



# City of Philadelphia

City Council  
Chief Clerk's Office  
402 City Hall  
Philadelphia, PA 19107

**BILL NO. 010665**

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**Introduced November 15, 2001**

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**Councilmember Miller**

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**Referred to the  
Committee on Licenses and Inspections**

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## **AN ORDINANCE**

Amending Chapter 10-100 of The Philadelphia Code, relating to animals by adding a new Section creating licensing requirements applicable to certain breeds of dogs, under certain terms and conditions.

WHEREAS, The Vicious Dog Task Force was formed as a result of a public hearing on Resolution 970803, during which City Council further investigated the problem of regulating and controlling vicious and dangerous dogs in Philadelphia;

WHEREAS, The number of exceptionally dangerous and unpredictable dogs in Philadelphia remains unacceptably high;

WHEREAS, Although dogs of any breed, if not properly socialized, can pose a threat to human health and safety, as well as the safety of other animals, certain breeds of dog present exceptional threats of danger based on the capacity and proclivity of such dogs to inflict harm;

WHEREAS, For example, most large dogs have jaws capable of exerting pressures in the range of 200 to 450 pounds per square inch and full-grown Pit Bulls, which are often aggressive dogs, have jaws capable of exerting pressures of nearly 1,500 pounds per square inch;

WHEREAS, City Council has determined that certain license requirements applicable to the ownership of particularly dangerous breeds of dogs should apply in Philadelphia;  
NOW THEREFORE,

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

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SECTION 1. Chapter 10-100 of The Philadelphia Code is hereby amended to read as follows:

## CHAPTER 10-100 ANIMALS.

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### § 10-101. Definitions.

\* \* \*

(7.1) *Dogs Of A Dangerous Breed.* Shall mean a dog that is of, or exhibits the significant characteristics of, the breed of Pit Bull, American Pit Bull Terrier, American Staffordshire Terrier, Staffordshire Bull Terrier, Rottweiler or any other breed of dog determined by the Department of Health, by regulation, to exhibit distinguishing characteristics that include particularly powerful jaws, aggressiveness and the ability to withstand infliction of pain to a degree that makes such breed particularly dangerous.

\* \* \*

### §10-104.1. Licensing Requirements Applicable To Dangerous Breeds Of Dogs.

(1) No person shall own any dog of a dangerous breed unless that person has first obtained a high-risk dog license, and a tag evidencing such license, from the Department of Licenses and Inspections or its designee.

(2) The tag reflecting that a high-risk dog license has been issued shall be affixed at all times to a collar on the dog for which the license was issued.

(3) The following individuals are prohibited from obtaining such a license:

(a) anyone convicted of a felony or any crime of violence or a drug-related crime;

(b) anyone who has been convicted of any crime relating to dog fighting or other law regulating dogs;

(c) anyone who has been determined at any time to be the owner of a dangerous dog pursuant to the Pennsylvania Dog Law;

(d) anyone under the age of eighteen.

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(4) *To obtain a high-risk dog license, an applicant must:*

- (a) apply using a form to be supplied by the licensing Department;*
- (b) provide the licensing Department with proof that the applicant has obtained the insurance required by paragraph (7) of this Section;*
- (c) provide proof that a microchip has been implanted in the dog allowing for electronic identification of the dog;*
- (d) provide proof that the housing requirements of this Section will be maintained;*
- (e) pay an application fee in an amount to be determined by the licensing Department; and*
- (f) comply with any additional requirements imposed by the licensing Department by regulation.*

(5) *License Renewal. A high-risk dog license must be renewed on an annual basis and to obtain a license renewal the licensee must meet the requirements of paragraph (4).*

(6) *Change in Information. Every high-risk dog licensee must notify the licensing Department in writing within ten days of any change in any of the information required to be submitted to the Department under paragraph (4).*

(7) *Insurance Requirements.*

*(a) All high-risk dog licensees shall maintain, at a minimum, a policy of liability insurance, such as homeowner's insurance, issued by an insurer authorized to do business within the Commonwealth of Pennsylvania in an amount of at least \$50,000 insuring the owner for any personal injuries inflicted by the dog. The policy shall contain a provision requiring the Commissioner of Licenses and Inspections to be named as an additional insured for the sole purpose of being notified by the insurance company of cancellation, termination or expiration of the liability insurance policy.*

*(b) Failure to maintain proper insurance or to provide proof of continued coverage by submitting renewal certificates to the licensing Department will result in the revocation or non-renewal of the license.*

(8) *Housing Requirements.*

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(a) *When not secured by a leash in the control of the dog's owner or owner's agent, a dog of a dangerous breed shall be maintained in a proper enclosure.*

(b) *A proper enclosure shall mean confinement either indoors or in a securely enclosed or locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top. If the pen or structure has no bottom secured to the sides, the sides must be embedded at least two feet into the ground.*

(c) *The owner or owner's agent shall post the area of confinement with a clearly visible sign that indicates that there is a dog of a dangerous breed on the property.*

## *(9) Location Limitations.*

*No person shall lead a dog of a dangerous breed into, or permit such dog to enter, any schoolyard or playground or any other area in which children play or congregate.*

## *(10) Penalties and Enforcement.*

(a) *The penalty for violation of this Section shall be three hundred dollars (\$300). The amount required to be remitted in response to a notice of violation issued pursuant to Section 1-112 of the Code to enforce this Section is one hundred dollars (\$100).*

(b) *A dog of a dangerous breed may be confiscated by the Health Department or its agent, a police officer or a State dog warden upon the occurrence of the following:*

*(1) an owner or person in control of such dog fails to provide proof of a current high-risk dog license; or*

*(2) the dog is not maintained in the proper enclosure when not on a leash.*

(c) *The owner of the dog may appeal confiscation of the dog by requesting a hearing before an Officer of the Department of Health within 30 days of notification, in which case a hearing shall be provided promptly. Notification may be provided by mailing to the last known address of the owner, if known, or if not known, by posting at the Animal Control Office at the Philadelphia Department of Health. No such dog may be returned to the owner without the owner providing proof of compliance with the requirements of this Chapter.*

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SECTION 2. The provisions of this Ordinance shall only take effect upon amendment of Section 507-A of the Act of December 7, 1982 (P.L. 784, No. 225), known as the Dog Law, to permit the adoption of “breed specific” ordinances.

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