

OOTS Humane Program Objectives

- Educate owners on humane care for animals.
- Assist those who may not have the resources to properly care for their animals.
- Enforce PA's cruelty to animals statues and laws through citing and prosecuting offenders.

Cruelty to Animals Penalties

It's illegal in Pennsylvania to mistreat, neglect, or abandon animals, or to tether dogs outside under certain conditions. Penalties may include fines and incarceration.

Summary offense is punishable by up to 90 days in jail and/or a \$750 fine.

Misdemeanor of third degree is punishable by up to 1 year in jail and/or a \$5,000 fine.

Misdemeanor of second degree is punishable by up to 2 years in jail and/or a fine.

Misdemeanor of first degree is punishable by 5 years in jail and/or fine.

Felony of third degree is punishable by up to 7 years in jail and/or a \$15,000 fine.

Felony of second degree is punishable by up to 10 years in jail and/or a fine.

Felony of first degree is punishable by up to 20 years in jail and/or a fine.

When & How To Report

Our humane police officer (HPO) investigates cases relating to animals who are victims of **cruelty, neglect, dog fighting, abandonment** and other **mistreatment** in **Armstrong County**.

If you see an animal at risk it is important that you act.

The animals can not speak for themselves and depend on you!

Know the law. Before reporting abuse or neglect, understand the laws described in this pamphlet. We can only address illegal situations. Remember, even if you would not care for an animal the way someone else does, if they are not breaking the law, not much can be done.

How to Report

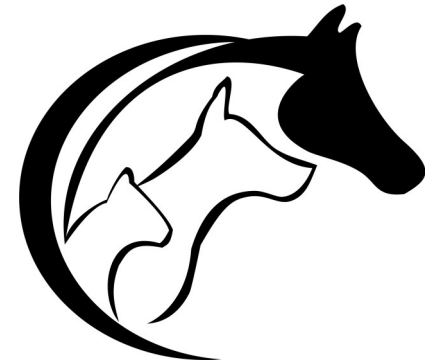
Learn the laws and how to file a concern, by visiting our Humane Program page at www.orphansofthestorm-pa.org/humane-program.

Only call if you have firsthand knowledge. Anonymous, hearsay and secondhand information cannot be investigated.

Orphans of the Storm

**P.O. Box 838, Route 85 East
Kittanning, PA 16201
Phone: (724) 548-4520
orphansofthestorm@hotmail.com**

Pennsylvania's Cruelty to Animals Statutes & Laws



www.orphansofthestorm-pa.org

*Thank you to Armstrong County
District Attorney Katie Charlton for her support
in launching this program.*

§ 5532. Neglect of animal.

(a) Offense defined. A person commits an offense if the person fails to provide any of the following for each animal to which the person has a duty of care, whether belonging to himself or otherwise:

- (1) Necessary sustenance and potable water.
- (2) Access to clean and sanitary shelter and protection from the weather. The shelter must be sufficient to permit the animal to retain body heat and keep the animal dry.
- (3) Necessary veterinary care.

(b) Grading.

- (1) Except as set forth in paragraph 2, a violation of this section is a summary offense.
- (2) If the violation causes bodily injury to the animal or places the animal at imminent risk of serious bodily injury, a violation of this section is a misdemeanor of the third degree.

Other Humane Laws

For more information please visit
www.orphansofthestorm-pa.org/humaneprogram

§ 8340.2 Rescue of dog, cat from motor vehicle.

§ 5535. Attack of guide dog.

§ 5537. Selling or using disabled horse.

§ 5538. Transporting animals in cruel manner.

§ 5539. Transporting equines in cruel manner.

§ 5540. Hours of labor of animals.

§ 5542. Animal mutilation & related offenses.

§ 5543. Animal fighting.

§ 5533. Cruelty to animal.

(a) Offense defined.

A person commits an offense if the person intentionally, knowingly or recklessly illtreats, overloads, beats, abandons or abuses an animal.

(b) Grading.

- (1) Except as set forth in paragraph 2, a violation of this section is a summary offense.
- (2) If the violation causes bodily injury to the animal or places the animal at imminent risk of serious bodily injury, a violation of this section is a misdemeanor of the second degree.

§ 5534. Aggravated cruelty to animal.

(a) Offense defined. A person commits an offense if the person intentionally or knowingly does any of the following:

- (1) Tortures an animal.
 - (2) Violates section 5532 (relating to neglect of animal) or 5533 (relating to cruelty to animal) causing serious bodily injury to the animal or the death of the animal.
- (b) Grading. A violation of this section is a felony of the third degree.

§ 5536. Tethering unattended dog

(1) Tethering an unattended dog out of doors for less than nine hours within a 24-hour period when all of the following conditions are present shall create a rebuttable presumption that a dog has not been the subject of neglect within the meaning of section 5532:

(i) The tether is of a type commonly used for the size and breed of dog and is at least three times the length of the dog as measured from the tip of its nose to base of its tail or 10 feet, whichever is longer.

(ii) The tether is secured to a well-fitted collar or harness by means of a swivel anchor, swivel latch or other mechanism designed to prevent the dog from becoming entangled.

(iii) The tethered dog has access to potable water and an area of shade that permits the dog to escape the direct rays of the sun.

(iv) The dog has not been tethered for longer than 30 minutes in temperatures above 90 or below 32 degrees Fahrenheit.

(2) The presence of any of the following conditions regarding tethering an unattended dog out of doors shall create a rebuttable presumption that a dog has been the subject of neglect within the meaning of section 5532

- (i) Excessive waste or excrement in the area where the dog is tethered.
- (ii) Open sores or wounds on dog's body.
- (iii) The use of a tow or log chain, or a choke, pinch, prong or chain collar.