

LANCASTER CITY ORDINANCES

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Snow Emergencies:

1. No person shall operate any vehicle on a snow removal street or a snow emergency route in such manner or in such condition as to allow or permit such vehicle to become stalled or incapable or moving under its own power, either by reason of the fact that the driving wheels of such vehicle are not equipped with chains or snow tires, or by reason of the fact that the motor fuel supply of such vehicle has been allowed to become exhausted.
2. The prohibition of parking shall remain in effect:
 - a. On snow removal streets until the Coordinator announces the termination of the snow emergency, in part or in whole, or until the roadway of an entire block of the snow removal street is substantially clear of snow from curb to curb, whichever first occurs, after which the parking of vehicles is authorized at those times when parking is normally permitted on such streets.
3. Snow Removal: On snow removal streets, no owner of any property fronting or adjoining upon any street in the City which is designated as a snow removal street shall allow or permit any snow to be or remain on the sidewalks, in front of or adjoining such property, for a period longer than five hours after the snow which is the cause thereof has ceased to fall or be formed after the same has been deposited thereon in any manner. However, if the snow shall have ceased to fall between dusk and dawn, the same shall be cleared or removed before 10:00 a.m. of the following forenoon.
4. Cleaning of snow and ice from sidewalks. Each owner of any property fronting on or adjoining any street in the city shall clear a pathway of at least three feet in width on the sidewalk in front of or adjoining such property within five hours after the snow which is the cause thereof has ceased to fall or to be formed or after the same has been deposited thereon in any manner. However, if the snow shall have ceased to fall between dusk and dawn, the pathway shall be cleared before 10:00 a.m. of the following forenoon.
5. Nothing herein contained shall be construed to prevent such owner, by lease or otherwise, from delegating to a tenant or occupant the duties and liabilities hereby imposed, but such delegation shall not relieve the owner of his/her primary duties and liabilities hereunder.

Violations and penalties.

Any person violating any provision of this article shall, upon conviction, be fined not more than \$25 for the first offense and not more than \$50 for each and every offense thereafter, together with costs of prosecution, and in default of payment thereof shall be imprisoned for not more than 10 days. Each day of violation shall constitute a separate offense.

Deposit of Refuse

No person shall at any time cast, lay or throw in any of the streets, lanes or alleys in the City any snow or ice, except what may fall on the pavements on front of the houses, dross, ashes, cinders or rubbish of any kind, nor any oyster, clams or shells of any kind from any oyster stand or oyster cellar.

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Sidewalk Structures

1. No person shall place any box, basket, stand or other structure of any kind or description, whether movable or immovable, upon the sidewalks of the City for the purpose of selling or displaying for sale any confections, food products, goods or merchandise.
2. No person shall attach to any building a shelf or other projection extending over the sidewalks of the City for the purpose of selling or displaying for sale any confections, food products, goods or merchandise.

Violations and penalties.

Any person violating any of the provisions of this article shall, upon conviction thereof, be fined not less than \$50 and not more than \$300 for the first offense and not less than \$300 and not more than \$600 for each and every offense thereafter, together with costs of prosecution and, in default of payment thereof, shall be imprisoned for not more than 90 days. Each day of violation as to any section of this article shall constitute a separate offense.

Graffiti

Every owner of a dwelling, two-family dwelling, multifamily dwelling, rooming house, hotel, combination dwelling or associated garage, shed or other similar outbuilding shall maintain the external walls or roof, entrance and exit ways, adjoining sidewalks and parking lots of the same free and clear of all graffiti as same as defined in Chapter 146, Graffiti, of the Code of the City of Lancaster.

Violations and penalties.

Any person violating any of the provisions of this article shall, upon conviction thereof, be fined not less than \$50 and not more than \$300 for the first offense and not less than \$300 and not more than \$600 for each and every offense thereafter, together with costs of prosecution and, in default of payment thereof, shall be imprisoned for not more than 90 days. Each day of violation as to any section of this article shall constitute a separate offense.

Litter

1. No person shall throw, scatter, deposit, or sweep litter into any public place, such as a street, sidewalk, park or playground, nor onto any private property, except in authorized receptacles.
2. No person shall throw, scatter or deposit litter in any fountain, pond, lake, stream or any other body of water in a park or elsewhere within the City.
3. Persons shall deposit litter in authorized receptacles and shall do so in such a manner as to prevent it from being carried or deposited by the wind upon any public street, sidewalk or other public place or upon private property, except that no person shall deposit household or commercial refuse in an authorized receptacle.

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4. Any person owning or having charge of any private property shall cause its sidewalks, entranceways, and all other portions of the property, including front, side and rear yards to be kept clean and free of litter and shall not deposit litter or refuse in the gutters along the property or on the public streets or highways in the City. Notwithstanding the foregoing, where streets are posted for street sweeping, leaves may be swept from the public sidewalk into the gutters on the day prior to or on the day of sweeping, provided that the deposit of leaves therein shall be before the hour that a particular street is posted for sweeping, but shall not be deposited in or on a storm sewer inlet. Leaves on private property, such as side and front yards, however, shall not be swept or deposited in the public right-of-way, but shall be disposed of properly by the property owner or the person responsible for the property.
5. No person shall throw, scatter or deposit litter from a vehicle upon any public street or other public place within the City or upon private property.
6. No person shall throw, scatter, or deposit litter in any storm sewer inlet in the City.
7. No person shall throw, scatter or deposit glass containers upon any public street or sidewalk or other public place or any private property.
8. No person shall place any commercial or noncommercial handbill or other forms of written material in or upon any vehicle parked in the public right-of-way or in municipally owned parking lots or garages, including those of the Parking Authority of the City of Lancaster.

Violations and penalties.

Whoever violates any provision of this article shall, upon conviction thereof by summary proceedings, be fined not less than \$100 nor more than \$600 and costs of prosecution, including attorney's fees, for the first offense and not less than \$200 nor more than \$1,000 and costs of prosecution, including attorney's fees, for each succeeding offense; provided, however, that whoever violates § 258-24 shall, upon conviction thereof by summary proceedings, be fined not less than \$200 nor more than \$600 and costs of prosecution for the first offense and not less than \$300 nor more than \$1,000 and costs of prosecution for each succeeding offense. Upon default of payment of the fine imposed and the costs, the defendant may be imprisoned for not more than 30 days.

