

# HARRISBURG HOUSING AUTHORITY

## Pet Ownership Policy

for

## Family Units

In accordance with Section 526 of the Quality Housing and Work Responsibility Act of 1998, 42 U.S.C. § 1437 3-3 (which amends the United States Housing Act of 1937), and 24 CFR, Part 5, Subpart C, the Harrisburg Housing Authority promulgates this Pet Ownership Policy.

Section 31 of the Quality Housing and Work Responsibility Act of 1998 requires Public Housing Authorities (PHAs) to develop reasonable requirements permitting residents residing in public housing dwellings to own **common household pets**. The Pet Ownership Policy for family units, adopted by the Harrisburg Housing Authority prescribes standards of pet care and handling, which are necessary to protect the condition of the resident's unit, the general condition of the premises, and to protect the health and safety of residents, employees, and the public.

The regulations in Section 31 of the Quality Housing and Work Responsibility Act of 1998 **DO NOT** apply to service animals that assist persons with disabilities. These animals provide assistance, service, or support to persons with disabilities, and are considered a reasonable accommodation to such individuals; therefore they are not classified as "common household pets". This exclusion applies to both service animals that reside in public housing and service animals that visit PHA developments. Nothing in this rule shall:

- Limit or impair the rights of persons with disabilities;
- Authorize PHAs to limit or impair the rights of persons with disabilities; or
- Affect any authority PHAs may have to regulate service animals that assist persons with handicaps or disabilities.

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# **Pet Ownership Policy**

## **for Family Units**

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# I. GUIDELINES FOR PET OWNERSHIP

- A. A common household pet is defined as a domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes.
- B. Each household is limited to one (1) pet per dwelling except as provided below. Allowable pets are limited to the following:

- |              |   |
|--------------|---|
| 1. Dog       | 5. Hamster  |
| 2. Cat       | 6. Guinea pig   |
| 3. Birds (2) | 7. Fish <i>(reasonable number commensurate</i>                          |
| 4. Gerbil    | 8. Turtle <span style="float: right;"><i>with aquarium size)</i></span> |

- C. The following are not defined as common household pets and are prohibited:

- |  |                        |
|--|------------------------|
| 1. Reptiles (except turtles)   | 9. Doves               |
| 2. Wild animals  | 10. Mynah birds        |
| 3. Ferrets   | 11. Psittacoses birds  |
| 4. Livestock <i>(rabbits, chickens)</i>  | 12. Non-human primates |
| 5. Mice  | 13. Pot-bellied pigs   |
| 6. Rats  | 14. Hedgehogs          |
| 7. Pigeons   |                        |
| 8. Other animals whose protective instincts and natural body armor produce a risk to human beings or other animals |                        |

- D. Dogs and cats are permitted in the following designated locations and apartments at each of the following housing communities:

William Howard Day	All Buildings
Hoverter Homes	All Buildings
Hall Manor	All Buildings
Hillside Village	All Buildings
MW Smith Homes	All Buildings
Scattered Sites	All

- E. A resident is required to obtain the written pre-approval of the Housing Authority, **prior** to obtaining a pet. Permission shall not be unreasonably refused. Such approval will be granted or denied in accordance with this Policy, and will not be unreasonably denied. Said approval does not guarantee the pet will be approved for registration and residency.
- F. Pet owners **MUST** notify the Housing Authority **IMMEDIATELY** upon receipt of a pet and of their intention to seek the appropriate disclosures (as provided in Section II D of this Policy) needed for registration. The resident/pet owner is required to pay a \$50 non-refundable pet fee at this time when it is a dog or cat. There is no fee for gerbils, hamsters, guinea pigs, fish or birds. The Housing Authority will then issue an appropriate number of pet identification tags. The tags must be affixed as described in § II D of this Policy. Pet owners will have five **(5) days** to obtain the required disclosures, licenses, etc. and properly register the pet with the Harrisburg Housing Authority.
- G. No resident shall keep, raise, train, breed or maintain any pet of any kind at any location, either inside or outside a dwelling unit, for commercial purposes or for fighting.
- H. All residents are prohibited from feeding, housing, or caring for stray animals. Such action shall constitute having a pet without permission of the Authority.

