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Pennsylvania Dangerous Dog Laws / Vicious Dog Statutes

§ 459-505-A. Public safety and penalties

(a) Failure to register and restrain. The owner or keeper of a dangerous dog who violates any of the following provisions on the first occurrence commits a misdemeanor of the third degree if:

- (1) The dangerous dog is not validly registered under this act.
- (2) The owner or keeper of the dangerous dog fails to comply with the provisions of section 503-A or 504-A. [3 P.S. §§ 459-503-A, 459-504-A.]
- (3) The dangerous dog is not maintained in the proper enclosure
- (4) The dangerous dog is outside of the dwelling of the owner or keeper or outside of the proper enclosure and not under physical restraint of the responsible person.
- (5) The dog is outside the dwelling of the owner without a muzzle, regardless of whether the dog is physically restrained by a leash.
- (6) The dog is outside the dwelling of the owner or a proper enclosure without a muzzle and unsupervised, regardless of whether the dog is physically restrained by a leash.

(a.1) Subsequent violations. The owner or keeper of a dangerous dog who commits a subsequent violation under subsection (a) commits a misdemeanor of the second degree and, upon conviction, shall pay a fine not to exceed \$5,000, plus the costs of quarantine, kennel charges and destruction of the dangerous dog. The dangerous dog shall be forfeited immediately by the owner or keeper to a dog warden or police officer and shall be placed in a kennel or, if necessary, quarantined for a length of time to be determined by the department. After a period of ten days, if no appeal has been filed and the necessary quarantine period has elapsed, the dangerous dog shall be destroyed humanely in an expeditious manner. If an appeal is filed, the dangerous dog shall remain confined at the owner's or keeper's expense until the proceedings are completed.

(a.2) Utilization of fines. All fines collected under this section shall be deposited into the Dog Law Restricted Account and may be utilized to pay the expenses of the department in administering its duties under this act.

(a.3) Collection. In cases of inability to collect the fine assessed or failure of any person to pay all or a portion of the fine, the secretary may refer the matter to the Office of Attorney General, which shall institute an action in the appropriate court to recover the fine.

(b) Attacks by dangerous dog. If a dangerous dog, through the intentional, reckless or negligent conduct of the dog's owner or keeper, attacks a person or a domestic animal, dog or cat, the dog's owner or keeper shall be guilty of a misdemeanor of the second degree. In addition, the dangerous dog shall be immediately seized by a dog warden or police officer and placed in quarantine for a length of time to be determined by the department. After a period of ten days, if no appeal has been filed by the owner or keeper of the dangerous dog, and after the quarantine period has expired, the dangerous dog shall be humanely destroyed in an expeditious manner, with costs of kenneling, quarantine and destruction to be borne by the dog's owner or keeper. If an appeal is filed, the dangerous dog shall remain confined at the owner's or keeper's expense until the proceedings are completed and, if found guilty of the cited offense, the dangerous dog shall thereafter be humanely destroyed in an expeditious manner, with costs of kenneling, quarantine and destruction to be borne by the dog's owner or keeper.

(c) Attacks causing severe injury or death. The owner or keeper of any dog that, through the intentional, reckless or negligent conduct of the dog's owner or keeper, aggressively attacks and causes severe injury or death of any human shall be guilty of a misdemeanor of the first degree. In addition, the dog shall be immediately confiscated by a State dog warden or a police officer and placed in quarantine for a length of time to be determined by the department. After a period of ten days, if no appeal has been filed by the owner or keeper of the dangerous dog, and after the quarantine period has expired, the dangerous dog shall be humanely destroyed in an expeditious manner, with costs of kenneling, quarantine and destruction to be borne by the dog's owner or keeper. If an appeal is filed, the dangerous dog shall remain confined at the owner's or keeper's expense until the proceedings are completed and, if found guilty of the cited offense, the dangerous dog shall be humanely destroyed in an expeditious manner, with costs of kenneling, quarantine and destruction to be borne by the dog's owner or keeper.

(d) Dog owned by a minor. If the owner of the dangerous dog is a minor, the parent or guardian of the minor shall be liable for injuries and property damages caused by an unprovoked attack by the dangerous dog under section 4 of the former act of July 27, 1967 (P.L. 186, No. 58), [11 P.S. § 2004 (repealed); see now, 23 Pa.C.S.A. § 5505.] entitled "An act imposing liability upon parents for personal injury, or theft, destruction, or loss of property caused by the willful, tortious acts of children under eighteen years of age, setting forth limitations, and providing procedure for recovery."

(e) Mandatory reporting.

(1) All known incidents of dog attacks shall be reported to the State dog warden, who shall investigate each incident and notify the department if a dog has been determined to be dangerous.

(2) A State dog warden or police officer who has knowledge of a dog which has attacked a person shall file a written report summarizing the circumstances of the attack with the police in the municipality where the owner of the dog resides or if the attack occurred outside the owner's municipality of residence, with the police having jurisdiction in the municipality where the attack occurred. The report shall be available for public inspection.

CREDIT(S)

1982, Dec. 7, P.L. 784, No. 225, art. V-A, § 505-A, added 1990, May 31, P.L. 213, No. 46, § 2, effective in 60 days. Amended 1996, Dec. 11, P.L. 943, No. 151, § 13, effective in 60 days; 2008, Oct. 9, P.L. 1450, No. 119, § 16, effective in 60 days [Dec. 8, 2008].

3 P.S. § 459-505-A, PA ST 3 P.S. § 459-505-A

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 V-A. DANGEROUS DOGS § 459-505-A. Public safety and penalties.