Prohibited Activities

No person shall do any of the following acts within the boundaries of the City:

1. **Dumping.** Process, dispose, deposit, dump, spill, throw, place, or bury (or allow another do deposit, dump, spill, throw, place, or bury) in or upon any parcel of land, alley, street, highway, gutter, water, stream, quarry, or ditch within the limits of the City which is not a facility, any regulated municipal waste, designated recyclable materials or solid waste. The foregoing sentence shall not apply in the following situations, provided that solid waste is handled in a safe, sanitary, odor-free, and nuisance-free manner and in compliance of applicable law:

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- a. Storage of solid waste on units owned or leased by the generators of the solid waste in the manner and quantities required by this article between curbside collections of the frequency required by this article;
- b. Use of commercially available manure or fertilizer for fertilizer in gardening;
- c. Interment of dead small household pets or stray animals in places set apart for that purpose;
- d. Use of soil, earth, sand, clay, gravel, loam, ashes, slate, stones, bricks, plaster or cement for filler; and
- e. Leaves and yard waste composted on the unit where generated.

Responsibilities of Owners (Litter and Recycling)

1. Each unit owner shall ensure that a collection contract with a licensed hauler continually exists and is fulfilled for a collection, transportation and disposal of regulated municipal waste and designated recyclable materials generated at such a unit in accordance with this article and applicable law.
2. Mandatory recycling. Each unit owner shall ensure that all recyclable materials generated within such unit are source-separated and recycled in accordance with this article. Each owner, except owners of nonresidential units who have assigned responsibility under this section to an occupant of such nonresidential unit, shall:
 - a. Provide recycling containers at easily accessible locations for source separation of designated recyclable materials;
 - b. Provide a written recycling instructional notice to all persons occupying each unit including a stipulation that all designated recyclable materials generated within or upon such unit at a frequency of not less than once per week.
 - c. Provide collection and transportation to a facility of all regulated municipal waste and source-separated designated recyclable materials generated within or upon such unit at a frequency of not less than once per week.
3. No owner shall store, process or dispose of, or allow to be processed or disposed, any solid waste or recyclable materials upon any unit owned, except solid waste or recyclable materials generated upon such unit to the extent allowed by applicable law.
4. The owner and each occupant of each residential unit or multifamily unit, shall be jointly and severally responsible to ensure each occupant of a residential unit or multifamily unit shall source-separate, rinse and place in a recycling container or other appropriate container the following recyclable materials for curbside collection:
 - a. Newsprint;

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- b. Clear glass;
- c. Colored glass;
- d. Aluminum cans;
- e. Steel and bimetallic cans;
- f. Type 1 plastics (PET/PETE)
- g. Type 2 plastics (HDPE); and
- h. Yard waste

Violations and penalties.

A. It shall be unlawful for any person to violate, or cause or permit or assist in the violation of, any provision of this article or the waste management policies and procedures, including but not limited to all provisions of applicable law, all of which are incorporated by reference. All unlawful conduct shall also constitute a public nuisance. Upon discovery of solid waste within the City not disposed of in accordance with this article, the City may require the person responsible for the generation of such material to establish that such person properly disposed of such person's solid waste and if such person is unable to do so, then such person shall be deemed responsible for the illegal disposal of such solid waste. If the City elects to dispose of such solid waste, such person shall pay all costs associated with such disposal to the City in addition to the penalties, enforcement actions and remedies imposed under this article. It shall be a violation of this article to hinder, obstruct, prevent or interfere with the City, the county, LCSWMA or their personnel in the performance of any duty under this article or in the enforcement of this article. Filing of a false or materially inaccurate verification form, licensed hauler permit application, customer list, or other government document required under this article or waste management policies and procedures with the City shall be deemed a violation of this article.

B. Any person violating any provision of this article or the waste management policies and procedures, or any provisions of applicable law, all of which are incorporated by reference, including but not limited to failure to have a continuously maintained collection contract for curbside collection after issuance of a notice of violation, shall, upon conviction thereof in a summary proceeding, be sentenced for each violation to pay a fine of not less than \$250 for the first offense, not less than \$500 for the second offense, and not less than \$750 for third and subsequent offenses, and not more than \$1,000 for any single offense, plus costs of prosecution, or undergo a term of imprisonment for not more than 90 days, or both. Each violation of any provision of this article or the waste management policies and procedures, and each day that such a violation shall exist, shall constitute a separate violation and offense, including but not limited to each day of failure to have a continuously maintained collection contract for curbside collection after issuance of a notice of violation. Any person who is convicted of violating any provision of this article or the waste management policies and procedures shall be sentenced to penalties of payment of a fine, undergoing a term of imprisonment, or both, as set forth above. In addition, failure to pay any fine levied under this article or the waste management policies and procedures shall be a violation of this article and any person who fails to pay any fine levied upon conviction shall be committed to the county jail for a period not exceeding 30 days. Fines and penalties are in addition to, and not in lieu of, any charges.

Fire

The Fire Chief, Senior Fire Inspector or such other fire officials designated by the Chief shall inspect or cause to be inspected all premises of a periodic basis and shall make such orders as may be necessary for the

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enforcement of the laws and ordinances governing the same and for safeguarding of life and property from fire.

1. Dangerous accumulations; explosive or flammable matter; inspections during work or any construction activities.
 - a. Whenever a fire official shall find in any building or upon any premises or other places combustible or explosive matter or dangerous accumulations of rubbish or unnecessary accumulation of wastepaper, boxes, shavings or any highly flammable materials especially liable to fire, and which is so situated as to endanger property, or shall find obstructions to or on fire escapes, stairs, passageways, doors or windows liable to interfere with the operations of the Bureau of Fire or egress occupants in case of fire, he shall order the same to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to the appeal procedure provided for in this chapter. If the fire official discovers such conditions during the prosecution of any work on the building or structure of if it is determined that the work on such building or structure is being prosecuted contrary to the provisions of this Code, the work shall be immediately stopped. The stop work shall be in writing and shall state the conditions under which work will be permitted to resume.
 - b. The Fire Chief, Senior Fire Inspector and his duly appointed assistants and such other fire officials designated by the Chief shall have the authority to institute summary criminal proceedings as a means of enforcement of this chapter and shall, when acting within the scope of their employment hereunder, have the powers of a police officer of the City; provided, however, that under no circumstances shall they have the power of arrest.
2. It shall be unlawful and a violation of this article for any person to set, kindle or maintain any bonfire or rubbish fire or authorize any such fire to be set, kindled or maintained at any item or anywhere within the City.
3. All electrical wiring on the flue connected to heating equipment shall be BX, Greenfield or thin wall conduit. The circuit of the appliance shall be independent of any other circuits and shall originate at the main panel.
4. Connectors serving solid-fuel-burning appliances shall not be connected to chimneys serving any other fuel burning appliances unless the appliance to be installed has been approved by a nationally organized testing agency for connection to a chimney serving another fuel burning appliance of any type.
5. There shall be no more than one full cord of firewood stored within a structure or upon a porch or patio connected thereto unless otherwise approved by the Fire Marshall. No woodpile shall be stacked higher than five feet unless properly contained to prevent collapse.
6. In every property in which smoke detectors are required, it shall be the responsibility of the owner of such property to install smoke detectors in sufficient number and so located so as to satisfy the requirements of the Fire Prevention Code. Following installation, it shall thereafter be the responsibility of the occupants of such property to maintain the smoke detectors in good working order. Each day in which a structure is out of conformity with this section is deemed a separate violation.

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7. All fire alarm systems placed, maintained or serviced on a protected property by such a central station or alarm service provider shall contain an easily visible placard identifying the central station or fire alarm service provider, its address and telephone number.
8. False alarms. Any fire alarm company or sprinkler company which or whose employee, contractor or technician causes a false fire response shall pay a fee of \$100 to the City for each such unwarranted alarm.
9. Storing of Flammable Liquids.
 - a. No person shall store in excess of the following quantities of any Class I and II liquids in any of the following locations:
 - i. Two and one-half gallons in any dwelling or place of human habitation;
 - ii. Five gallons in any other building or occupancy;
 - iii. Ten gallons outside any building; provided, however, that the above limitation shall not apply to the storage of such liquids in the fuel tank of a motor vehicle, aircraft, portable or stationary engine or boat or to the storage of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.
 - b. No person shall store any Class III liquid in excess of 25 gallons in a building or 60 gallons outside of a building except for fuel oil used in connection with flue connected oil burning equipment.

Fireworks

“Fireworks” shall mean and include any combustible or explosive composition or any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes or toy guns in which explosives are used, the type of balloon which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, Daygo bombs, sparklers or other devices of like construction and any devices containing explosive or flammable compound or any tablets or other devices containing any explosive containing not in excess of an average of .25 of a grain of explosive content per cap manufactured in accordance with the DOT regulations for packing and shipping as provided therein, and toy pistols, toy canes, toy guns and other devices for use of such caps, the sale and use of which shall be permitted at all times. Pyrotechnics shall comply with the applicable provisions.

1. The manufacture of fireworks is prohibited within the municipality.
2. It shall be unlawful for any person to store, to offer for sale, expose for sale, sell at retail, possess, possess for sale or use to explode any fireworks except as provided in Sections 31-3C through 31-3F.
3. The Chief shall adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks by fair associations, amusement parks, and other organizations or group of individuals. Such permits may be granted upon application to the Chief after approval of the Chief of Police and all other approvals required under the Noise Ordinance of the City of Lancaster as codified in Section 31-3.1.

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4. The Chief shall seize, take, remove, or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored or held in violation of this article.

Violations and penalties.

A. In addition to any other section or remedial procedure provided, whoever violates any provision of this Fire Prevention Code; or who shall fail to comply therewith; or who shall violate or fail to comply with any order made thereunder; or who shall build in violation of any details, statements, specifications or plans submitted or approved thereunder; or who shall operate not in accordance with the provisions of any certificate, permit or approval issued thereunder, and from which no appeal has been taken; or who shall fail to comply with such an order as affirmed or modified by the Fire Chief or other designated fire officials by a court of competent jurisdiction within the time fixed herein shall, upon conviction thereof in a summary proceeding, be fined not less than \$100 and not more than \$1,000 for the first offense, not less than \$200 and not more than \$1,000 for the second offense and not less than \$300 and not more than \$1,000 for the third and all succeeding offenses and costs of prosecution for each offense, to be collected as other fines and costs are by law collectible, and, in default of payment thereof, shall be imprisoned for not more than 90 days.

B. In the case of continual and uncorrected violation of the same subsection of this Fire Prevention Code, a fine, not exceeding one per month on a single property and not less than \$300 nor more than \$1,000 shall be imposed for the first two continual and uncorrected violations and not less than \$1,000 nor more than \$5,000 for the third and any subsequent continual and uncorrected violation of the same subsection of this Fire Prevention Code on the same property, unless the violation is found to pose a threat to the public's health, safety or property, then, upon conviction thereof, penalties or fine shall be imposed as follows:

1. Not exceeding one citation per five calendar days for a continual and uncorrected violation of the same subsection of this Fire Prevention Code on the same property;
2. Limited to no less than \$600 and no more than \$1,000 for the first two continual and uncorrected violations of the same subsection of this Fire Prevention Code on the same property and no less than \$1,000 and not exceeding \$10,000 for the third and any subsequent continual and uncorrected violation of the same subsection of this Fire Prevention Code on the same property, or imprisonment for any term up to 90 days, or both.

C. The imposition of a penalty for any violation shall not excuse the violation nor shall the violation be permitted to continue. All such persons shall be required to correct or remedy such violations or defects within a reasonable time, and, when not otherwise specified, the application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions. As used herein, the term "person" means an individual, firm, partnership, association, corporation, company or organization of any kind and includes the individual members, partners, officers and managers (or any of them) of partnerships, associations and similar entities and the officers, directors and managers (or any of them) of corporations.

Incident Calls

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1. The following services shall be deemed service calls for which a service call incident charge shall result:
 - a. Assisting an individual who has been locked out of a structure or vehicle.
 - b. Providing water evacuation services.
 - c. Providing smoke order removal.
 - d. Responding to unauthorized burnings, including unauthorized fires which are under control and are not endangering property.
 - e. Such other calls of similar nature not classified above as determined by the incident commander.

2. Individuals or entities responsible for requiring the Fire Department to render a rescue call as hereinafter defined shall be responsible for paying to the Fire Chief a charge of \$350 for each such rescue call. Such charge shall be due and owing from such individual or entity within 30 days after the rescue call. Such charge is due and owing regardless of the cause of the rescue call and is collectible by the City of Lancaster in all manners allowable under law and/or in conformity with the procedures by which municipalities may collect claims under the Municipal Claims Act of the Commonwealth of Pennsylvania.

3. If the Fire Department personnel are required to assist in the prevention, control or cleanup or to provide other services with respect to the following items, the same shall be deemed a hazardous condition subject to a hazardous incident charge:
 - a. Removal of explosive bomb.
 - b. Dealing with excessive heat.
 - c. Dealing with a downed or fallen power line.
 - d. Disconnecting or arcing or shorted electrical equipment.
 - e. Aircraft standby.
 - f. Dealing with chemical emergencies such as chemical spills and radiation leaks.
 - g. Dealing with spills or leaks with no ignition or dangerous substances such as gasoline.
 - h. Other hazardous conditions of a similar nature not included above as determined by the incident commanders.