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## I. Guidelines for Pet Ownership

- I. Pets not owned by a current Harrisburg Housing Authority resident or properly registered and authorized by HHA are NOT permitted on the premises on a temporary or visiting basis. Trained service animals that are used to assist persons with handicaps or disabilities are considered a reasonable accommodation and are, therefore, excluded from this provision.
- J. No pet owner shall keep a pet in violation of State or local health and/or anti-cruelty laws or ordinances. Any failure of the Pet Ownership Policy to define the applicable laws or ordinances does not relieve the pet owner of the responsibility for complying with this requirement.
- K. Should any pet housed in the Housing Authority's dwellings give birth to a litter, it will be considered a violation of the Pet Policy.
- L. In order to safeguard the health and welfare of residents, employees and the public, no pet owner shall keep a vicious, dangerous, or intimidating pet on the premises. If the pet owner declines, delays or refuses to remove such a pet from the premises, the Housing Authority will effect its removal. The owner will be responsible for any costs associated with the pet's removal and/or subsequent impoundment. The definition of a vicious, dangerous, or intimidating animal is:
- Any animal that constitutes a physical threat to human beings, other animals or livestock;
  - Any animal which has a disposition or propensity to cause injury or behave in a manner which could reasonably cause injury to human beings, other animals or livestock, regardless of whether or not such behavior is hostile;
  - Any animal which has, without provocation, bitten, attacked or inflicted injury on any human being, other animal or livestock;
  - Any animal that has been used in the commission of a crime.
- In the event a question arises as to whether an animal is considered vicious, dangerous, or intimidating, a certified animal behaviorist must examine the animal for clarification and the resident shall incur any expenses associated with this.
- M. Any dog that is offspring of the following breeds, regardless of the percentage of pedigree, is strictly prohibited:
- |                    |                     |
|--------------------|---------------------|
| • Pit-Bull Terrier | • Doberman Pinscher |
| • Rottweiler       | • Pressa Canary     |
| • Chow             | • German Shepherd   |
| • Shar Pei         | • Boxer             |
| • Akita            |                     |
- N. Any cat that is offspring of the following breed, regardless of the percentage of pedigree, is strictly prohibited:
- Ocelot
- O. By adulthood, a dog's weight may not exceed 18 pounds and his height may not exceed 15 inches (*measured at the shoulder*).
- P. By adulthood, a cat's weight may not exceed 12 pounds and his height may not exceed 12 inches (*measured at the shoulder*).
- Q. A fish aquarium may not exceed a 20-gallon capacity.

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## I. Guidelines for Pet Ownership

- R. Trained **service animals** that are used to assist persons with handicaps or disabilities are excluded from the breed, size, weight, and type requirements. Trained service animals, however, remain subject to state or legal requirements included, but not limited to, proper licensing, inoculations, and lease restrictions.
- S. Dogs and cats shall be licensed annually with the City of Harrisburg, or as required by State and local laws or ordinances. Pet licenses are in effect January 01 and will expire December 31 of the calendar year following purchase. Dogs and cats must wear a collar with the license tag affixed at all times.
- T. Dogs and cats must be spayed or neutered and the pet owner shall pay the cost thereof. In the case of newborn animals, the pet must be spayed or neutered within 10 days of attaining the age of six (6) months. Dogs and cats must be inoculated annually, or as required by applicable State and local health and/or anti-cruelty laws or ordinances. The inoculations shall include (but are not limited to) rabies and distemper boosters.
- U. Pet owners are required to comply with all requirements of applicable State and local building or housing codes, materially affecting the health and/or safety of others.
- V. The Harrisburg Housing Authority reserves the right to require the removal of any pet from the premises, when the animal's conduct or condition constitutes a nuisance or a threat to the health or safety of other persons, or animals.
- W. When a resident ceases to own or keep a pet(s), the resident shall notify the Harrisburg Housing Authority and return the pet identification tag(s) within 10 days. Upon notification and return receipt of the tag(s), a Housing Authority representative shall schedule and perform an inspection of the apartment and subsequent surrounding areas for damages directly related to the presence of the pet. Any damages will be charged to the resident, in the same manner as other maintenance charges are assessed. Failure to return the pet identification tag(s) will result in a \$5 charge, per tag.
- X. When a resident vacates Housing Authority property, the pet identification tag(s) shall be returned with their apartment keys. A Housing Authority representative will then perform an inspection of the apartment and subsequent surrounding areas for damages directly related to the presence of the pet. Any damages will be charged to the resident, in the same manner as other maintenance charges are assessed. Failure to return the pet identification tag(s) will result in a \$5 charge, per tag.

