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Pennsylvania Dog Laws - Dangerous / Vicious Dog Statutes

§ 459-302. Seizure and detention of dogs; costs; destruction of dogs.

It shall be the duty of every police officer, State dog warden, employee of the department or animal control officer to seize and detain any dog which is found running at large, either upon the public streets or highways of the Commonwealth, or upon the property of a person other than the owner of the dog, and unaccompanied by the owner or keeper. Every police officer, State dog warden, employee of the department or animal control officer may humanely kill any dog which is found running at large and is deemed after due consideration by the police officer, State dog warden, employee of the department or animal control officer to constitute a threat to the public health and welfare.

(b) Licensed dogs. The State dog warden or employee of the department, the animal control officer, or the chief of police or his agents of any city, borough, town or township, the constable of any borough and the constable of any incorporated town or township shall cause any dog bearing a proper license tag or permanent identification and so seized and detained to be properly kept and fed at any licensed kennel approved by the secretary for those purposes and shall cause immediate notice, by personal service or registered or certified mail with return receipt requested, to the last known address, which shall be set forth in the license application record, of the person in whose name the license was procured, or his agent, to claim the dog within five days after receipt thereof. The owner or claimant of a dog so detained shall pay a penalty of \$50 to the political subdivision whose police officers make the seizures and detention and all reasonable expenses incurred by reason of its detention to the detaining parties before the dog is returned. If five days after obtaining the postal return receipt, the dog has not been claimed, such chief of police, or his agent, or a constable, or State dog warden or employee of the department shall dispense the dog by sale or by giving it to a humane society or association for the prevention of cruelty to animals. No dog so caught and detained shall be sold for the purpose of vivisection, or research, or be conveyed in any manner for these purposes. All moneys derived from the sale of the dog, after deducting the expenses of its detention, shall be paid through the Department of Agriculture to the State Treasurer for credit to the Dog Law Restricted Account.

(c) Unlicensed dogs. Except as otherwise provided by section 305, [FN1] any police officer, State dog warden, employee of the department or animal control officer shall cause any unlicensed dog to be seized, detained, kept and fed for a period of 48 hours at any licensed kennel approved by the secretary for those purposes, except any dog seriously ill or injured or forfeited with the owner's permission. The 48-hour period shall not include days the approved kennel is not open to the general public. Any person may view the detained dogs during normal business hours. Any unlicensed dog remaining unclaimed after 48 hours may be humanely killed or given to a humane society or association for the

prevention of cruelty to animals. No dog so caught and detained shall be sold for the purpose of vivisection, or research, or be conveyed in any manner for these purposes.

CREDIT(S)

1982, Dec. 7, P.L. 784, No. 225, art. III, § 302, effective Jan. 1, 1983. Amended 1996, Dec. 11, P.L. 943, No. 151, § 9, effective in 60 days; 2008, Oct. 9, P.L. 1450, No. 119, § 12, effective in 60 days [Dec. 8, 2008].

[FN1] 3 P.S. § 459-305.

3 P.S. § 459-302, PA ST 3 P.S. § 459-302

Current through Act 2009-52

Source: [Westlaw](#) /Thomson Reuters. PURDON'S PENNSYLVANIA STATUTES AND CONSOLIDATED STATUTES TITLE 3 P.S. AGRICULTURE CHAPTER 8. DOGS AND CATS DOG LAW ARTICLE III. QUARANTINES, DOGS AT LARGE, CONFINEMENT § 459-302.

Seizure and detention of dogs; costs; destruction of dogs.