4. Any individual or entity responsible for making false calls as hereinafter defined to the Fire Department shall pay to the Fire Chief the following false call charges in the event such individual has made or is responsible for more than three such false calls in any one twelve-month period (an excessive false call) will result in fines.

5. A false call to the Fire Department or to another City of Lancaster department or agency requiring a response by the fire Department personnel as follows:
 - a. Any such call made in a malicious or mischievous manner or with malicious intent.
 - b. A call to respond to a system malfunction when no such malfunction exists.
 - c. Unintentional calls such as tripping an interior warning device accidentally, and running a drain test without knowledge of the alarm connection.

Violations and Penalties

1. One hundred dollars for the first excessive false call.

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2. Two hundred dollars for the second excessive false call.
3. Three hundred dollars for the third excessive false call.
4. Four hundred dollars for the fourth excessive false call.
5. Five hundred dollars for each excessive false call thereafter

Dog Laws

1. Dogs at large; duty to control. It shall be the duty of the owner, custodian or keeper of any dog, and the duty of the parent or guardian of any minor owner of any dog, to keep the dog securely tied or penned in a yard or enclosure in such a manner that the dog cannot break loose and run at large over the streets, alleys or public grounds in the city or upon the property of anyone other than the owner, custodian or keeper of such dog.
2. It shall be the duty of the owner, custodian or keeper of any dog while traveling on the streets, alleys or public grounds in the city to have the dog on a leash not greater than six feet in length at all times and to prevent the dog from entering upon the property of any person in the city without the property owner's consent.
3. Seizure and detention of dog. It shall be the duty of the Dog Law Enforcement Officer to seize and detain every dog which is found running at large upon the public streets, highways and parks or other public property of the city or upon private property without the consent of an occupant thereof when unaccompanied by its owner or custodian. When the Dog Law Enforcement is in immediate pursuit of any such dog, he is authorized and empowered to go upon any private property in order to seize and detain such dog.
4. Nuisance Dog. It shall be unlawful for any person or persons, corporation, partnership or other entity whatsoever to harbor, care for, shelter or maintain any breed of dog or dogs in such a manner as to disturb or unduly annoy the public through the dog's noise, barking, smell, mischief or other harmful propensities. All dog pens or other areas in which dogs are kept shall be maintained in a sanitary condition free of offensive, obnoxious or foul odors.
5. Quarantine of Animals. In the event that a dog or other animal bites any person, the owner or custodian of the dog or other animal shall:
 - a. Immediately notify the Dog Law Officer or Health Officer of the incident and complete an animal bite report in such form as the Dog Law Officer shall prescribe.
 - b. Quarantine the animal for a period of 10 days at such location and under such conditions as are imposed or required by the Dog Law Officer.
 - c. If the animal dies or at the expiration of the 10 days following the date of the biting incident, whichever is sooner, have the animal examined by a veterinarian and file with the Dog Law Officer a certification of examination in such form as the Dog Law Enforcement Officer shall prescribe completed and signed by the veterinarian. If the animal dies, the certificate of

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examination shall be filed within 24 hours of death, otherwise not more than 14 days following the bite incident.

- d. All costs of the quarantine and veterinarian examination shall be borne by the owner or custodian of the animal.
6. The Dog Law Officer shall have the right and the duty to seize any animal that bites a human if he determines such seizure is necessary to ensure that the animal shall be quarantined. If any owner or custodian shall refuse any order of the Dog Law Officer to quarantine the animal and to have it examined by a veterinarian. The Dog Law Officer shall take the action necessary to comply with Subsection 5(b) and (c) hereof and the owner or custodian of the animal shall be liable to the city for all costs thereof which may be collected as an additional penalty for violation of this section.
7. Removal of excrement. No owner, custodian or keeper of any dog shall allow or permit any such dog to deposit excrement upon the streets, alleys or public grounds in the city unless the owner, custodian or keeper immediately removes the excrement and disposes of it in a sanitary manner.

Violations and penalties.

Whoever violates any provision of this article shall, upon conviction thereof by summary proceedings, be fined not less than \$50 and not more than \$300, together with the costs of prosecution for the first offense and not less than \$300 nor more than \$600 and costs of prosecution for the second and all succeeding offenses; provided, however, that for any violation of § 96-14, the maximum fine for the second and all succeeding offenses may be imposed for the first or any subsequent offense, together with the cost of quarantine and veterinarian examination. Each day's continuance of the offense following notice thereof as provided in this article shall constitute a new violation. Upon default of payment of the fine imposed and the costs, the defendant may be imprisoned for not more than 30 days.

Keeping of Animals

Any person is permitted to maintain, keep or possess within the City of Lancaster, subject to the numerical limitations of #3 of this section, any of the following animals which classification shall be strictly construed:

1. Cage birds (the term includes parakeets, parrots, canaries, finches, lovebirds, myna birds and other birds ordinarily keep in cages in households; it excludes wild birds captured or rescued and kept in cages, as well as poultry).
2. Cats.
3. Dogs.
4. Ferrets.
5. Frogs.
6. Gerbils.
7. Goldfish and carp.
8. Guinea pigs.
9. Hamsters.
10. Lizards.
11. Mice, white.
12. Rabbits, restricted to European type rabbits commonly kept as pets.
13. Rats, white.

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14. Salamanders (any tailed amphibian).
 15. Snakes, nonpoisonous.
 16. Toads.
 17. Tropical fish, limited to those customarily maintained in a household aquarium, except piranhas.
 18. Turtles.
 19. Vietnamese pot bellied pig.
1. Keeping of animals regulated. It shall be unlawful for any person to keep any domestic animals, except household pets, except as provided in this section:
 - a. The keeper of every animal shall confine the same in an enclosure sufficient to prevent such animals from running at large, and such enclosure shall be of a size and construction conducive to the animal's health.
 - b. Every keeper of any animal shall cause the litter and droppings therefrom to be collected daily in a container or receptacle that when closed shall be ratproof and flytight and, after every such collection, shall cause such container or receptacle to be kept closed. At least once a week every such keeper shall cause all litter and droppings so collected to be disposed of in such a manner as not to permit the presence of fly larvae.
 - c. Every keeper of any animal shall cause all feed provided therefore to be stored and kept in a ratproof and flytight building, box, container or receptacle.
 2. Household Pets. It shall be unlawful for any person to keep any household pet except as provided in this section:
 - a. If any such pet shall be kept in a dwelling owned or occupied by its owner, such owner shall be required to follow such procedures and practices, as to the number of such pets to be kept there and as to sanitation, to ensure that no public nuisance shall be created or maintained and no threat to the health of persons living in the dwelling or elsewhere that in such dwelling shall be created.
 3. Limitations on number of animals. Except for species of fish, it shall be unlawful to keep more than six animals six months of age or older on any premises, regardless of the number of owners, unless said premises is a zoo, petting zoo, menagerie, kennel, aviary, cattery, pet shop or veterinary clinic which has received zoning approval to operate as such, as well as the appropriate licenses and/or certifications required for said operation.
 4. The officer shall have the power to make such rules and regulations as he/she shall deem necessary to carry out the purposes of this article. He/she shall be responsible to determine whether any person is violating any provisions of this article or the rules and regulations adopted hereunder. In making such determination the officer shall consider the following standards:
 - a. All animals and animal quarters shall be kept in a clean and sanitary condition with adequate ventilation.
 - b. The permittee shall use every reasonable precaution to assure that the animals are not teased, abused, mistreated, annoyed, tormented or in any manner made to suffer by any means.

