

MILLCREEK TOWNSHIP  
LEBANON COUNTY, PENNSYLVANIA  
ORDINANCE NO. 101123

AN ORDINANCE ESTABLISHING REGULATIONS TO  
GOVERN STRAY AND FERAL CATS WITHIN THE  
TOWNSHIP, INCLUDING PENALTIES FOR VIOLATIONS.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Millcreek Township, Lebanon County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows.

**Section 1. Findings and Purposes.** The Millcreek Township Board of Supervisors finds and declares that the population of stray and feral cats within the Township poses a danger to the health, safety, and welfare of the public and constitutes a public nuisance. Accordingly, it is the intent of this Ordinance to ensure the humane treatment of feral cats and to reduce their population by providing standards to restrict the authority of persons to care for and to maintain custody of feral cats, to regulate stray cats, and to provide for penalties as set forth herein.

**Section 2. Definitions.** The following words shall have the following meanings when used in this Ordinance, unless the context requires otherwise:

CAT – An animal that is a member of the species felis catus.

FERAL CAT – Any cat that is unsocialized to humans, whether the cat was born outside and never socialized with humans or is a domesticated cat that has strayed and over time has become unsocialized to humans; any homeless, wild, or untamed cat.

FERAL-CAT CAREGIVER – Any person or organization that, in accord with these regulations, has been given the authority by Millcreek Township to trap, treat, and return feral cats.

OWNER – Every person having a right of property in any cat; and, with respect to both domesticated and feral cats, (1) every person who keeps, shelters, harbors, or feeds a cat or has a cat in his or her care; and (2) every person who allows a cat to remain on or about any premises, including buildings and land, occupied by him or her. “Owner” does not include a person keeping a feral cat as a feral-cat caregiver.

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

TREAT/TREATMENT – The provision of temporary food, shelter, and medical care, including, but not limited to, sterilization, vaccination for rabies and distemper, testing for feline diseases, and ear tip or other humane marking of feral cats that have been treated.

UNSOCIALIZED – Exhibiting a temperament of extreme fear of and resistance to contact with humans.

Section 3. Prohibited Acts. Every owner, as defined in this Ordinance, shall comply with the following:

- A. It shall be unlawful for any owner of any cat to permit such cat to run free outside the residence or real property of its owner unless that cat has been:
  - (1) Neutered or spayed to prevent it from procreating;
  - (2) Immunized against rabies in compliance with Pennsylvania law; and;
  - (3) Appropriately “tipped” on the left ear to signify that it has been neutered or spayed and immunized.
  
- B. It shall be unlawful for the owner of any cat to permit such cat to run at large, to cause annoyance to persons or damage to persons or property, to trespass upon, litter or deface any premises, pavement, public highway, or park in Millcreek Township. The failure of any such owner to properly restrain his or her cat shall be a violation of the provisions of this Ordinance.

- C. It shall be unlawful for any person to feed a stray cat.
- D. It shall be unlawful for any person other than a feral-cat caregiver to feed a feral cat.
- E. It shall be unlawful for a feral-cat caregiver to feed a feral cat that has not been treated and tipped as provided for in Section 11 of this Ordinance except during the course of trapping and treating a feral cat in accord with the provisions of this Ordinance.
- F. It shall be unlawful for any person to release into the wild or otherwise abandon any cat upon that person's property or the property of another.
- G. It shall be unlawful for any owner of any cat to fail to exercise proper care and control of such cat to prevent it from becoming a public nuisance.

**Section 4. Female Cats in Heat.** Any person having ownership, possession, custody, or control of a female cat in heat, including a feral-cat caregiver, shall confine the cat in a building or secure enclosure in such a manner that such female cat cannot come into contact with another animal except for planned breeding.

