

ORDINANCE # 674

AN ORDINANCE REGULATING THE FEEDING OF STRAY OR FERAL CATS WITHIN THE BOROUGH OF EBENSBURG

WHEREAS, the Borough Council of Ebensburg finds that the feeding of stray or feral cats may create a nuisance to neighbors and pose health and safety concerns to the community; and

WHEREAS, the Borough seeks to regulate such feeding practices to promote the public health, safety, and welfare of its residents;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of Ebensburg, County of Cambria and Commonwealth of Pennsylvania, as follows:

That the Codified Ordinance of the Borough of Ebensburg, Chapter 2, is hereby amended to add "Part 3 – CATS" and "§3-301 – Stray and Feral Cats" as hereinafter set forth.

SECTION 1: PURPOSE - The purpose of this Ordinance is to regulate the feeding of stray or feral cats within the Borough of Ebensburg to prevent nuisances and protect the public health, safety, and welfare of the community.

SECTION 2: DEFINITIONS - For the purposes of this Ordinance, the following definitions shall apply:

- (a) "Stray Cat" shall mean any domesticated cat that is wandering at large without an identified owner.
- (b) "Feral Cat" shall mean any cat that has reverted to a wild state and is not socialized to human interaction.
- (c) "Feeding" shall mean providing food, water, or other forms of sustenance to stray or feral cats.
- (d) "Nuisance" shall mean any activity that unreasonably interferes with the comfort, health, or safety of the community, including but not limited to excessive noise, odor, or property damage.

SECTION 3: PROHIBITION ON FEEDING THAT CREATES A NUISANCE - No person shall feed any stray or feral cats in a manner that causes a nuisance to neighbors or creates a condition contrary to the health, safety, and welfare of the community.

SECTION 4: RESPONSIBILITIES OF INDIVIDUALS WHO CHOOSE TO FEED STRAY OR FERAL CATS - Any person who chooses to feed stray or feral cats shall from that point forward shall assume full responsibility for the care of the animals. This includes, but is not limited to, ensuring that each cat:

- (a) Is vaccinated against rabies in accordance with Pennsylvania state law;
- (b) Is spayed or neutered to prevent reproduction;
- (c) Receives proper care to prevent disease and mitigate any health hazards;
- (d) Does not create a nuisance or health hazard for neighbors or the community.

SECTION 5: ENFORCEMENT AND PENALTIES

- (a) The Borough's Code Enforcement Officer and/or Ebensburg Borough Police shall have the authority to enforce the provisions of this Ordinance.
- (b) Any person found in violation of this Ordinance may be subject to a fine of not less than \$10 and not more than \$600 per offense. Each day that a violation continues shall constitute a separate offense.

(c) In addition to or instead of monetary fines, the Borough may require the violator to cease feeding activities and take corrective actions as necessary to comply with this Ordinance.

SECTION 6: SEVERABILITY - If any provision of this Ordinance is found to be invalid or unconstitutional, such determination shall not affect the validity of the remaining provisions, which shall remain in full force and effect.

SECTION 7: EFFECTIVE DATE - This Ordinance shall take effect immediately upon its adoption by the Borough Council and approval by the Mayor, as required by law.

ENACTED AND ORDAINED this ____ day of _____ 2025.

EBENSBURG BOROUGH COUNCIL

Doug Tusing, President

ATTEST:

Kelly Cook; Manager

Approved this _____ day of _____ 2025

Randy S. Datsko, Mayor