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- c. Animals which are enemies by nature or are temperamentally unsuited shall not be quartered together or so near each other as to cause the animals fear or to be abused, tormented or annoyed.
- d. The permittee shall not permit any condition causing disturbance of the peace and quiet of his/her neighbors.
- e. The permittee shall maintain the premises so as to eliminate offensive odors or excessive noise.
- f. Animals must be maintained in quarters so constructed as to prevent their escape. The permittee assumes full responsibilities for recapturing any animal that escapes from his/her premises. The permittee shall make adequate provisions and safeguards to protect the public from the animals.
- g. Every person shall conform to all present and future laws of the Commonwealth of Pennsylvania and the United States of America, the ordinances of the City of Lancaster and the rules and regulations that may accompany this article in any way connected with animals, specifically including anticruelty laws.
- h. Any and all animals must be kept healthy and free from sickness and disease at all times. Should the officer question the health of any animals, he/she shall have the authority to require an examination to be at the owner's expense.
- i. The permittee shall be responsible and liable for the actions of all persons employed by or otherwise associated with him/her as such actions relate to the permittee's obligation to comply with this article.
- j. Every owner and occupant of a structure or property shall be responsible for the extermination of insects, rodents, vermin or other pests in all areas of the premises.

Violations and penalties.

Any person who shall violate any provision of this article shall, upon conviction thereof, be sentenced to pay a fine of not less than \$50 and not exceeding \$600, plus costs, and in default of payment, to undergo imprisonment for a term not to exceed 30 days. Each prohibited animal and each animal in excess of the maximum limit of animals shall constitute a separate violation, and each day that a violation of this article continues shall constitute a separate offense.

Unsanitary Premises

No person shall erect or maintain any manufactory or place of business dangerous to life or detrimental to health or where unwholesome, offensive or deleterious odors, gas, smoke, deposit or exhalations are generated within the city without permission of the Board of Health, and all such establishments shall be kept clean and wholesome so as not to be offensive or prejudicial to public health. No offensive deleterious waste substance, refuse or injurious matter shall be allowed to accumulate on the premises or be thrown or allowed to run into any public water, stream, watercourse, street, road or public place. Every person or company conducting such manufactory or business shall use the best approved and all reasonable means to

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prevent the escape of smoke, gases and odors and to protect the health and safety of all operatives employed therein.

Violations and penalties.

Whoever violates any provision or refuses or neglects to comply with any provisions of this ordinance, upon conviction, be fined not less than \$50 and not more than \$300 and the costs of prosecution for the first offense and not less than \$200 and not more than \$1,000, together with costs of prosecution, and in default of payment thereof shall be imprisoned not more than 30 days.

Amusement Places

1. The accumulation of rubbish and trash in violation of BOCA Property Maintenance Code, Section 306.0m as amended and adopted by the city, Editors Note: See Ch. 223, Property Maintenance, the growing and propagation of grass, weeds and vegetation contrary to Ch 105, Brush, Grass and Weeds of the Code, and the accumulation, storage or abandonment of unregistered, uninsured or junked vehicles on unenclosed private property or public property, together with other offensive practices or conditions which jeopardize the public health, safety and welfare, shall be deemed public nuisances prohibited by this chapter.
2. When a property has been declared a public nuisance due to refuse accumulation, infestation, accumulations of vehicles on public or unenclosed private property or other such items or conditions detrimental to the public health, safety and welfare of the public at large, the owners or occupants of the property shall be notified of the unacceptable condition of the property.

Violations and penalties.

A. Any person who shall violate, fails, neglects or refuses to comply with any provision of this chapter and the ordinances hereby referenced or who shall fail to comply therewith or who shall violate or fail to comply with any order made thereunder or who shall operate not in accordance with the provisions herein shall, for each and every violation and noncompliance, upon conviction, be fined not less than \$100 and not more than \$600 for the first offense and not less than \$500 and not more than \$1,000 for each and every offense thereafter, together with costs of prosecution for each offense and reasonable attorneys fees incurred in the prosecution of the claim, to be collected with other fines and costs as are collectible by law. The imposition of a penalty for any violation shall not excuse the violation nor shall the violation be permitted to continue. All such persons shall be required to correct or remedy such violations immediately within 24 hours of notice and, when not otherwise corrected, the application of the above penalty shall not be held to prevent the imposition of service fees and the enforced removal of prohibited public nuisance conditions, the cost of which is to be paid by the violator pursuant to §§ 229-6, 229-7 and 229-8 et seq. below. Each day that a violation continues shall constitute a separate offense. As used herein, the term "person" means an individual, firm, partnership, association, corporation, company or organization of any kind, and includes the individual members, partners, officers and managers (or any of them) of partnerships, associations and similar entities, and the officers, directors or managers (or any of them) of corporations.

B. Any person who shall violate or who fails, neglects or refuses to comply with the provisions of this chapter shall be subject to the immediate issuance of a nontraffic summary citation.

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Noise

Prohibited Acts; violations.

Noise disturbance prohibited. No person shall make, continue or cause to be made or to be continued any noise disturbance by any means, nor shall any person suffer, allow or permit any noise disturbance, by any means, to be made or continued from or at any property, whether public or private, real or personal, that is subject to such person's right to control.

Specific prohibitions. The following acts and the causing thereof are declared to be noise disturbances and therefore in violation of this chapter:

1. Radios, television sets, musical instruments and similar devices. Operating, playing or permitting the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, automobile radio, automobile stereo, high-fidelity equipment or similar device which produces, reproduces, or amplifies sound:
 - a. At any time in such a manner as to cause a noise disturbance across a property line (boundary), or between the hours of 9:00 p.m. and 8:00 a.m. so as to be plainly audible across a property line (boundary);
 - b. In such a manner as to create a noise disturbance across a property line (boundary), or at 50 feet from such device, whichever is less, when the device is operated in or on a motor vehicle, or hand carried, on a public right-of-way or public space; or
 - c. In such a manner as to create a noise disturbance to any person other than the operator of the device, when operated by any passenger or a common carrier.
2. Yelling and shouting, etc. Engaging in loud or raucous yelling, shouting, hooting, whistling or singing;
 - a. On the public streets between the hours of 9:00 p.m. and 8:00 a.m.; or
 - b. At any time or place in such a manner as to create a noise disturbance.
3. Construction
 - a. Operating or permitting the operation of any tools or equipment used in construction operations, drilling or demolition work:
 1. Between the hours of 9:00 p.m. and 7:00 a.m. the following day on weekdays and Saturdays or at any time in Sundays or legal holidays, such that the sound therefrom creates a noise disturbance across a residential real property line (boundary), except for emergency work; or
 2. At any other time such that the sound level at or across a real property line (boundary) exceeds 85dB for a period of one hour.

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- b. This section shall not apply to the use of domestic power tools.
4. Domestic power tools. Operating or permitting the operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool, snowblower or similar device used outdoors in residential areas between the hours of 9:00 p.m. and 8:00 a.m. so as to cause a noise disturbance across a residential property line (boundary).
5. Animals and birds. 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 ½ 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.
6. Tampering. The following acts or the causing thereof are prohibited:
 - a. The removal or rendering inoperative by any person other than for the purposes of maintenance, repair or replacement of any muffler or sound dissipative device or element of design or noise label of any product;
 - b. The intentional moving or rendering inaccurate or inoperative of any sound monitoring instrument or device positioned by or for the Bureau of Police, provided that such device or the immediate area is clearly labeled in accordance with noise control regulation to warn of the potential illegality; and
 - c. The use of a product which has had a muffler or sound dissipative device or element of design or noise label removed or rendered inoperative, with knowledge that such action has occurred.

Exemptions. The following sounds are exempted from the provisions of this chapter:

1. Amplified announcements. Electronically amplified announcements at athletic events.
2. Concerts, etc. Band concerts, block parties, church carnivals or other performances or similar activities publicly or privately sponsored and presented in any public or private space outdoors.
3. Warning devices. Sounds made by warning devices operating continuously for three minutes or less, except that in the event of an actual emergency, the time limitation shall not apply.

Violations and penalties.

- A. Whoever violates any provisions of this chapter shall, upon conviction thereof in a summary proceeding, be fined not less than \$150 and not more than \$1,000 for each offense, to be collected as other fines and costs are by law collectible, or imprisoned for not more than 90 days, or both. Each day during which a violation occurs shall constitute a separate offense.
- B. This chapter and the foregoing penalties shall not be construed to limit or deny the right of the City or any person to such equitable or other remedies as may otherwise be available with or without process

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of law.

Disorderly Conduct

A person guilty of disorderly conduct of, with intent to cause public inconvenience, annoyance or alarm or recklessly creating a risk thereof, he:

1. Engages in fighting or threatening, or in violent or tumultuous behavior.
2. Makes unreasonable noise.
3. Uses obscene language or makes a obscene gesture.
4. Creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.

Violations and penalties.

Whoever violates any provision of this article shall, upon conviction thereof in a summary proceeding before a District Justice, be fined \$50 for the first offense and not more than \$300 for any subsequent offense and the costs of prosecution and, in default of payment thereof, shall be imprisoned for not more than 30 days. The fines collected by the District Justice for violations of the provisions of this article shall be paid over to the city.

Disturbing the Peace

1. No person, company or corporation shall use any stationary gasoline engine for power or other purposes without using a muffler attachment that will drown the noise of the explosion.
2. No person shall, within the City limits, sell or use in any church, theater or other place of public assembly, so-called anarchist, Russian or stink bombs, cachoo or other similar noxious and malodorous articles or powders. The Police Bureau shall have power to confiscate and destroy any articles or powders offered for sale or used in violation of this section.

Violations and penalties.

- A. Whoever violates any provision of § 129-4 shall be fined \$25 and the costs of prosecution.
- B. Whoever violates any provision of § 129-5 shall be fined not less than \$10 or more than \$50.

Spitting

Expectorating upon the sidewalks and street crossings of the city, on the floors and passageways of public buildings, on the floors of public conveyances, on the floors of theatres, railroad stations and other indoor places resorted to by the public in the City is declared to be a nuisance and is prohibited.

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Violations and penalties.

Whoever violates this section shall be fined \$1 and costs for each offense and, in default of payment thereof, shall be imprisoned 24 hours.

Firearms

A person is guilty of disorderly conduct (discharging a firearm) if he or she causes the discharge of a firearm anywhere within the City of Lancaster, subject to the exemptions listed below.

The following acts shall not constitute a violation of the abovementioned ordinance:

1. The discharge of a firearm by a law enforcement officer or military personnel acting within the line of duty, including but not limited to active operations, training exercises and ceremonies.
2. The discharge of a firearm for purposes of hunting or other activities regulated by and conducted in accordance with the Game and Wild Life Code of Pennsylvania.
3. The discharge of a firearm within a properly constructed and legally permitted firing range duly established within the City of Lancaster.
4. The discharge of a firearm in defense of human life or the residence or place of business of the person discharging the firearm.
5. The discharge of a firearm at an event, for which the party organizing or promoting such event has obtained a special permit issued by the Chief of Police of the City of Lancaster.

Violations and penalties.

Whoever violates any provision of this Article V shall, upon conviction thereof in a summary proceeding before a District Justice, be fined \$500 for the first offense and not more than \$1,000 for any subsequent offense and the costs of prosecution and shall pay restitution, in an amount determined by the court, for damages to person or property suffered by the victim as a result of the violation of this Article V and, in default of payment thereof, shall be imprisoned for not more than 30 days. The fines collected by the District Justice for violations of the provisions of this article shall be paid over to the City of Lancaster.

Destruction of Property

No person shall willfully or carelessly break, throw down, extinguish, injure or destroy any lamp, lamppost, iron or fixture of the lamps set up to light the streets and alleys of the city, nor willfully or carelessly break, injure or destroy any ladder, sentry box or furniture thereof.

Violations and penalties.

Whoever violates any provision of this article shall, upon conviction thereof, be fined not less than \$50 nor more than \$600 for each and every violation and in default of payment thereof shall be imprisoned

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for not more than 20 days.

Trees

1. No tree shall be planted or removed in or upon any public street, highway or avenue without a written permit from the Bureau of Parks and Public Property. All persons shall first obtain a written permit from the Bureau before doing or having done any work for the care, pruning or trimming of any tree in or upon the public streets, highways or avenues. All work required to be done under any permit issued hereunder shall be completed within the time period has been extended by the Bureau.
2. Notice to trim or remove a tree. Any person owning a shade tree which is deemed by the Bureau of Parks and Public Property to be a danger to public welfare and property by reason of its damaged or diseased condition or its not being maintained in compliance with the care provisions will be notified, in writing, to remove or trim the tree as appropriate, within such time as is therein specified. If the notice to remove or trim the tree is not complied with within the time period specified in the notice, the Bureau ay cause the removal or trimming, as appropriate, to be done at the expense of the property owner, and the entire cost thereof shall be a lien upon such premises and a claim thereof shall be filed and collected by the City Solicitor in the same manner as municipal claims are filed and collected.
3. All shade trees shall be kept trimmed by the owner so that the minimum clearance where they overhang any public walks shall be nine feet and the minimum clearance where they overhang any public street, highway or avenue shall be 13 feet. However, the Bureau of Parks and Public Property reserves the right to designate a higher clearance on certain highways where heavy traffic or other conditions make it necessary. If any property owner neglects or refuses to trim ant shade tree as required by this section, upon notice in writing by the Bureau within the time limit specified in such notice, the Bureau may cause such trimming to be done at the expense of the owner, and the entire cost thereof shall be a lien upon such premises and a claim therefore shall be filed and collected by the City Solicitor in the same manner as municipal claims are filed and collected.
4. No person shall, without first obtaining a permit therefore, cut, break, climb with spurs, injure in any manner or remove any shade tree; or cut down or interfere in any way with the main roots of any shade tree with any chemical or insecticide; or place any rope, guy, wire, cable, sign, poster or any other fixture on ant shade tree or guard for any shade tree, except in case of immediate necessity for the protection of life and property.
5. No person shall, without first obtaining a permit, place any stone, cement or any other substance which shall impede the passage of water and air to the roots of any shade tree unless such person has an open space of ground surrounding the trunk of such tree.
6. No person shall pour salt water, oil, or any other material at any place in such manner that injury might result to any shade tree.

Violations and Penalties

This chapter is immediately enforceable by citation by the Bureau of Police. Violation of this chapter is a summary offense.

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Control of Vegetation

1. No person owning or occupying any property within the city shall permit any grass, weeds or any vegetation whatsoever, not edible or planted for some useful or ornamental purpose, to grow or remain upon such premises so as to exceed a height of six inches, to throw off any unpleasant or noxious odor, to conceal any filthy deposit or to create or produce pollen.
2. The growing of any grass, weeds or other vegetation upon any premises in the city in violation of any of the provisions of #1 is hereby declared to be unlawful and a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitants of the city, and the same is hereby prohibited.
3. Duty to remove, trim or cut vegetation. The owner of any premises, as to vacant premises or premises occupied by the owner, and the occupier thereof, in case premises are occupied by other than the owner of such premises in violation of the provisions of #1.

Violations and Penalties

Whoever violates or fails, neglects or refuses to comply with any provision of this chapter shall, upon conviction, be fined not less than \$50 and not more than \$300 for the first offense and not less than \$300 and not more than \$1,000 for each and every offense thereafter, together with costs of prosecution for each offense, to be collected as other fines and costs are by law collectible, and, in default of payment thereof, shall be imprisoned for not more than 90 days. Each day's violation shall constitute a separate offense, and notice to the offender shall not be necessary in order to constitute an offense.

Bicycles

1. No person who resides within the city shall operate a bicycle upon any street, alley, or public place within the city unless the same has first been properly registered and has affixed thereto a license issued by the city.
2. No person shall ride a bicycle upon any sidewalk, park, schoolyard or any public place so as to obstruct pedestrian traffic or endanger another person's safety. No person shall park or let a bicycle stand upon any sidewalk, park, path or any public place where it is an obstruction to pedestrians.
3. No person shall ride a bicycle on the sidewalk of that part of the business district of the city which is within one block of Penn Square, except for members of the Bureau of Police, including Chief of Police, while on duty, and except for employees of the Lancaster Downtown Investment District Authority serving as a bicycle patrol while on duty, when required for emergency action and/or law enforcement activities.
4. No operator of any bicycle shall carry more persons at one time than the number for which the bicycle is designed and equipped.
5. Every bicycle operated upon a street, alley or public place within the city between ½ hour after sunset and ½ hour before sunrise shall be equipped with a battery-powered or generator operated lamp on the front, exhibiting a light to the front of the bicycle visible for a distance of 500 feet and with a battery-powered lamp or red reflector on the rear which shall be visible for a distance of 500 feet to

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the rear.

6. Every bicycle shall be equipped with brakes in proper working order.
7. No person shall operate a bicycle on any street or public alley in the city in violation of any traffic ordinance of the city or law of the commonwealth.

Violations and Penalties

Any person violating any provision of this chapter shall, upon conviction thereof, be fined not more than \$50. A bicycle operated by any person in violation of this chapter may be impounded by the Bureau of Police, at its discretion, until such bicycle is registered as herein provided.

Glossary

Ambient Noise- The all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources near far.

Animal- Any domestic animal of fowl, any wild animal or any household pet, including birds, fish, reptiles and insects

Authorized Receptacles- a litter storage and collection receptacle which is placed on the public right-of-way or on public property by City officials or by private persons who have received written permission from the City Engineer for the placement thereon and is made of a durable material constructed so as to prevent litter from being carried from it by the wind

A-Weighted Sound Level- the sound pressure level in decibels as measured on a sound level meter using the A-weighted network.

Bicycle- A two-wheeled in tandem vehicle, either wheel of which is 20 inches or more in diameter, operated by human power, but excludes any power-driven vehicle which is required to be licensed under the laws of the Commonwealth of Pennsylvania.

Chains- at least six cross chains per driving wheel

Domestic Animal- any animal normally or ordinarily domesticated or raised in the area or climate as livestock or for work or breeding purposes or normally or ordinarily kept as a household pet.

Emergency- Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage.

