

**BOROUGH OF NEW CUMBERLAND  
COUNTY OF CUMBERLAND  
COMMONWEALTH OF PENNSYLVANIA  
ORDINANCE NO. 729**

**AN ORDINANCE OF THE BOROUGH OF NEW CUMBERLAND  
PROHIBITING DOGS, CATS, AND OTHER ANIMALS FROM  
RUNNING AT LARGE, PROHIBITING CERTAIN ANIMAL  
DISTURBANCES AND THE BEFOULING AND DAMAGE OF  
PROPERTY, ESTABLISHING COLLAR AND LEASH  
REQUIREMENTS, INCLUDING PROVISIONS FOR THE HUMANE  
TREATMENT OF FERAL CATS, REPEALING ALL INCONSISTENT  
ORDINANCES, AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, the Borough Council of New Cumberland finds that it is in the best interest of public health, safety, and welfare of residents to prohibit dogs, cats, and other animals from running at large, while encouraging responsible pet ownership and community involvement; and

**WHEREAS**, it is necessary to update and clarify existing animal regulations to include provisions for non-owned cats managed through community efforts and Trap-Neuter-Return Programs;

**NOW, THEREFORE**, be it is hereby **ORDAINED** and **ENACTED** by the Borough Council of New Cumberland as follows:

**Section 1. Definitions.**

For purposes of this Ordinance, unless the context clearly indicates otherwise, the following definitions apply:

1. **Abandon.** Left without needed protection, care, or support at any property, whether under the control of the Owner or at another location.
2. **Adequate Control.** The ability to reasonably restrain or govern an Animal so that the animal does not injure itself, any person, any other animal, or property.
3. **Animal.** Any dog, cat, or other domestic or non-domesticated animal.
4. **Borough.** The Borough of New Cumberland, Pennsylvania.
5. **Cat Caregiver** – Any person who:
  - a) Provides care, including food, water, shelter, or medical care to Community Cats or Feral Cats; and
  - b) Participates in a TNR Program to trap, neuter or spay, vaccinate and return cats to their original location.

6. **Community Cat.** Any free-roaming, unowned, spayed or neutered cat that is provided regular care (food, water, shelter, and/or medical treatment) by a Cat Caregiver under a recognized TNR Program.
7. **Domestic Animal.** An Animal owned by a person and maintained as a pet as permitted by any applicable local Ordinance and State and Federal Law.
8. **Domestic Cat.** A cat owned by a person and maintained as a pet.
9. **Ear Tipping.** The surgical removal of approximately one-quarter inch from the tip of a cat's left ear while under anesthesia, performed as the universal sign indicating that the cat has been sterilized and immunized.
10. **Feral Cat.** A free-roaming cat that is unsocialized or minimally socialized to humans. A Feral Cat may become classified as a Community Cat when spayed or neutered and provided regular care.
11. **Trap-Neuter-Return (TNR) Program.** The process where Feral Cats are humanely trapped by individuals participating in a recognized program, brought to a veterinary clinic to be spayed or neutered, vaccinated, and Ear Tipped, then returned to the outdoor homes to which they are bonded.
12. **Owner.** A person who has legal custody of an Animal. This term does not include a community Cat Caregiver.
13. **Nuisance.** An Animal that habitually trespasses on or damages private or public property or unreasonably disturbs the peace, quiet, or safety of persons using such property.
14. **Microchip.** A small electronic device implanted under an Animal's skin for permanent identification.
15. **Sponsor.** Any animal welfare organization, individual, or Cat Caregiver, conducting recognized TNR Program activities within the Borough.

## **Section 2. Disturbing or Loud Noise.**

No person shall allow any Animal confined or kept on his or her premises to make any loud or harsh noises or disturbances which shall interfere with or deprive any person within the Borough of peace, quiet, rest, sleep, or otherwise constitute a Nuisance.

## **Section 3. Unsanitary Conditions.**

- (a) No person shall allow any Animal under his or her control to defecate on any sidewalk, walkway, or another person's property without promptly cleaning the area.
- (b) An individual who relies on a service animal specifically trained for mobility or vision assistance is exempt from the provisions of this section if they are physically unable to clean up the service animals' defecation.
- (c) Due to the fact that Community Cats do not have an Owner, a Community Cat is exempt from the provisions of this section.

#### **Section 4. Treatment of Animals.**

- (a) **Harming Animals.** No person shall intentionally inflict harm, abuse, or mistreatment on any Animal. For purposes of this section, mistreatment shall include, but not be limited to, not providing for the proper care, shelter, feeding, and medical treatment of an Animal by its Owner, caregiver, or custodian.
- (b) **Abandonment.** No person shall Abandon any Animal.
- (c) **Cruelty.** It shall be unlawful for any person to:
  - 1. Overdrive, overload, overwork, torture, beat, mutilate, kill needlessly, carry in a vehicle or trailer in an inhumane or unsafe manner, or otherwise mistreat any Animal.
  - 2. Fail to provide any Animal with proper food, drink, protection from the weather, and veterinary care.
  - 3. Intentionally poison any Animal.
  - 4. Allow or promote any fight between Animals or allow or permit any fight in or upon premises in his or her possession or control.

Any person violating these provisions may be subject to the removal of the Animal and other enforcement or penalty actions provided in this Ordinance and State Law.

#### **Section 5. Running at Large.**

- (a) No person shall allow a Domestic Animal to run at large on public streets, alleys, highways, or on any private property (other than that of the Owner or an authorized caregiver) without adequate control. A Domestic Animal is considered “at large” if it is not securely contained by a collar and leash, within a fenced enclosure, or under direct supervision.
- (b) Community Cats are exempt from this section.

#### **Section 6. Impounding of Animals.**

- a) Any Domestic Animal found to be in violation of Section 5, Running At Large may be seized by police and law enforcement or accidentally trapped by TNR volunteers.
- b) In order to aid in reuniting an impounded animal with their owner, animals should be microchipped and/or wearing a collar bearing the owner’s contact information.

- c) Seized Animals shall be held in a designated shelter or facility for a period not to exceed ten (10) days.
- d) Notice of seizure shall be provided to the identifiable Owner by certified mail, email with return receipt, or personal delivery within forty-eight (48) hours.
- e) Prior to release, the Owner shall pay any applicable daily fees for room and board as well as administrative costs.
- f) If no Owner can be identified, the Animal shall be managed in accordance with Section 7.

### **Section 7. Disposition of any unclaimed animal.**

No Animal shall be adopted, sold, or otherwise disposed of unless the Animal remains unclaimed 7 days after notification evidenced by obtaining the return receipt if notified by certified mail or email as provided for in Section 6. Where the Owner or agent of an Animal is not known or able to be identified, or the Animal is not claimed by the identified Owner, the police officer or law enforcement officer shall convey the Animal to a no-kill shelter, animal rescue, or foster care. No Animal shall be sold or given away for the purpose of vivisection or research or be conveyed in any manner for these purposes.

### **Section 8. Feeding of Feral and Community Cats.**

- (a) No person shall feed unowned cats in a manner that creates a Nuisance or adversely affects community health or safety.
- (b) Persons feeding feral or Community Cats must do so only as part of a TNR Program or under a Community Cat, Cat Caregiver arrangement if such TNR Program is present.

### **Section 9. Responsibilities of TNR Program Sponsors.**

- (a) Animal welfare organizations, individuals, or Cat Caregivers desiring to serve as TNR Program Sponsors must register each Feral Cat colony with the Borough, including:
  - 1. General location (e.g., neighborhood);
  - 2. Estimated number of cats; and
  - 3. The names of participating Cat Caregivers.
- (b) Sponsors shall submit an annual report to the Borough that includes:
  - 1. The intake and disposition of cats under their TNR Program.
  - 2. The total number of cats in each colony and the number that have been sterilized.
  - 3. The number of kittens born in each colony.
- (c) Sponsors shall address complaints concerning Cat Caregiver practices and work with the Borough to resolve issues promptly.

**Section 10. Enforcement and Penalties.**

- (a) Any person who violates any provision of this chapter shall be subject to summary conviction under the Pennsylvania Rules of Criminal Procedure and liable to a fine not exceeding \$500.00 plus court costs and reasonable attorney fees incurred by the Borough.
- (b) Each day a violation continues shall constitute a separate offense, and each distinct violation of any section shall be deemed a separate offense.
- (c) In addition to fines, violators may be required to perform community service at a local animal shelter or veterinary facility to receive training in proper animal care.
- (d) Nothing in this section shall discourage bona fide Community Cat, Cat Caregivers from participating in approved TNR Programs.

**Section 11. Repealer**

Any Ordinance or part of an Ordinance conflicting with the provisions of this Ordinance shall be and the same is hereby repealed to the extent of such conflict.

**Section 12. Severability.**

If any section, sub-section, provision, regulation, limitation, restriction, sentence, clause phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional, or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of this Ordinance as a whole, or any other section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this Ordinance. Borough Council hereby declares that it would have adopted this Ordinance and each section, sub-section, phrase and word thereof, irrespective of the fact that any one or more of the sections, sub-sections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.


**Section 13. Effective Date.**

This Ordinance shall take effect immediately upon its adoption.

ORDAINED AND ENACTED into an Ordinance this 13<sup>th</sup> day of August, 2025.

Borough Council of the Borough of New Cumberland

BY: \_\_\_\_\_



David H. Stone, President

ATTEST: \_\_\_\_\_

Nathaniel J. Dysard, Secretary

APPROVED by the Mayor this <sup>18<sup>th</sup></sup> day of August, 2025.

BY: \_\_\_\_\_

Joan Erney, Mayor