

ARTICLE V 301-2025
PROHIBITED PETS/ANIMAL

**AN AMENDMENT TO AN ORDINANCE OF THE BOROUGH OF PORT CARBON,
SCHUYLKILL COUNTY PENNSYLVANIA, PROHIBITING AND REGULATING THE KEEPING
OF LIVESTOCK, EXOTIC ANIMALS, FOWL OR WILD ANIMALS IN THE BOROUGH**

WHEREAS, the Borough Council recognizes its responsibility under the Pennsylvania Borough Code, 8 Pa.C.S. §1202, to enact and enforce ordinances necessary for the protection of the health, safety, and general welfare of the residents of the Borough; and

WHEREAS, the Borough further finds that uncontrolled, dangerous, or prohibited animals may create risks to public safety, property, and the quiet enjoyment of neighborhoods; and

WHEREAS, the Borough Council has determined that updates to the ordinance Chapter 80 titled "Animals" is necessary to more clearly define prohibited animals, establish appropriate regulations for the keeping of permitted animals, and provide enforceable standards to prevent nuisances and threats to public health; and

WHEREAS, the Borough Council finds it in the best interest of the community to revise and strengthen its animal control provisions to ensure consistent enforcement, improve public safety, and align the ordinance with current best practices and applicable Pennsylvania law; and

WHEREAS, the Borough Council desires to amend the ordinance to establish clear enforcement authority, penalties, and procedures to support compliance and proper regulation of animals within the Borough.

NOW THEREFORE BE IT ORDAINED AND ENACTED, that Chapter 80 of the Port Carbon Borough Code shall be amended as follows:

§ 80-17. Definitions.

LIVESTOCK- Includes cattle, pigs, hogs, swine, horses, mules, donkeys, and goats and other domestic animals ordinarily raised or used on the farm.

FOWL- Any domesticated bird commonly kept for the production of meat, eggs or feathers, which shall include, but not limited to, chickens, ducks, geese, swans, turkeys, pigeons, pea fowl, guinea fowl, ostriches and emus.

EXOTIC ANIMALS- Any non-traditional pet that does not belong to the one of seven domesticated species of dogs, cats, horses, pigs, cows, sheep or goats.

WILD ANIMALS- Any indigenous, non-domesticated creatures living freely in the wild and are native to the region which shall include, but not limited to white-tailed deer, or raccoons.

§80-18. Prohibited Animals.

It shall be unlawful for any person to keep any rooster, livestock, exotic or wild animals at any place within the Borough.

§80-19. Livestock.

No animals typically referred to as Livestock, including Bovine Animal (meaning any cow, ox or other animal, related to, or resembling the ox or cow), Equine Animal (meaning any horse or member of the horse family Equidae, including mules, ponies, and donkeys), hog, pig, swine, sheep, goat, and also including poultry and pigeons shall be permitted within the Borough. Any violation of this section shall result in a fine of \$100.00 or an amount set forth on the Port Carbon Borough Fee Schedule as may be amended from time to time by Resolution of Council and may be impounded under the conditions as set forth within this Ordinance.

§80-20. Exotic Wildlife.

No Person may keep exotic wildlife within the Borough. Exotic wildlife includes, but is not limited to bears, coyotes, lions, tigers, leopards, ocelots, jaguars, cheetahs, margay, mountain lion, lynx, bobcat, wolves, hyena and any crossbreed of these animals, which have similar characteristics in appearance or features. Any violation of this Section shall result in a fine of \$100.00 or an amount set forth on the Port Carbon Borough Fee Schedule as may be amended from time to time by Resolution of Council and may be impounded under the conditions as set forth within this Ordinance, and any other fines or fees or conditions that may be imposed by the Commonwealth of Pennsylvania.

§80-21. Poisonous Life-Threatening Pets/Animals.

No person may keep poisonous life-threatening pets/animals within the Borough. Poisonous life-threatening pets/animals include, but are not limited to any poisonous life threatening reptile, any poisonous life-threatening amphibian, or any other poisonous life-threatening species. Examples include but are not limited to, the Box Jellyfish, King Cobra, Marbled Cone Snail, Blue Ringed Octopus, Death Stalker Scorpion, Stonefish, Brazilian Wandering Spider, Inland Tapian, Poison Dart Frog, Golden Dart Frog, Rattlesnake, Copperhead Snaked Puffer Fish. Any violation of this Section shall result in a fine of \$100.00 or an amount set forth on the Port Carbon Borough Fee Schedule as may be amended from time to time by Resolution of Council and may be impounded under the conditions as set forth within this Ordinance, and any other fines or fees or conditions that may be imposed by the Commonwealth of Pennsylvania.

§80-22. Enforcement.

The Mayor, through the Borough Police Department under his control, and in cooperation with the Code Enforcement Officer and any other Borough appointed or designated official, shall enforce the provisions of this Ordinance.

§80-22. Additional Remedies.

- A. In addition to the assessment and fines provided for in this Ordinance, a person convicted hereunder shall pay all court costs of prosecution.
- B. In addition to the assessments, fines and costs all other actions are hereby reserved including in equity for the proper enforcement of this Ordinance.
- C. The imposition of a fine or other penalty for any violation of, or noncompliance with, provision of this Ordinance shall not excuse the violation or permit to continue; and all persons shall be required to correct or remedy such violation or noncompliance .

§80-23. Grandfather Clause.

Notwithstanding the provisions of this ordinance prohibiting the ownership, harboring, or keeping of livestock, poisonous, or exotic animals, any individual who legally possessed such an animal within the Borough of Port Carbon prior to the effective date of this amendment shall be permitted to retain ownership of said animal, provided that:

- A. **Registration Requirement:** The owner registers the animal with the Borough Secretary within 90 days of the effective date of this ordinance.
- B. **Containment and Safety:** The animal is securely contained or confined in a manner that ensures the safety of the public and the welfare of the animal, in compliance with all relevant local, state, or federal laws.
- C. **Veterinary and Welfare Standards:** The animal shall receive routine veterinary care and be maintained in humane conditions in accordance with applicable animal welfare regulations.
- D. **Expiration of Exemption:** This exemption shall apply only to the currently owned animal(s) and shall not extend to any replacements or additional prohibited animals acquired after the effective date of the ordinance.

Failure to comply with the conditions of this grandfather clause may result in revocation of the exemption and enforcement actions as provided under this ordinance.

§80-24. Repeal.

Unless otherwise specifically stated in this Ordinance, all ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

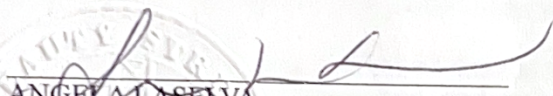
§80-25. Severability.

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

ADOPTED this 16 day of December, 2025.

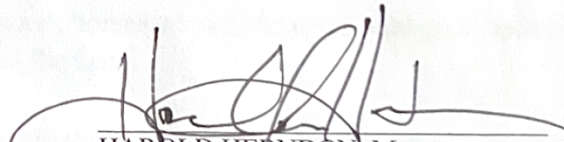
PORT CARBON BOROUGH

ATTEST:


ANGELA LASELVA
Borough Secretary
(Seal)

BY: 
SCOTT KRATER, Council President

APPROVED on the date above written.


HAROLD HERNDON, Mayor