 814-375-0505

**3. For abuse of animals**, residents may call the:

Clarion County Dog Warden Jason Edwards 814-327-2710

Humane Society Police Officer, Clarion Co.: Deborah McAndrew, Willow Run Sanctuary For Animals, Inc., 381 East Branch Road, P.O. Box 32, Coolspring, PA 15730, 814-849-7466.

**4. Humane Trapping.** Residents may borrow the Borough's humane traps with a security deposit in accordance with Borough policies and procedures to trap animals trespassing on their property. Any cat that is caught in a humane trap by a resident will **not** be impounded or sheltered by the Police Department or Borough. The Police Department may be called to determine if the animal has an identifying microchip. The resident may or the Police Department will if asked contact the owner for immediate retrieval or contact an animal rescue group to take control of the animal. The animal must be cared for by the resident who trapped the animal until turned over to its owner or an animal rescue group or shelter. The animal's owner shall be responsible to the Borough for the \$25 seizure fee if the Police are involved, plus the costs incurred or requested by the animal rescue group or shelter, which amounts may be collected by the shelter but shall be made payable to the Borough. The Borough will then transmit that payment less the \$25 seizure fee to the animal shelter or rescue group. The \$25 seizure fee shall be used for administrative costs and donations to rescue groups who care for unclaimed animals.

**5. For feral or stray cats,** residents are encouraged to check for local shelters at:

[https://www.petfinder.com/animal-shelters-and-](https://www.petfinder.com/animal-shelters-and-rescues/search/?location=New+Bethlehem%2C+PA&shelter_name=contact)

[rescues/search/?location=New+Bethlehem%2C+PA&shelter\\_name=contact:](https://www.petfinder.com/animal-shelters-and-rescues/search/?location=New+Bethlehem%2C+PA&shelter_name=contact)

Or the following:

**Just Us For The Animals** at [justusfta@gmail.com](mailto:justusfta@gmail.com) or 814-221-0688 whose main mission is to trap, neuter and release feral cats and also to rescue, trap, spay, neuter, adopt out or release a cat or dog

**A.N.N.A. Shelter,** (no kill shelter) 1555 E. 10<sup>th</sup> St. Erie, PA 16511, 814-451-0230

**Clarion Paws** (no kill shelter) (814) 229-1231, [www.clarionpaws.org](http://www.clarionpaws.org).

**NW Humane Society,** [www.humanesocietyofnwpa.com/](http://www.humanesocietyofnwpa.com/), 2407 Zimmerly Rd., Erie, PA 16506, 12-5PM, (814) 835-8331

**Orphans of the Storm,** 11878 State Route 85E, Kittanning, PA 16201 724-548-4520

**Tri-County Animal Rescue Center** (no kill shelter, currently **doesn't** accept feral cats) 9562 Route 322, Shippenville, PA 16254 814-918-2032. [contactus@Tricounty-arc.org](mailto:contactus@Tricounty-arc.org).

**7. Rabies Vaccination.** All cats and dogs must be vaccinated for rabies in accordance with State Law. Showing proof of vaccination is required for issuance of a license.

**8. Spay/Neuter Clinics.** Residents are encouraged to participate in spay, neuter and rabies clinics for their animals that are offered periodically in the community and/or to take any animals under their control to veterinarians for proper care.

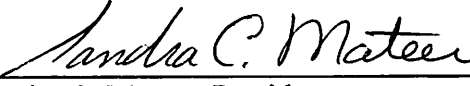
**9. Cat Licenses.** Licenses for cats may be obtained at the Borough Office at 309 Broad Street, New Bethlehem between 9 and 5 p.m. Mondays – Saturday, closed Sunday and closed Wednesdays during May – August or through the Police Department. Payment may be made by check or cash or online via the Borough website. The license application is on the Borough website and attached hereto and must be completed prior to a license being issued. The application will be certified by Borough personnel and a number issued. Residents are responsible for obtaining their own collars (breakaway collars are suggested), tags, microchips or other forms of identification.

Resolved this 21<sup>st</sup> day of March 2017, by New Bethlehem Borough Council in open meeting duly assembled at 212 Lafayette Street in New Bethlehem Borough.

Attested:

BOROUGH OF NEW BETHLEHEM  
CLARION COUNTY, PENNSYLVANIA

  
Richard McGarrity, Secretary

  
Sandra C. Mateer, President

  
Tim Murray, Mayor



# New Bethlehem Borough

## CAT LICENSE APPLICATION

Year(s) of license \_\_\_\_\_

License # \_\_\_\_\_

| DATE | CAT'S NAME | CAT'S AGE | BREED |
|------|------------|-----------|-------|
|      |            |           |       |

COLORS OF CAT: (Check appropriate box). Attach photo if available. Check here if ear tipped \_\_\_\_\_

|         |       |       |       |                |
|---------|-------|-------|-------|----------------|
| SPOTTED | WHITE | BLACK | BROWN | OTHER-INDICATE |
|---------|-------|-------|-------|----------------|

Proof of current rabies vaccination provided: \_\_\_\_\_ Date of Vaccination \_\_\_\_\_

| Type of Identification Used | Microchip, # if known | Collar with tag |
|-----------------------------|-----------------------|-----------------|
|                             |                       |                 |

Cat owners may qualify for a reduced spay/neutered rate if the Borough is in possession of evidence documenting that the cat has been spayed or neutered or that the animal is unable to breed in certificate form from a veterinarian or animal clinic.

| License Fees        | 1 year | 3 years | Lifetime License |
|---------------------|--------|---------|------------------|
| Spayed/Neutered     | \$10   | \$25    | \$75             |
| Unspayed/unneutered | \$25   | \$70    | \$175            |

|              |          |          |                |
|--------------|----------|----------|----------------|
| OWNER'S NAME |          |          | E-MAIL ADDRESS |
| STREET       | APT. NO. |          | HOME TEL. NO.  |
| CITY         | STATE    | ZIP CODE | CELL NO.       |

I HEREBY VERIFY THAT I AM THE OWNER OF THE CAT THAT IS THE SUBJECT OF THIS CAT LICENSE APPLICATION. I MAKE THIS STATEMENT SUBJECT TO THE CRIMINAL PENALTIES OF 18 PA § SECTION 4904 (RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES).

SIGNATURE OF CAT OWNER/APPLICANT REQUIRED \_\_\_\_\_

IF APPLICANT IS A MINOR,  
SIGNATURE OF PARENT OR GUARDIAN IS REQUIRED \_\_\_\_\_

MAIL OR DELIVER TO NEW BETHLEHEM BOROUGH, 309 BROAD ST., NEW BETHLEHEM, PA 16242. Payment should be made payable to **New Bethlehem Borough**.

**For Borough use only:** Check No. \_\_\_\_\_ received \_\_\_\_\_ (date)

License issued: \_\_\_\_\_ (date) By: \_\_\_\_\_