## II. PET REGISTRATION

- A. A resident is required to obtain the **written** pre-approval of the on-site housing manager, prior to obtaining a pet. Permission shall not be unreasonably refused, however, factors to be taken into consideration are:
1. Type, breed and size of the pet;
  2. The residents ability to adequately care for the pet;
  3. If the pet owner resides in an apartment designated for the type of pet requested.
    - a. If the resident does not reside in an allowable apartment, their name will be placed on a transfer list by apartment size and request date, in accordance with HHA's HUD approved Admissions and Occupancy Policy.
- B. Pet owners **MUST** notify the Housing Authority **IMMEDIATELY** upon receipt of the pre-approved pet, and of their intention to seek the appropriate disclosures needed for registration. This will constitute the pet to be pre-registered. Each pet owner requesting authorization of a dog or cat shall pay a non-refundable pet fee of \$50. The pet fee is to cover general costs HHA shall incur which are directly attributable to the presence of the pet on the premises. In the event of damages or costs that would exceed the fee, the pet owner shall be responsible for the additional costs thereof. Examples of such costs or damages can include (but are not limited to) repairs and/or replacements to the premises, fumigation of the premises, extermination of the premises.
- C. The Housing Authority will issue an appropriate number of pet identification tags. The tags must be affixed as described in § II E below. Pet owners will have five **(5) days** to obtain the required disclosures, licenses, etc. and properly register the pet with the Harrisburg Housing Authority.
- D. Registration for each animal shall be accomplished by filing the following disclosures and forms at the on-site management office:
1. Name of the adult household member who will be primarily responsible for animal care.
  2. Detailed description of the pet.
  3. Color photograph of the pet.
  4. A health certificate prepared by a veterinarian, including:
    - a) Attestations of no communicable disease(s);
    - b) Spaying or neutering;
    - c) Medical condition precluding spaying or neutering;
    - d) Current rabies and distemper vaccinations for species subject to State or local rabies vaccination requirements;
    - e) Name, address and telephone number of veterinarian who will be providing regular care to the pet; and
    - f) A copy of the license issued by the City of Harrisburg for ownership of the animal for whom licensing is a legal requirement.

- E.** The identification tag(s) must be conspicuously displayed, at all times in the following manner:
- **GARDEN TYPE APARTMENTS** - on the inside window pane closest to the exterior door – in the extreme upper left hand side of the window, at the front and rear of the apartment. Units located on the 2<sup>nd</sup> floor shall place a magnetic identification tag directly above the door lock on the main exterior apartment door (not the screen door).
  - **HIGH-RISE APARTMENTS** - directly above the door lock on the apartment door leading to the common hallway.
- F.** The pet owner must provide additional information necessary to ensure compliance with any policies prescribed herein. The pet owner shall be required to sign a lease addendum indicating that they have read and received a copy of the Pet Policy and that he/she agrees to comply with all provisions contained in it.
- G.** Each pet owner shall identify two (2) alternate custodians or responsible parties for his and/or her pet. These individuals may NOT reside in the same household as the pet. The custodians must be willing and able to assume responsibility for the care and keeping of the pet, including (*if necessary*) the removal of the pet from HHA property. If the pet owner becomes ill or is absent from the dwelling unit and unable to care for his or her pet, the alternate custodians shall assume responsibility. Custodian information shall include the individual's name, address, and phone number. This information shall be updated as often as necessary to ensure HHA has current information at all times.
- H.** The pet owner shall re-certify the pet's registration, at least annually, or as often as necessary to ensure the Housing Authority's files reflect the most current information relevant to the pet. Re-certification of pet registration shall require the same disclosures as the initial pet registration described above.
- I.** The Harrisburg Housing Authority shall revoke a pet's registration or refuse to register a pet, if the pet owner fails to provide required pet registration information timely or fails to update the required information, at least annually, or when requested by an agent of the Harrisburg Housing Authority or its designee.

