TOWNSHIP OF ALEPPO

ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2023-01

AN ORDINANCE OF THE TOWNSHIP OF ALEPPO, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING THE CODIFIED ORDINANCES OF THE TOWNSHIP OF ALEPPO AT CHAPTER 123, ARTICLE II, SECTION 123, ANIMAL NUISANCES, TO PROHIBIT THE FEEDING OF DEER WITHIN THE TOWNSHIP

WHEREAS, Section 1502 (20) of the First Class Township Code, 53 Pa. C.S.A. §1502 (20), provides the Board of Commissioners of the Township of Aleppo (the "Township") with the power to make regulations as may be necessary for the health, safety, morals, general welfare, cleanliness, beauty, convenience, comfort and safety of the Township and its residents; and

WHEREAS, Chapter 123, Article II, Section 123-7 of the Township of Aleppo Code of Ordinances, Animal Nuisances, prohibits the keeping or harboring any dog, cat, or other animal so as to create offensive odors, excessive noise or unsanitary conditions posing a menace to the health, comfort or safety of the public; and

WHEREAS, the Board of Commissioners finds that the intentional feeding of deer contributes to an unnaturally large population; and

WHEREAS, unnaturally large deer populations have been shown to increase traffic hazards and cause motor vehicle accidents, resulting in damage to property, loss of life, and other dangers; and

WHEREAS, unnaturally large populations of deer may cause damage to real and personal property by feeding on agricultural or decorative vegetation, creating a nuisance to property owners; and

WHEREAS, limiting intentional feeding has been shown to reduce the risk and spread of Lyme disease in human beings; and

WHEREAS, the Board of Commissioners now desires to amend Chapter 123, Article II of the Code to prohibit the purposeful, intentional, or knowing feeding of deer on public or private property.

NOW, THEREFORE, be it ordained and enacted by the Township of Aleppo, and it is hereby ordained and enacted by and with the authority of the same, incorporating the above recitals by reference:

Section 1. Chapter 123, Article II, Section 123-7 of the Township of Aleppo Code of Ordinances, Animal Nuisances, which prohibits the keeping or harboring any dog, cat, or other animal so as to create offensive odors, excessive noise or unsanitary conditions posing a menace to the health, comfort or safety of the public or otherwise permit the existence of a nuisance, is amended as follows by adding the following:

§123-13 Prohibition on Feeding Deer

No person shall knowingly, purposely or intentionally feed deer, cause deer to be fed or provide food to deer in the Township on any public or private property. This prohibition includes, but is not limited to, disbursement of food on the ground, at a feeding station, a feeding device, or in a container of any form; providing salt or mineral lick/block; or any other means which serves to provide feed or results in the attraction of any deer in the Township. This prohibition shall not include live vegetation such as ornamental landscaping, flowers, trees, vines or vegetable gardens. This prohibition shall also not apply to licensed veterinarians, Animal Control Officers, or county, state or federal game officials who in the course of their duties have deer in their custody or management.

§123-14 Penalties

Any person, firm or corporation who violates a provision of this Part, or who fails to comply therewith, or with any of the requirements thereof, shall be, upon conviction thereof, sentenced to pay a fine or not less than $300 nor more than $1000 for each violation, plus court costs and costs of prosecution, and in default of payment of said fine and costs, to imprisonment to the extent permitted by law for the punishment of summary offenses. A separate offense shall arise for each day or portion thereof in which a violation is found to exist. The Township may also commence appropriate actions in equity or other to prevent, restrain, correct, enjoin or abate violations of this section.

SECTION 2. Should any sentence, section, clause, part or provision of this Ordinance be

declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, other than the part declared to be invalid.

SECTION 3. All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

SECTION 4. This Ordinance shall take effect in accordance with applicable law.

ORDAINED and ENACTED this 16th day of January 2023, by the Board of Commissioners of Aleppo Township.

ATTEST:

Manager/Secretary

TOWNSHIP OF ALEPPO

By:

President, Board of Commissioners