

**UPDATED ORDINANCE (DRAFT)-
REGULATING THE KEEPING AND
FEEDING OF FERAL / OUTDOOR
CATS IN THE BOROUGH**

**HATFIELD BOROUGH
MONTGOMERY COUNTY, PA
ORDINANCE NO. _____**

DRAFT

**AN ORDINANCE OF THE BOROUGH OF HATFIELD, MONTGOMERY COUNTY,
PENNSYLVANIA, AMENDING CHAPTER 2 (ANIMALS) OF THE CODE OF
ORDINANCES OF THE BOROUGH OF HATFIELD, MONTGOMERY COUNTY,
PENNSYLVANIA TO REVISE AND RESTATE PROVISIONS TO REGULATE THE
KEEPING AND FEEDING OF FERAL AND OUTDOOR CATS IN THE BOROUGH**

WHEREAS, the Borough of Hatfield, Montgomery County, Pennsylvania (hereinafter "Borough") is a municipality organized and existing under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the Borough has enacted a Code of Ordinances pursuant to its statutory authority in the Pennsylvania Borough Code; and

WHEREAS, Borough Council recognizes that the feeding of feral cats or the feeding of cats outdoors can cause nuisances in a neighborhood by attracting feral cats to a neighborhood and causing defecation, debris, and other issues on properties within the neighborhood, posing a threat to the public health, safety and welfare of Borough residents; and

WHEREAS, it is the intent of this ordinance to provide further regulations to regulate the keeping and feeding of feral cats in a humane way, in the Borough in accordance with state law, while simultaneously advancing the substantial government interest of public safety, health and protection; and

WHEREAS, the Borough had previously recognized the need to amend the Code of Ordinances to add a section in Chapter 2, dealing with feral cats, to address feral cats in the Borough, and now finds it necessary to update and restate provisions of its Ordinances to allow for better enforcement while still providing a humane alternative for feral cats and outdoor cats at large within the Borough,

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Borough Council of Hatfield Borough, Montgomery County, Pennsylvania, to amend and restate Part 5, "FERAL CATS" to Chapter 2, "Animals," in its entirety as follows:

***CHAPTER 2 ANIMALS,
PART 5,
GENERALLY***

SECTION 1. Chapter 2 of the Borough Code of Ordinances, "Animals," shall be revised and amended to read as follows:

§ 5-501. Purpose.

The purpose of this chapter is to regulate the keeping and feeding of feral cats within the Borough, and to discourage the presence of fertile outdoor cats at large in the Borough in order to promote the health, safety and general welfare of its inhabitants and to enforce the regulations dealing with feral cats in a humane way.

§ 5-502. Definitions.

For the purpose of this chapter, the following terms shall have the meanings ascribed to them in this section, except where the context in which the word is used clearly indicates otherwise:

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BOROUGH -The Borough of Hatfield.

BOROUGH COUNCIL - The Borough Council of the Borough of Hatfield.

FERAL CAT - Any homeless, wild, or untamed cat including any cat whose owner or keeper allows the cat to spend a large amount of time outside.

FERAL CAT COLONY: a group of feral cats living in one territory and or in close proximity often near food sources or shelters.

FEEDING: placing food in a location accessible to animals. The presence of unconsumed food, or empty containers can be considered as proof that food as an attractant was intentionally provided.

FERAL / OUTDOOR CAT MANAGEMENT PROGRAM: A program in the Borough of Hatfield which requires any resident, tenant or owner who intends to feed feral or outdoor cats to register, by way of a permit, to be responsible for feral or outdoor cats.

NUISANCE - Any use of property within the Borough of Hatfield or any condition upon any property within the said Borough that, other than infrequently or occasionally, shall cause or result in annoyance or disturbance to persons beyond the boundaries of such property; interference to the health and/or safety of persons beyond the boundaries of such property; and/or disturbance to or interference with the peaceful use of the property of others in the Borough, in any case taking into consideration the location of the use or condition, and the nature and condition of the surrounding neighborhood.

OUTDOOR CAT- A cat whose owner permits the animal to roam unrestrained outdoors.

OWNER - Any person, including tenants and residents, having custody of or who harbors a cat to remain on or around his or her property.

PERSON - A natural person, firm, partnership, association or corporation.

§ 5-503. Feeding of feral cats and other prohibited acts.

- A. It shall be unlawful and deemed a nuisance subject to penalties under this act for any person to feed outdoor or feral cats without applying for and receiving a Feral Cat Caregiver Permit for each location of the feeding.
- B. The feeding of feral or outdoor cats without compliance with the Feral Cat Caregiver Permit shall be automatically deemed a nuisance subject to penalties under this act.
- C. The feeding of feral or outdoor cats at any location within the Borough, without a Feral Cat Caregiver Permit is declared to be unlawful and a nuisance under this Ordinance.

- D. It shall be unlawful and deemed a nuisance subject to penalties under this act for any person to cause outdoor or feral cat(s) to habitually trespasses upon or damage either private or public property, or annoy, disturb the peace and quiet of the surrounding neighbors between the hours of 10:00 p.m. to 7:00 a.m., or to harm lawful users or occupants thereof, or violate the provisions of §2-202 Noise Disturbance.
- E. It shall be unlawful and deemed a nuisance for any Owner of a female cat to allow a female cat to roam free outdoors during its fertile seasons.

§ 5-504 Responsibilities of cat owners, cat feeders and requirements for a Feral Cat Caregiver Permit.

It shall be unlawful for any owner of any cat or anyone who feeds an outdoor or feral cat to permit such cat to run free outside the residence of its owner or keeper unless the Owner or Keeper has obtained a Feral Cat Caregiver Permit and is in compliance with the Hatfield Feral/Outdoor Cat Management Program, administered by the Borough Code Enforcement Officer. The Feral Cat Caregiver Permit and Hatfield Feral/Outdoor Cat Management Program require proof that each cat has been:

- A. Neutered or spayed to prevent procreating;
- B. Immunized against rabies in compliance with Pennsylvania law;
- C. Under the care of a Veterinarian; and
- D. Identified by means of a collar with a tag or a microchip. The identification must provide the owner's name and contact information.

§ 5-505. Violations and penalties.

Any person, organization, firm or corporation who shall violate any provision of this chapter by feeding feral cats in the Borough, or allowing a cat to roam freely outdoors without obtaining a Feral Cat Caregiver Permit or by failing to comply with the Feral/Outdoor Cat Management Program herein, shall be found in violation of this Code of Ordinances and shall pay fines and penalties as follows :

- 1st offense: \$50
- 2nd offense: \$100
- 3rd offense: \$200
- 4th offense: \$500

A Failure to pay the fines listed or to come into compliance with the Feral/Outdoor Cat Management Program will cause enforcement through the magisterial district judge in the manner provided for summary offenses, and a person who violates this ordinance or who is found to be causing a nuisance as described in this chapter, 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 less than \$100 and not more than \$1000, plus costs, and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days.

A separate offense shall be deemed committed on each day or part of each day during which a violation occurs or continues. Each day that a violation of this chapter continues or each section of this chapter which shall be found to have been violated shall constitute a separate offense. Nothing shall prevent the Borough from seeking equitable relief or money damages as a result of a nuisance under this ordinance.

§ 5-506. Continuation of prior provisions.

The provisions of this chapter, as far as they are the same as those of ordinances in force immediately prior to the enactment of this chapter, are intended as a continuation of such ordinances and not as new enactments. The provisions of this chapter shall not affect any such suit or prosecuting pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any ordinance repealed by this chapter.

SECTION 2. Severability. In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not prevent, preclude, or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

SECTION 3. Repealer. All ordinances or parts of ordinances inconsistent herewith are in conflict with any of the specific terms enacted hereby to the extent of said inconsistencies or conflicts, are hereby repealed.

SECTION 4. This Ordinance shall take effect as provided by law.

Ordained and Enacted this ____ day of _____, 2026, by the Borough Council of Hatfield Borough with _____ voting "aye" and _____ voting "nay".

Attest:

HATFIELD BOROUGH

By: _____
Richard Girard, Council President

Jaime E. Snyder, Secretary

APPROVED BY THE MAYOR:

Mary Anne Girard

Date _____