### III. PET CARE

- A. The pet owner shall house the pet inside of the owner's dwelling unit.
- B. The pet owner shall feed the pet(s), in accordance with reasonable standards and proper care of the specific type of pet(s).
- C. A dog owner must ensure the dog is exercised at least twice per day.
- D. A pet owner shall implement effective flea control by measures that produce no toxic hazard to the pet or others that may come into contact with the treated animal.
- E. A pet owner shall ensure suitable sanitation of the animal's living and sleeping quarters, at all times.
- F. Dogs, cats, birds, gerbils, hamsters and guinea pigs shall have access to an adequate supply of fresh water at all times.
- G. A representative of the Harrisburg Housing Authority and/or Harrisburg City Chief of Police or his designee may, at any time, inspect any animal and the premises where the animal is kept.
- H. A representative of the Harrisburg Housing Authority and/or Harrisburg City Chief of Police or his designee may enter a dwelling unit, when there is evidence that an animal, left alone, is in danger or distress or has been left untended for an extended period of time. If there is conditions in violation of this Policy, the pet may be impounded, subject to any provisions of State or local health and/or anti-cruelty laws or ordinances in this regard. The Harrisburg Housing Authority shall accept no responsibility for the pet under such circumstances.



#### IV. HANDLING OF PETS

- A. A pet owner is prohibited from altering the dwelling unit or the surrounding premises to create a space, hole, container, shelter, or enclosure for any pet.
- B. A pet owner is prohibited from erecting or placing a cage, crate, shelter, or container outside of the pet owner's apartment, at any time.
- C. At no time may a pet owner allow a pet to prevent HHA representatives or designees from gaining access to Housing Authority property. (*See also, § VI Immediate Pet Removal*)
- D. The pet owner shall keep a cat or dog on a leash, and shall control the animal when it is taken out of the dwelling unit, for any purpose. The leash must be held by a capable individual 12 years of age or older. The leash may not exceed four (4) feet in length.
- E. Pets required to be licensed under this Policy, must wear the license at all times.
- F. A pet owner is prohibited from tethering or chaining an animal, and allowing the animal to be left unattended, outside of or within the dwelling unit.
- G. The pet owner shall remove from the dwelling unit or restrain a pet in an appropriately sized pet crate (inside the dwelling) when a Housing Authority representative or designee is present in the resident's apartment. Examples can include (but are not limited to): repair technicians, inspectors, exterminators, etc.
- H. When the pet owner is absent from the dwelling, a dog or cat must be removed or restrained in an appropriate sized pet crate. At no time shall the pet be free to roam about when left alone in the dwelling. This is a safety measure for the pet, as well as persons entering the dwelling.
- I. The owner of a bird(s) shall confine it/them to a cage at all times.
- J. The owner of a gerbil, hamster, or guinea pig shall confine it to a vivarium or cage at all times.
- K. Pets are restricted from lobbies, laundry rooms, social rooms, libraries, dining halls, management offices, hallways, common areas, buildings or floors not designated for pet residency, inside as well as outside of buildings owned by the Harrisburg Housing Authority, other than for reasonable entry to and egress from the building or area.
- L. A pet owner shall not keep or harbor any pet so as to create offensive odors, excessive noise, or unsanitary conditions, which demonstrate a menace to the health, comfort, or safety of other persons or animals.
- M. Any animal running loose will be referred to the local authorities for removal from the premises.
- N. The Harrisburg Housing Authority reserves the right to seek impoundment and sheltering of any animal if the pet's conduct or condition constitutes a nuisance or a threat to the health or safety of other persons or animals. The provisions of State or local health and anti-cruelty laws and ordinances will be observed in making this determination.
- O. In the event of the death of the pet, the pet owner/resident is responsible for making immediate arrangements for its removal and disposal. Carcasses may **NOT** be placed in dumpsters, trashcans, etcetera.