Emergency Coordinator- the Chief of Police or his designated agent (hereinafter referred to as "Coordinator")

False Call- Any call to the Fire Department or to another City of Lancaster department or agency requiring a response by fire Department personnel as follows:

1. Any such call made in a malicious or mischievous manner or with a mischievous intent.
2. A call to respond to a system malfunction when no such malfunction exists.
3. Unintentional calls such as tripping an interior warning device accidentally, and running a drain test without the knowledge of the alarm connection.

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Fireworks- shall mean and include any combustible or explosive composition or any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, toy pistols, toy cannons, toy canes or toy guns in which explosives are used, the type of balloon which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, Roman candles, Daygo bombs, sparklers or other devices of like construction and any devices containing explosive or flammable compound or any tablets or other devices containing any explosive containing not in excess of an average of .25 of a grain of explosive content per cap manufactured in accordance with the DOT regulations for packing and shipping as provided therein, and toy pistols, toy canes, toy guns and other devices for use of such caps, the sale and use of which shall be permitted at all times. Pyrotechnics shall comply with the applicable provisions.

Household Pet- Any dog, cat, or other domestic animal normally and ordinarily kept in or permitted to be at large in the dwelling of its owner.

Household or Commercial Refuse- refers to all matter and materials, which are discarded or rejected as offensive or useless by the owners or occupants of dwelling units or commercial and industrial establishments, and includes ashes, garbage, rubbish, and other refuse materials.

Impulsive Sound- Sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of impulsive sound include explosions, drop forge impacts and the discharge of firearms.

Keeper- Any person, firm or corporation owning or actually keeping, having, using, or maintaining any of the animals herein referred to.

Litter- includes but is not limited to all waste material, garbage, trash, or other substances of any nature which, if thrown, scattered or deposited as herein prohibited, tend to injuriously affect public health, safety, and welfare or tend to have a detrimental impact on the environment

Noise- Any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological effect on humans.

Noise Disturbance- Any sound which:

- A. Endangers or injures the safety of health of humans or animals.
- B. Annoys or disturbs a reasonable person of normal sensitivities
- C. Endangers or injures a personal or real property
- D. Is in excess of the sound levels by zoning districts established in 198-5

Officer- Any police officer or duly appointed animal control officer or code enforcement officer or his or her designee.

Owner- (a) Any person having a right of property in any dog or having custody of any dog, or any person who harbors or permits a dog to remain on or around his or her property. (b) Any person having a right of property or having custody of any animal, or any person who harbors or permits an animal to remain on or around his or her property.

Park- includes all public parks having individual names.

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Permit- Any permit in writing as issued by the Bureau of Parks and Public Property of the Department of Public Works.

Person- (a) Every natural person, firm, corporation, partnership, association, or institution. (b) Any individual, association,

Private Property- any land and the improvements thereon owned by any person, and includes front, side, and rear yards; vacant lots, buildings and other structural improvement; walkways and alleyways; and parking areas.

Property Line (Boundary)- An imaginary line drawn through the points of contact of adjoining lands, apartments, condominiums, townhouses and duplexes owned, rented or leased by different persons, a demarcation or a line of separate of properties, and also, for any two or more buildings sharing common grounds, the line drawn midway between two such buildings. All areas devoted to public rights-of-way shall be deemed to be across the property line. For the purpose of this definition, the property line includes all points on a plane formed by projecting the property line in a manner deemed appropriate by the enforcing police officer.

Public Nuisance- Includes, but is not limited to, accumulations of garbage and rubbish, infestations, the growing of grass, weeds or other vegetation beyond the height permitted be the city Ordinance, the storage or abandonment of unregistered, uninsured or junked vehicles or unenclosed private or public property or the existence of other such items or conditions which are detrimental to the public health, safety and welfare.

Public Places- Includes all other grounds owned by the city.

Public Right-of-Way- (a) The total width of any land used, reserved or dedicated as a street, alley, driveway, sidewalk or utility casement, including curb and gutter areas. (b) Any street, avenue, boulevard, highway, sidewalk, alley or similar place which is owned or controlled by a government entity.

Public Space- Any real property or structures thereon which are owned or controlled by a governmental entity.

Public Street, Highway, or Avenue- Any street, sidewalk or alley open to the public within right-of-way lines thereof.

Pure Tone- Any sound which can be heard as a single pitch or a set of single pitches. A pure tone shall exist if the 1/3 octave band sound pressure level in the band with the tone exceeds the arithmetic average of the sound pressure levels of the two contiguous octave bands by five dB for center frequencies of 500 Hz and above and by eight dB for center frequencies between 160 Hz and 400 Hz and by 15 dB for center frequencies less than or equal to 125 Hz.

Real Property- All land, whether publicly or privately owned, whether improved or not improved, with or without structures, exclusive of any areas devoted to public rights-of-way.

Rescue Call- a service rendered by Fire Department personnel requiring the use of Fire Department equipment, care or ingenuity in freeing a person from a vehicle, elevator, confined space, construction trenches and other entrapments, and other similar rescue calls not above-mentioned. A rescue call shall not include any of the above services rendered to an individual or entity making normal use of a residential home.

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Running at Large- Being upon any public highway, street, alley, park, or any other public land, or upon property of another person other than the owner, and not being accompanied by or under the control of the owner or any other person having custody of such dog.

Shade Tree- Any tree, shrub or other woody plant in or upon any public street, highway or avenue in the city, or that part of any tree, shrub or other woody plant which extends within the lines of any public street, highway, or avenue in the city.

Snow- any precipitation depositing any accumulation on the streets and sidewalks, such as snow, sleet, hail, ice, and freezing rain

Snow Emergency- a state of highway conditions that are hazardous and dangerous to vehicular and pedestrian traffic, as declared by the Coordinator

Snow Emergency Routes- All streets in the City so designated and marked

Snow Removal Streets- All streets in the City so designated and marked

Snow Tires- tires on driving wheels having treads designated for use in snow, which tires must be in such condition as to serve the purpose for which they are designated.

Sound- An oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that cause compression and rarefaction of that medium, or the superposition of such propagated oscillation which evokes an auditory sensation. The description of sound may include any characteristics of such sound, including duration, intensity, and frequency.

Sound Level- The weighted sound pressure level obtained by the use of a sound level meter and frequency weighing network, such as A, B, or C, as specified in the American National Standards Institute specifications for sound level meters. If the frequency weighing employed is not indicated, the A-weighing shall apply.

Vehicles- all self-propelled motorized vehicles using city streets and highways

Wild Animal- Any animal, including bird, fowl, reptile, or insect not normally or ordinarily domesticated, not normally or ordinarily raised in this area and climate as livestock or for work or breeding purposes; or not capable of being kept as a household pet.