

BOROUGH OF WEST MIFFLIN  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 82 REGULATING  
ANIMALS AND PETS; SEVERABILITY CLAUSE;  
EFFECTIVE DATE.

WHEREAS, West Mifflin Borough is a densely populated community with many residences and commercial businesses in close proximity; and

WHEREAS, there are very few multi-acre tracts of land in the Borough which may be suitable for the keeping of traditional farm-type animals; and

WHEREAS, Borough Council has become aware of certain issues which have created and can create disagreements between neighbors in this densely populated community over the keeping of animals and consequential impact and consequences of health, safety, welfare and the right to a peaceful and quiet enjoyment of one's property; and

WHEREAS, Borough Council and Borough Administration have received numerous complaints and gathered evidence from residents for many years about households that have numerous pets; and

WHEREAS, Borough Council and Borough Administration have analyzed this information and determined that a certain number of pets in a single household has caused the majority of the complaints from neighbors and other residents including excessive noise, disturbance of the peace, foul odors, neighbor disputes, all of which conditions constitute nuisances; and

WHEREAS, Borough Council and Borough Administration have determined that the majority of such complaints and nuisance situations arise from households with more than 5 dogs and/or cats in total; and

WHEREAS, this Ordinance amendment will prohibit the presence of animals except as provided herein; and

WHEREAS, this Ordinance was submitted to the Planning Commission for its review, consideration and comment at least thirty (30) days prior to consideration of enactment by Borough Council; and

WHEREAS, this Ordinance is deemed to be in the best interests of the health, safety and welfare of the residents of the Borough, and is passed pursuant to authority of the Borough Code and the police powers of the Borough.

AND NOW, THEREFORE, IT IS HEREBY ORDAINED AS FOLLOWS:

One: The West Mifflin Borough Code Chapter No. 82, §82-1, is amended as provided herein: the prior language is rescinded in its entirety and replaced as follows.

Two: §82-1(A) The following terms shall have the meaning ascribed to them here.  
Definitions:

“Animals”: shall mean any living thing that moves but is not human, i.e., including but not limited to, fowl, cows, swine, reptiles, sheep, monkeys, chimpanzees, baboons, lions, tigers, bobcats, cougars, leopards, jaguars, non-domesticated cats, wolves, coyotes, foxes, jackals, non-domesticated dogs, bears, venomous snakes and constrictor snakes, alligators, crocodiles, porcupines, weasels, badgers, elephants, hyenas, hippopotamuses, giraffes, camels, cattle, cows, hogs, pigs, sheep, goats, horses, raccoons, kangaroos, opossums, rhinoceroses, anteaters, sloths, armadillos, mongooses, skunks, venomous lizards, emus, llamas, alpacas, etc., but excluding “Pets”.

“Dangerous Dog”: shall mean one that has been declared by the court system.

“Owner”: shall mean a person or entity owning, occupying, leasing or controlling a structure or a parcel of real estate or a portion thereof in the Borough.

“Pets”: shall mean common domestic household animals including but not limited to: cats, dogs, fish, rabbits, guinea pigs, hamsters, etc.

“Structure”: shall mean any building, residence, dwelling house or living unit within a building.

“Living unit”: shall mean a residence or living quarters for one family.

“Unimproved land”: shall mean real estate without a structure.

Three: §82-1(B) Hereinafter, it shall be unlawful for any person/owner in the Borough to house, keep or maintain any pet in or on any structure, living unit or unimproved land in the Borough, except as is provided hereinafter. It shall be unlawful for any person/owner in the Borough to house, keep or maintain a “Dangerous Dog” in any residence or structure in the Borough.

Four: §82-1(C) Exempt from this Ordinance are the provisions of Chapter 290 providing for pet grooming and kennels in the Borough.

Five: §82-1(D) It shall be lawful for any person/owner to keep no more than 5 dogs and/or cats in total over the age of 6 months in a structure, living unit or unimproved land. No person/owner, family or entity may exceed this limit irrespective of how many living units, structures or parcels of unimproved land he, she or it owns. This section shall not affect any person/owner whose number of pets exceeds the limit of 5 prior to the effective date of this Ordinance and upon elimination of pets by adoption, death or any permanent removal from that residence, people exceeding the limit of 5 are not permitted to obtain additional pets. If a pet has a litter, the person/owner shall have 6 months to have the litter vacate the home.

Six: §82-1(E) It shall be lawful for an owner to keep and maintain horses in a structure or on a parcel of land as a conditional use under the following conditions:

A. The parcel of land must be fully dedicated to house the horse[s] and must be no less than 4 acres.

B. The maximum number of horses one year old or older shall not be more than 2 horses per acre.

C. The parcel must be fitted with a fully enclosed fence no less than five feet in height, which fence must be suitable to prevent a horse from going beyond the same. The fence must be set back from the property line no less than 10 feet.

D. Any out buildings, structures or barns on the property which are used to maintain or stable a horse[s] must be set back from the property line no less than 20 feet.

Seven: §82-1(F) Excepted from this Ordinance are living units where no more than one bird may be maintained.

Eight: §82-1(G) Honey Bees with related hive[s] may be maintained anywhere in the Borough so long as the hive[s] are 20 feet distant from any structure or improvement no less than 5 feet in all directions from property lines.

Nine: Violations and penalties are set forth in §82-8.

Ten: If any portion of this Ordinance is found to be illegal or unconstitutional, then it is deemed to be the intent of West Mifflin Borough Council that the balance of this Ordinance would have been enacted irrespective of said invalid portion. If any provision of this Ordinance is found to be inconsistent with any other provision of Chapter 82, then the provisions of this Ordinance shall control.

Eleven: This Ordinance shall take effect immediately.

ORDAINED into law this \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

WEST MIFFLIN BOROUGH

By: \_\_\_\_\_  
Manager

By: \_\_\_\_\_  
President

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2024.

By: \_\_\_\_\_  
Mayor

CERTIFICATION

I, Brian Kamauf, hereby certify that I am the Manager of West Mifflin Borough, and that the within Ordinance was advertised in accordance with law and enacted at a regular meeting of Borough Council duly convened, at which a quorum was present and voted in favor thereof.

Certified this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

By: \_\_\_\_\_  
Manager

NOTICE

NOTICE TO RESIDENTS OF WEST MIFFLIN BOROUGH:

Take Notice that at a regular meeting of Borough Council of West Mifflin Borough to be held on the \_\_\_\_ day of \_\_\_\_\_, 2024, at \_\_\_\_\_ p.m. in the Municipal Building at 1020 Lebanon Road, West Mifflin, PA 15122, Borough Council will consider a proposed Ordinance prohibiting animals from being kept on real estate in the Borough. Exceptions are provided for kennels, pets and horses. At said time and place you are invited to attend and to take such part as you see fit.

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Borough Manager