## **V. Pet Waste Removal**

- A.** The owner of a cat must provide a box with kitty litter inside the dwelling unit which must be accessible to the cat, at all times. The pet owner shall not permit waste in the litter box to accumulate for more than two (2) days. The litter must be totally replaced at least once each week. The pet owner shall dispose of such waste and litter by placing it in a tightly sealed repository and depositing it in the appropriate trash receptacle (trash can or dumpster) outside the apartment where the pet owner resides.
- B.** No pet owner shall permit his or her pet to void urine or excrement in any neighboring yards or common public areas. They must utilize the designated pet area.
- C.** The owner of a dog or cat may allow his pet to utilize designated pet exercise area(s). The pet owner must remove removable animal waste immediately.
- D.** The owner of a dog or cat shall not permit waste to accumulate or to become offensive, unsanitary, or unsightly in the yard assigned to the owner's apartment. Waste shall be removed immediately. The waste must be disposed of by placing it in a tightly sealed repository and depositing it in an appropriate trash receptacle outside the apartment where the pet owner resides.
- E.** The pet owner shall take the precautions and measures necessary to eliminate offensive pet odors within and around the dwelling unit, and shall maintain the dwelling unit in a sanitary condition at all times, as determined by the Harrisburg Housing Authority.
- F.** Pet waste shall not be flushed down toilets, sinks, or tubs.

## **VI. IMMEDIATE PET REMOVAL**

An animal is subject to immediate removal from the premises of the Housing Authority when the Harrisburg Housing Authority determines, on the basis of objective facts that one or more of the following conditions exist:

1. A pet prevents Harrisburg Housing Authority representatives or designees from gaining access to Housing Authority property;
2. A pet displays vicious, dangerous, or intimidating behavior, displays symptoms of severe illness, or demonstrates behavior that constitutes a threat to the health or safety of others. The definition of a vicious or dangerous animal is defined in § I L of this Policy. In the event a question arises as to whether an animal is considered dangerous, a certified animal behaviorist must examine the animal, for clarification. The resident shall incur any expenses associated with this clarification;
3. If there is evidence an animal, left alone, is in danger or distress or has been left untended for an extended period of time; and/or
4. If the health or safety of a pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet;

### **A. PROCEDURES FOR IMMEDIATE REMOVAL OF AN ANIMAL**

- 1) The Harrisburg Housing Authority will first attempt to contact the pet owner and/or recorded alternate custodian(s) to remove the animal. If contact is unsuccessful or the owner and/or custodian(s) declines, delays or refuses to remove the pet, the animal will be removed from the premises by a trained professional. The owner shall be responsible for any and all costs associated with the removal and subsequent shelter of the animal.
- 2) The Harrisburg Housing Authority will issue a Notice of Pet Policy Violation to the head of household and the pet owner.

## VII. ANIMAL BITES

- A.** In the event a dog, cat, or other mammal, subject to this Policy, bites a person, the pet owner must report the incident to the City of Harrisburg Codes Enforcement Office, Bureau of Police, and the Harrisburg Housing Authority within 48 hours of the bite.

