

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NO. 1142

AN ORDINANCE AMENDING CHAPTER 2 OF THE BOROUGH CODIFIED ORDINANCES BY ADDING A NEW PART, PART 4, "STRAY AND FERAL CATS", PROHIBITING THE FEEDING OF SUCH CATS, PROVIDING PENALTIES FOR DOING SO; PROVIDING SEVERANCE AND REPEALER CLAUSES AND AN EFFECTIVE DATE

In response to a recognized problem in the Borough with stray and feral cats, and being a problem that cannot be acted upon without first establishing the illegality of feeding such cats, Ambler Borough Council does hereby ORDAIN as follows:

There is added to the Borough codified ordinances in Chapter 2 ("Animals") a new Part 4, "Stray and Feral Cats", the text of which is as follows:

4.1. Definitions

Feral Cat

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

Feral Cat Colony

A group of feral cats living in one territory and/or in close proximity, often near food sources and shelter.

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. Cats found running at large (off-leash) in violation of ordinance 2-201 of this chapter shall be presumed to be stray cats.

4.2 Feeding of Stray/Feral Cats Prohibited.

It shall be unlawful for any person to feed stray and feral cats, except for any person or firm hired by the Borough to capture such cats and who incorporate feeding into their process for capturing such cats. Where such feeding has resulted in the creation of a feral cat colony, such colony shall be presumed to be a public nuisance and enforceable as such pursuant to the laws of the Commonwealth as they relate to public nuisances.

4.3 Enforcement and Penalties

A. This ordinance shall be enforced by any law enforcement officer designated by the Borough, including the code enforcement officer. The Borough also reserves the right to bring an action in equity when necessary in its discretion to halt behavior that violates this chapter. The Borough’s enforcement of this ordinance does not preclude a private nuisance action where appropriate.

B. A violation of this ordinance is a summary offense. Each day of continuing violation may be treated as a separate offense. Fines shall be issued on an escalating basis, as follows (costs are payable in addition to the fines set forth here):

First offense: \$50.

Second offense: \$100.

Third offense: \$200.

Fourth and subsequent offense: \$500.

C. In addition to the fines set forth herein, upon conviction for a violation of this ordinance, a defendant may also be incarcerated for up to 30 days when the facts and circumstances warrant in the determination of the sentencing magisterial district judge or judge of the Court of Common Pleas.

4.4. Miscellaneous

Should any provision of this ordinance be found invalid by a court of competent jurisdiction, then such invalid portion shall, to the extent possible, be severed from the remainder, such remainder to continue in full force and effect.

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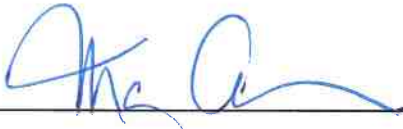
Any portion of any existing ordinance which is inconsistent with this ordinance is, to the extent of such inconsistency, repealed.

This ordinance is effective on the earliest recognized effective date set forth in section 3301.3 of the Pennsylvania Borough Code.

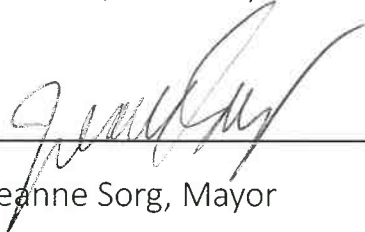
SO ORDAINED this 15th day of October, 2024.



Glynnis Siskind, Borough Council President

Attest: 

Mary Aversa, Secretary

Approved: 

Jeanne Sorg, Mayor