**Section 5. Removal of Waste, Feces, and Excretions From Owner's Property.** Any owner of any cat shall remove any and all accumulations of cat waste, feces, and excretions from real property such owner owns or possesses, if such accumulations create obnoxious odors outside that property or create unhealthy conditions.:

**Section 6. Removal of Feces From the Property of Others.** An owner of a cat that defecates in any area other than the private property of the owner of such cat shall immediately remove the feces from such area and either: (1) carry the same away for deposit in an appropriate disposal facility; or (2) place the same in a nonleaking container for deposit in a trash or litter receptacle. If the area where the defecation has occurred is the private property of someone other than the owner of such cat, that owner shall first obtain permission to enter that private property before entering and removing the feces.

**Section 7. Defecation Prohibitions.** No owner of a cat, including a feral-cat caregiver, shall allow such cat to defecate upon any gutter, street, driveway, alley, curb, sidewalk, or other public property in Millcreek Township, or in or on any building or place frequented by the public or used in common by the tenants thereof, or upon the grounds of a public park or public area, or upon private property other than the property of the owner of the cat.

**Section 8. Enforcement.** Millcreek Township police officers, and any special officers appointed by the Board of Supervisors of Millcreek Township shall enforce and administer the provisions of this Ordinance.

**Section 9. Exemption.** Persons issued a permit to be a feral-cat caregiver by Millcreek Township may possess and feed feral cats as part of a trapping, treatment, and return program. Except for those acts prohibited by Sections 3(E) and 7 hereinabove, no feral-cat caregiver shall be cited or fined under this Ordinance for possession of or feeding of a feral cat in his or her discharge of any duty of such program as set forth in or established by the requirements of this Ordinance.

**Section 10. Permit Requirement.** Any person seeking to be a feral-cat caregiver as part of a trapping, treatment, and return program shall apply to the Millcreek Township Board of Supervisors for a permit to act as a feral-cat caregiver. The following shall apply to all permit applications:

- A. Permit application forms and permit forms shall be established from time to time by resolution of the Millcreek Township Board of Supervisors.
- B. The applicant shall provide any documents or certifications that the Board may require and shall certify that the applicant will comply with professionally recognized standards for the safe trapping, treatment, and return of feral cats.
- C. All permits shall expire after one year but may be renewed for additional one year periods by request to the Township.
- D. A permit issued under this Ordinance does not authorize a feral-cat caregiver to enter upon private property without the permission of the landowner.

- E. Any permit issued under this Ordinance may be suspended or revoked by the Township if the permittee violates any provision of this Ordinance.

**Section 11. Treatment.** Feral cats trapped as part of a trapping, treatment, and return program must:

- A. Be sterilized and vaccinated for rabies and distemper prior to release.
- B. Be ear-tipped for identification.
- C. Be treated only by a veterinarian currently licensed in the Commonwealth of Pennsylvania.

**Section 12. Violations and Penalties.** Any person who shall violate any of the provisions of this Ordinance, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that the violation of this Ordinance continues or each Section of this Ordinance that shall be found to have been violated shall constitute a separate offense.

**Section 13. Civil Remedies.** Notwithstanding anything in this Ordinance to the contrary, any enforcement of summary offenses under Section 12 above brought by or on behalf of Millcreek Township against a violator under this Ordinance shall in no way constitute an election of remedies, and the Township, and any other person having a cause of action against a violator, shall be entitled to pursue any such remedies against the violator as are provided by law or in equity.

**Section 14. Severability.** The provisions of this Ordinance are severable, and in the event any provision is held invalid, void, illegal, or unconstitutional by any court, it is the intent of the Board of Supervisors that such determination by the court shall not affect or render void the remaining provisions of this Ordinance. It is the declared intent of the Board of Supervisors that this Ordinance would have been enacted if any provision subsequently declared to be void, invalid, illegal, or unconstitutional had not been included at the time of enactment.

Section 15. Effective Date. This ordinance shall take effect and be in force five days after its enactment as provided by law.

DULY ENACTED AND ORDAINED on this 11 day of October, 2023, by the Board of Supervisors of the Township of Millcreek, Lebanon County, Pennsylvania.

BOARD OF SUPERVISORS  
MILLCREEK TOWNSHIP  
LEBANON COUNTY, PENNSYLVANIA

[Signature]  
[Signature]  
[Signature]

ATTEST:

[Signature]  
Secretary