The biting incident is subject to Section § 6, 327.2(c) of the Harrisburg City Ordinance. Specifically:

*“The Bureau of Police or other authorized local agency is hereby authorized to investigate a reported biting incident and to notify the mammal owner by a quarantine notice that such animal is required to be quarantined for a period not less than ten (10) days following the date of receipt of the quarantine notice. If the bite was inflicted by a wild animal or a stray, unlicensed dog or cat, said wild animal or stray, unlicensed dog or cat may be impounded by the Bureau of Police. Any animal subject to regulation under this chapter or any other ordinance of the City, whether licensed or unlicensed, may be impounded or euthanatized in a humane manner if, in the discretion of the Chief of Police or authorized designee, such animal is an immediate threat to public health, safety or property.”*

- B.** The pet involved in the biting incident will be subject to the procedures set forth in Section VI of this Policy.

## VIII. PET POLICY VIOLATION

### A. Notice of Pet Policy Violation

If the Harrisburg Housing Authority determines, on the basis of objective facts, supported by written statements, that a pet owner has violated this Policy; a Notice of Pet Policy Violation shall be served on the pet owner and the head of household. The Notice shall:

1. Contain a brief statement of the factual basis for the determination and the Sections violated;
2. State the head of household has 10 days from the date of the Notice to correct the violation (including in appropriate circumstances, removal of the pet), or to make a written request for a meeting to discuss the violation;
3. State that the head of household is entitled to be accompanied by another person of his or her choice at the meeting; and
4. State that the head of household's failure to correct the violation, to request a meeting, or to appear at a requested meeting may refer to Section D of this Policy.

### B. Pet Policy Violation Meeting

If the head of household makes a timely request for a meeting (refer to § VIII A 2) to discuss an alleged pet rule violation, the community manager shall schedule the meeting within 20 days from the date of the meeting request. At the pet policy violation meeting, the head of household, pet owner and community manager shall discuss any alleged pet rule violation and attempt to correct it. The community manager may, as a result of the meeting, give the head of household or pet owner additional time to correct the violation.

### C. Repeated Pet Policy Violations

1. The issuance of three (3) Notices of Pet Policy Violation, within any 12-month period shall result in the revocation of pet ownership privileges, for all adult members of the dwelling wherein the pet (involved in the violation) resided, for a period of six (6) months.
2. The issuance of five (5) Notices of Pet Policy Violation, within any 12-month period shall result in the revocation of pet ownership privileges, for all adult members of the dwelling wherein the pet (involved in the violation) resided, for a period of 12 months.
3. The issuance of six (6) Notices of Pet Policy Violation, within any 14-month period shall result in the revocation of pet ownership privileges, for all adult members of the dwelling wherein the pet (involved in the violation) resided, for the remainder of the residency.

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## VIII. Pet Policy Violation

4. If the Harrisburg Housing Authority must effectuate the removal of any animal, the pet owner shall forfeit future pet ownership privileges for themselves and all adult members of the affected household, for the remainder of their residency.

Pet Policy Violations will accrue in accordance with Section III C of this Policy.

### D. Notice for Pet Removal

1. If the head of household, pet owner and community manager are unable to resolve the pet rule violation at the meeting, or if the community manager determines that the pet owner or head of household has failed to correct the pet rule violation within any additional time provided for this purpose, the community manager may serve a written notice on the head of household, requiring the head of household to remove the pet. The Notice must:
  - a) Contain a brief statement of the factual basis for the determination and the pet rule or rules alleged to be violated;
  - b) State the head of household must remove the pet within 10 days from the date of the Notice of Pet Removal; and
  - c) State that the head of household's failure to remove the pet may result in initiation of procedures to terminate the household's tenancy.
2. The Harrisburg Housing Authority shall not initiate procedures to terminate a pet owner's tenancy based on a pet rule violation, unless:
  - a) The pet owner or head of household has failed to remove the pet or correct a pet rule violation within the applicable time period specified;
  - b) The pet rule violation is sufficient to begin procedures to terminate tenancy under the terms of the lease and applicable Federal Regulations and Harrisburg City Codes and Ordinances.