

Ordinance No. 99-6

AN ORDINANCE OF THE TOWNSHIP OF EAST BETHLEHEM PROVIDING REGULATIONS INCIDENT TO THE KEEPING OF CATS, DEFINING NUISANCES AND RESPONSIBILITIES OF OWNERS OF KEEPING THE CATS AND SETTING FORTH OTHER MATTERS INCIDENT TO CATS.

WHEREAS, the Board of Commissioners of East Bethlehem Township are desirous of enacting an Ordinance providing regulations incident to the keeping of cats, defining nuisances and responsibilities of owners of keeping the cats and setting forth other matters incident to cats.

NOW THEREFORE; it is hereby ordained and enacted as follows:

Section 1. - Definitions

As used in this Part, the following terms have the meaning indicated, unless a different meaning clearly appears from the context:

CAT - a felis libyca domestica, kept as a pet and/or for rodent control

OWNER - any person owning, keeping, feeding, harboring or having custody of a cat, or who allows a cat to reside or remain about his premises, shall be considered a "cat owner."

VACCINATION - the practice of inoculations with a vaccine to afford protection from rabies, as required by the Pennsylvania Department of Environmental Resources or other agency or Department of the Commonwealth

Section 2. - Nuisances and Responsibilities of Owners Keeping Cats.

1. It shall be unlawful for any owner to have any cat that becomes a nuisance in the Township. Acts of nuisance shall include, but are expressly now restricted to, the following;
 - A. Noise disturbance;
 - B. Viciousness;
 - C. Digging into flower beds, lawns, children's sandboxes, gardens or the damaging of shrubbery, trees, lawns, personal property not belonging to the owner of the cat, or the depositing of feces on public or private property;
 - D. The keeping of five or more cats in any residence.

2. No owner shall permit a cat to enter upon any area in any publicly owned park or playground
3. Any owner of a cat shall comply with, and be current with rabies vaccination requirements of the laws of the Commonwealth of Pennsylvania with regard to cats

Section 3 - Seizure; Redemption; Fees; Disposal.

1. Township Police or the person or agency designated by the governing body of the Township shall enforce the provisions of this Chapter. Upon receipt of a written complaint that a cat is a public nuisance, the Township Police will investigate said complaint and, if found to be legitimate, the Township Police shall authorize the seizure of the cat by the issuance of a humane-type cat trap said cat alive. Traps will only be set during daylight hours. Trapping at night is prohibited.
2. The person who is issued the trap must notify the Township Police as soon as possible after a cat is apprehended. The Township Police and/or the person or agency designated by the Board of Commissioners of the Township will transport and deliver the cat to the Humane Society or other agency or facility for holding. If the Humane Society refuses to take the animal, the cat will be delivered to a veterinarian contracted with the Township and held for seventy-two (72) hours prior to being disposed of in a humane manner. If the cat so apprehended bears any identification of ownership, the Township Police shall, on the date of apprehension, notify the owner that the animal has been apprehended and that it may be claimed at a designated location subject to the provisions of this Part.
3. Any cat may be claimed by its owner at the veterinarian during the custodial period and said owner shall pay all costs for the care, maintenance and disposal of said cat at the prevailing veterinarian rate.
4. Any cat which has been seized pursuant to this Chapter and which has not been reclaimed during the custodial period, may be disposed of in a humane manner in accordance with standards generally followed by the Humane Society or as provided by the contracted veterinarian service, as set forth in Section 3 (2), herein.

Section 4 - Limit on Number of Cats.

Only that number of cats which shall not continue a nuisance or a risk to the public health or safety shall be kept, maintained or harbored in any residential housing unit or on its grounds. Without limiting the foregoing, the keeping of five or more cats in any residence shall constitute a nuisance.

Section 5 - Authority to Remedy Noncompliance.

If the owner of animals in violation of this Part does not comply with a notice to abate the violation which constitutes a nuisance or health hazard, within the time period described the Township shall have the authority to take measures to correct the conditions and collect the cost of such correction plus ten (10) percent of all costs. The Township, in such events and pursuant to the statutory or otherwise authorized police powers, shall have the right and power to enter upon the offending premises to accomplish the foregoing. The enforcement authority of this provision shall contain the right to use all other enforcement provisions of this Part.

Section 6 - Violations and Penalties.

It shall be unlawful for any person to own, keep, feed or harbor any cat which has been found to violate the provisions of this Part. Any person found to violate the provisions of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00) and/or imprisonment for a term not to exceed ninety (90) days.

Section 7 - Repealer.

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed. The following Ordinances or parts thereof are specifically repealed.

Section 8 - Severability.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Township Commissioners that this Ordinance would have been adopted had such unconditional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 9 - Effective Date.


The Ordinance shall become effective immediately upon enactment.

ORDAINED AND ENACTED into law by the Board of Commissioners of the Township of East Bethlehem in lawful session assembled this 14th day of December, 1999.

TOWNSHIP OF EAST BETHLEHEM

By 
President

ATTEST:


Secretary