

MONTOUR TOWNSHIP
COLUMBIA COUNTY, PENNSYLVANIA

ORDINANCE NO. 2021-2

AN ORDINANCE REPEALING CHAPTER 2 OF THE CODE OF ORDINANCES OF MONTOUR TOWNSHIP RELATING TO ANIMALS AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH; AND THEREAFTER ADOPTING AN ORDINANCE REGULATING CERTAIN ANIMALS WITHIN MONTOUR TOWNSHIP

BE IT ENACTED, AND IT IS HEREBY ENACTED by the Board of Supervisors of Montour Township that Chapter 2 of the Montour Township Code of Ordinances, relating to Animals, is hereby repealed in its entirety and replaced as follows:

Section 2-101 **Title.**

This Ordinance shall be known as the “Montour Township Animal Ordinance”.

Section 2-102 **Definitions.**

As used in this Ordinance, the following terms shall have the meanings indicated:

ANIMAL

Any dog, cat, domesticated animal, or nondomesticated animal.

CAREGIVER

Any person who provides care, including food, water, shelter, and, in some cases, medical care, to feral cats, in accordance with a program approved by the Township to trap, neuter, vaccinate, ear-tip, and return feral cats to the location at which they were trapped.

FERAL CAT

An unowned, free-roaming cat that is partially socialized or unsocialized to humans and tends to resist contact with humans.

OWNER

Any person having a right of property in, having custody of, or who harbors or permits an animal to remain on or around his or her property, excluding feral cat

caregivers as defined herein.

SPONSOR

An eligible animal welfare organization appointed by the Township to run a TNR program in the Township.

STRAY CAT

Any cat whose owner or keeper from time to time allows the cat to run free off of the property of the owner or keeper.

TOWNSHIP

The Township of Montour, Columbia County, Pennsylvania.

TRAP, NEUTER AND RETURN (TNR)

A nonlethal approach to feral cat population control whereby feral cats are humanely trapped, sterilized, vaccinated, ear-tipped, and then returned to the location where they were originally trapped.

Section 2-103 Running at Large Prohibited.

No owner shall allow or permit his or her animal to run at large in the Township or upon public streets or highways or upon lands of any person other than the person having control and custody of such animal.

Section 2-104 Loud Noise Prohibited.

No owner shall allow or permit his or her animal to make loud, harsh noises to the extent that it shall disturb or interfere with the peace, quiet, rest, or sleep of other persons.

Section 2-105 Defiling of Public Property Prohibited; Exemptions.

A. No owner shall allow his or her animal to befoul, defile, or corrupt any public sidewalk, walkway, or property of any other person.

B. Any legally impaired person who relies upon a service animal specifically trained for such purposes is exempt from compliance with this Section.

Section 2-106 Responsibilities of Cat Owners Regarding Stray Cats.

It shall be unlawful for any owner of any cat to permit such cat to run free outside the residence of its owner or keeper unless said cat has been:

- A. Neutered or spayed to prevent it from procreating;
- B. Immunized against rabies in compliance with Pennsylvania law; and,
- C. Appropriately “tipped” on the left ear to signify that it has been neutered/spayed and immunized.

Section 2-107 Feeding of Stray or Feral Cats.

It shall be unlawful for any person to feed stray or feral cats, where such feeding causes a nuisance to neighbors or creates a condition contrary to the health, safety, and welfare of the community, unless that person participates as a caretaker in a trap, neuter, and return program managed by the Township or a sponsor of the Township, if such program exists.

Section 2-108 Responsibilities of TNR Program Sponsors.

Animal welfare organizations may make application to the Township to serve as the sponsor of a TNR program. Sponsors appointed by the Township shall have the following responsibilities:

- A. Register each feral cat colony they are managing with the Township. Information submitted to the Township shall include general location (neighborhood), number of cats in the colony, and number of caretakers working with the colony;
- B. Record and report to the Township, on an annual basis, the intake and disposition of each feral cat brought to their facility;
- C. Record and report to the Township, on an annual basis, the total number of members and the number of sterilized members of each feral cat colony within the Township for which they have implemented a TNR program;
- D. Record and report to the Township, on an annual basis, the number of kittens born into each feral cat colony within the Township for which they have implemented a TNR program; and,

E. Address complaints received by the Township and passed along to the sponsor regarding caretaker behavior, and serve as an intermediary to address and, where possible, remediate the behavior within a reasonable period of time, based on the matters at issue and utilizing Township resources where necessary.

Section 2-109 Notice of Violation; Record of Notices.

Upon receiving a complaint or information that a violation of this Ordinance is being or might be committed in the Township, the code officer or any police officer of the Township or any other person or persons designated to enforce the provisions of this Ordinance by a duly adopted Resolution of the Board of Supervisors of Montour Township shall make an investigation. If the complaint or information is found to be true, a written notice shall be served upon the owner of the dog or other domesticated or nondomesticated animal notifying said owner that he or she is in violation of the applicable section of this Ordinance.

The code officer and the police department shall keep a record of all notices, and upon receiving a second complaint or information against the same owner and if, upon investigation, the second complaint or information is found to be true, then and in that event, the code officer, any police officer, or such other designated person or persons shall prosecute said owner under the terms of this Ordinance.

Section 2-110 Violations and Penalties.

Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof in a summary proceeding before any Magisterial District Judge, pay a fine of not more than \$600, together with the cost of prosecution for each and every offense, and in default of payment of said fine and costs, shall undergo imprisonment in the Columbia County Prison for a term not to exceed 30 days, provided that each day's violation of any of the provisions of this Ordinance shall constitute a separate offense.

Section 2-111 Billing for Costs Incurred by Township.

Any and all costs incurred by the Township in connection with the seizure and detention of animals at large in the Township, including both domestic and/or nondomesticated animals, shall be billed to the owner of said animal(s). The Township, at its discretion, may include reasonable administrative costs in an amount established from time to time by Resolution of the Board of Supervisors of Montour Township. Such payment shall be in addition to any fines and costs which may be related to prosecution and shall further be in addition to any fees claimed by other animal control agencies.

DULY ENACTED AND ORDAINED this 10th day of June 2021.

MONTOUR TOWNSHIP:

BY: *Lori Ebright*
LORI EBRIGHT, CHAIR

ATTEST:

Lori Ebright
LORIEBRIGHT, SECRETARY

(SEAL)

