

MUNICIPALITY OF MONROEVILLE

ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

**AN ORDINANCE OF THE MUNICIPALITY OF
MONROEVILLE, ALLEGHENY COUNTY, PENNSYLVANIA,
PROHIBITING THE FEEDING OF WILD ANIMALS AND
PROVIDING PENALTIES FOR THE VIOLATION OF SUCH
REGULATIONS.**

WHEREAS, the Municipality has determined that the feeding of unconfined wild animals creates a public nuisance and is detrimental to the health, safety and welfare of the Municipality;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED AS FOLLOWS:

Section 1. Definitions.

As used in this Ordinance, the following terms shall have the meaning indicated:

“Feed” or “Feeding” means the act of furnishing, exposing, placing, depositing, distributing or scattering, whether intentionally or negligently, any food or substance of any kind which is likely to attract, lure or entice wild animals.

“Person” shall mean any individual, owner, occupier, tenant, corporation, company, partnership, firm, entity, association, club, society or other form of association or organization subject to the jurisdiction of the Municipality of Monroeville.

“Wild animal” shall mean any species of animal wild by nature, as distinguished from common domesticated animals. A wild animal is further defined as one that can survive in its natural environment without the assistance of humans, including, but not by way of limitation, raccoons, bear, feral cats, coyotes, deer, foxes, groundhogs, opossums, skunks, birds, reptiles and waterfowl.

Section 2. Prohibited Conduct.

It shall be unlawful for any Person, or agent thereof to feed wild animals, cause wild animals to be fed, or provide food to wild animals upon public or private property within the Municipality of Monroeville. It shall be further unlawful to authorize, or aid and/or abet any other Person to feed wild animals upon public or private property within the Municipality of Monroeville. This prohibition shall not apply to live vegetation, such as ornamental landscaping, flowers, trees, vines, vegetable gardens or unmodified commercially purchased bird feed when placed out of the reach of wild animals.

Section 3. Exclusions.

It shall not be unlawful to:

(a) Feed wild songbirds outdoors, such that feeding does not create an unreasonable disturbance affecting the rights of neighboring property owners, nor create an accumulation of animal dropping, nor attract the presence of rodents or other wild animals.

(b) Place bird feeders or other mechanical devices for feeding small birds at least five (5) feet above ground level, and utilized so as not to attract wild animals.

(c) Feed wild animals that are within confined zoos, or at educational or environmental centers, or federally protected wildlife preserves.

(d) Bait wild animals for the purpose of the removal or abatement of nuisance conditions on public or private property.

Section 4. Enforcement.

(a) Police officers, animal control officers, code enforcement officers, or any other designated and authorized personnel of the Municipality of Monroeville are hereby empowered to enforce the terms of this Ordinance.

(b) The authorized persons may seize any wild animal at large causing annoyance or inconvenience to residents, pedestrians or operators of motor vehicles within the limits of the Municipality of Monroeville.

Section 5. Penalties.

Any person, firm, corporation or other entity who shall violate any provision of this Ordinance, or fails to comply with any of the provisions hereof, following written notice and opportunity to abate such initial first violation within forty-eight hours of such written notice shall be subject to a summary violation and a fine of not less than \$100.00 nor more than \$1,000.00, plus costs and the reasonable attorneys' fees incurred by the Municipality. A separate offense shall arise for each day or portion thereof in which a violation of this Ordinance shall be found. The Municipality may also commence an action in equity to prevent, restrain, abate, correct or enjoin such violations of this Ordinance.

Section 6. Severability.

If any section, sub-section, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

Section 7. Repealer.

Any ordinance, chapter, section, sub-section, paragraph, sentence, clause, or phrase conflicting with the provisions set forth in this Ordinance are hereby repealed to the extent of such conflict for the time period identified herein.

Section 8. Effective Date.

This Ordinance shall be effective upon adoption.

ORDAINED AND ENACTED this 10th day of January, 2023.

ATTEST:

MUNICIPALITY OF MONROEVILLE

Timothy J. Little
Municipal Manager

Dr. Nicholas J. Gresock
Mayor

ENTERED INTO LEGAL BOOK ON: