

ORDINANCE NO. 655

**AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF TAMAQUA, PROHIBITING THE FEEDING AND/OR SHELTERING OF FERAL OR HOMELESS CATS IN THE BOROUGH OF TAMAQUA, SCHUYLKILL COUNTY, COMMONWEALTH OF PENNSYLVANIA**

**WHEREAS**, the Borough of Tamaqua has seen a dramatic increase in the number of free roaming, abandon, and feral cats, and;

**WHEREAS**, many privately owned cats are sterilized, the unowned cats are the primary source of cat overpopulation, and;

**WHEREAS**, unowned free roaming cats pose threats to human health, including zoonotic agents as set forth in the American Association of Feline Practitioners 2000 Report on feline zoonosis, and;

**WHEREAS**, human injury can occur if feral cats are handled and/or approached by humans, and;

**WHEREAS**, according to American Association of Feline Practitioners, surveys indicate that 7%-22% of US households feed unowned cats increasing the number of feral cats.

**BE IT ORDAINED AND ENACTED** by the Council of the Borough of Tamaqua, and it is hereby ordained and enacted by authority of the same:

**SECTION I. DEFINITIONS**

For purposes of this Ordinance, the following definitions apply.

Feeding - Feeding shall mean the provision of food, water, or other substance left outside of any building or structure.

Feral or homeless cats - Shall mean one that exists in an untamed state, or one that has returned to an untamed state is no longer considered domesticated, or one that was previously residing in a domesticated home and has been abandoned by its prior owner.

Sheltering - Shall mean the provision of any type of shelter whether temporary or permanent that a cat may enter.

**SECTION II. FEEDING OR SHELTERING PROHIBITED**

The feeding and/or sheltering of feral or homeless cats is hereby prohibited on any public or private property within the Borough of Tamaqua.

**SECTION III. PENALTIES AND ENFORCEMENTS**

This Ordinance shall be enforced by the Tamaqua Code Enforcement Officer, Tamaqua Borough Police, and the Tamaqua Board of Health and their Agents.

1. Any person found to be feeding and/or sheltering a feral or homeless cat shall immediately be issued a cease and desist order by the Enforcement Officer set forth above.

2. In the event any person fails to comply with a cease and desist order, the Board of Health, the Tamaqua Borough Police, the Animal Control Officer and their Agents have the right to seize and remove any feral or homeless cats from their property.

3. Unless otherwise provided for herein, any person who fails to comply with a cease and desist order, other written order, or any other provision of this sections shall be guilty of a summary offense, shall be subject to a fine of not more than One Thousand (\$1,000.00) Dollars and thirty (30) days in jail. Each date that the violation continues shall be deemed a separate offense. In addition to any civil or criminal penalties, any license to keep animals may be revoked.

4. In the event that animals are removed from a property, the property owner shall be fined the sum of One Hundred (\$100.00) Dollars per animal removed and the costs of removal may also be placed as a lien on the property.

**SECTION IV. EFFECTIVE DATE**

This Ordinance shall become effective upon enactment.

**ENACTED AND ORDAINED** this 6<sup>th</sup> day of March, 2012.

**THE BOROUGH OF TAMAQUA**

Attest: Georgia Depost Dewire  
Georgia Depost Dewire, Secretary

BY: Micah Gursky  
Micah Gursky, President

**APPROVED** this 6<sup>th</sup> day of March, 2012

Christian Morrison  
Christian Morrison, Mayor