

[Adopted 12-18-1972 by Ord. No. 207-72]

§ 25-8 Determination of public nuisance.

[Amended 10-8-2018 by Ord. No. 431-18]

It is found and determined by the Borough Council of the Borough of Lake City that the keeping or maintaining of any cows, fowl, pigs, hogs, horses, ponies, and sheep within the Borough constitutes as public nuisance.

~~§ 25-9 Keeping of certain animals prohibited.~~
[Amended 10-8-2018 by Ord. No. 431-18]

It shall be hereafter unlawful for any person to keep or maintain within the Borough any cows, fowl, pigs, hogs, horses, ponies and sheep.

§ 25-10 (Reserved) ^[1]

[1] Editor's Note: Former § 25-10, Permit required for keeping of horses, was repealed 10-8-2018 by Ord. No. 431-18.

§ 25-11 (Reserved) ^[1]

[1] Editor's Note: Former § 25-11, Application for permit; hearing, was repealed 10-8-2018 by Ord. No. 431-18.

§ 25-12 Violations and penalties.

[Amended 2-19-2001 by Ord. No. 339-01; 6-22-2009 by Ord. No. 387-09]

Each day of violation of any of the provisions of this article shall be a separate violation hereof Any person violating any of the provisions of this article shall be subject to a fine or penalty of not less than \$100 nor more than \$500 for each offense, plus any recoverable cost, to be collected as fines or penalties are recoverable by law.

Borough of Lake City
Erie County, Pennsylvania

Ordinance No. 439 of 2021

An Ordinance prohibiting wild animals and prohibiting, farm animals.

Article I Wild Animals

Section 1. Definition of wild animal.

For purposes of this Code, a wild animal shall include but not be limited to the following:

- (1) All members of the dog (Canidae) family except commonly accepted domesticated dogs.
- (2) All members of the cat (Felidae) family except commonly accepted domestic cats.
- (3) All members of the bear (Ursidae) family; weasel (Mustelidae) family including weasels, martens, minks, wolverines, badgers, otters, ermine etc.; non-human primates, porcupine (Erithizontidae) family, raccoon, (Procyonidae) family; skunks, mongoose and all other mammalian species not commonly accepted as domestic animals.
- (4) All venomous snakes, including but not limited to all members of the families Viperidae (vipers and pit vipers, Elapidae (cobras), Hydrophidae (sea snakes), venomous Colubridae (boomslang, twig snake and keel back snake genus), Boidae (boa constrictor and other types of boas), Pythonidae (python); Eunectes (anaconda); and all members of the order Crocodilia including alligators, crocodiles, caimans and gharials; venomous fish other than those commonly kept in small aquariums and posing no significant hazard to humans or domestic animals, piranha, sharks, barracuda and other predatory fish other than common small aquarium species posing no significant hazard to humans or domestic animals.

All reptilian species not prohibited must be contained within habitats designed to prevent escape; shall be transported in escape-proof containers; shall not be handled openly in public places unless the handler is conducting an educational meeting or is demonstrating a reptile for sale within a commercial animal establishment; and shall not be released or abandoned except for native reptiles which may be released at their local point of capture, or wild reptiles which have wandered near human habitation and may be relocated to a nearby natural habitat. Any captive

reptile secured by or forfeited to the Borough shall be released to a zoo, humane society or reptile rescue organization, or euthanized in the discretion of Borough officials.

(5) Any other wild animal, including those animals that are prohibited or protected by Title 50, Code of Federal Regulations, or otherwise controlled or prohibited by the Commonwealth of Pennsylvania.

Section 2. Determination of public nuisance .

It is found and determined by the Borough Council of the Borough of Lake City that the keeping, boarding, housing or maintaining of any wild animal within the Borough constitutes a public nuisance.

Section 3. Keeping of wild animals is prohibited.

No person shall keep, board, house, breed, or maintain any wild animal.

Section 4. Violations and penalties.

Each day of violation of any of the provisions of this Article shall be a separate violation hereof. Any person violating any of the provisions of this Article shall be subject to a fine or penalty of not less than \$300 and no more than \$800 for each offense, plus any recoverable cost to be collected as fines or penalties as are recoverable by law.

Article II Farm Animals.

Section 8. Definition of farm animal: For purposes of this code, farm animals shall include cows, cattle, buffalo, bison, fowl, peacocks, swine, hogs, pigs, horses, ponies, donkeys, mules, alpaca, llama, domestic yak, goats, and sheep. This definition shall apply even if the animal is not to be used for purposes of agriculture or farming.

Section 9. Determination of public nuisance.

It is found and determined by the Borough Council of the Borough of Lake City that the keeping or maintaining of any farm animals within the Borough constitutes a public nuisance.

Section 10. Keeping of farm animals is prohibited.

No person shall breed, board, house, keep, or maintain any farm animal.

Section 11. Existing Farm Animals Legally in the Borough on Date of Ordinance.

Any farm animal that was legally living in the Borough on the date this Ordinance was enacted shall be permitted to continue to be boarded, housed, kept and maintained, provided no other applicable law is violated. No such animal is permitted to be bred.

Section 12. Violations and penalties.

Each day of violation of any of the provisions of this article shall be a separate violation hereof. Any person violating any of the provisions of this article shall be subject to a fine or penalty of not less than \$100 nor more than \$500 for each offense, plus any recoverable cost, to be collected as fines or penalties as are recoverable by law.

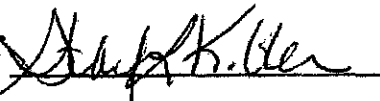
SEVERABILITY.

In the event that any provision, section, sentence, clause, or part of this Ordinance is held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of the Ordinance, it being the intent of the Borough Council that such remainder shall be and shall remain in full force and effect and for this purpose the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE.

This ordinance shall be effective February 8, 2021

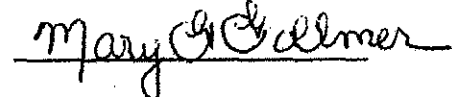
Attest:



Stacy L. Kibler

Borough Secretary

Lake City Borough Council



Mary G. Gollmer

Council President



Andrew J. Graves

Borough Mayor