

TOWNSHIP OF SHALER  
ORDINANCE NO. 1973

**AN ORDINANCE OF THE TOWNSHIP OF SHALER,  
ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING  
THE CODIFIED ORDINANCES OF THE TOWNSHIP OF  
SHALER AT CHAPTER 80, ANIMALS, ARTICLE II,  
NUISANCES, TO PROHIBIT THE FEEDING OF DEER  
WITHIN THE TOWNSHIP.**

WHEREAS, Section 1502 (20) of the First Class Township Code, 53 Pa. C.S.A. §1502 (20), provides the Board of Commissioners of the Township of Shaler (the “Township”) with the power to make regulations as may be necessary for the health, safety, morals, general welfare, cleanliness, beauty, convenience, comfort and safety of the Township and its residents; and

WHEREAS, Chapter 80, Article II, of the Township of Shaler Code of Ordinances, prohibits the keeping or harboring any dog, cat, or other animal so as to create offensive odors, excessive noise or unsanitary conditions posing a menace to the health, comfort or safety of the public; and

WHEREAS, the Board of Commissioners finds that the intentional feeding of deer contributes to an unnaturally large population; and

WHEREAS, unnaturally large deer populations have been shown to increase traffic hazards and cause motor vehicle accidents, resulting in damage to property, loss of life, and other dangers; and

WHEREAS, unnaturally large populations of deer may cause damage to real and personal property by feeding on agricultural or decorative vegetation, creating a nuisance to property owners; and

WHEREAS, limiting intentional feeding has been shown to reduce the risk and spread of Lyme disease in human beings; and

WHEREAS, the Board of Commissioners now desires to amend Chapter 80, Article II of the Code to prohibit the purposeful, intentional, or knowing feeding of deer on public or private property.

NOW, THEREFORE, be it ordained and enacted by the Township of Shaler, and it is hereby ordained and enacted by and with the authority of the same, incorporating the above recitals by reference:

**SECTION 1.** Chapter 80, Article II, of the Township of Shaler Code of Ordinances, Section 80-6, Prohibitions, is amended as follows by adding the following underlined terms:

**§80-6 Prohibitions.**

- A. No person shall keep or harbor a dog, cat, fowl or other animal in a manner which constitutes a nuisance. No person shall permit a dog, cat, fowl or other animal to commit a nuisance upon any school grounds or other public property or upon any private property other than that of the owner or person in charge of such animal; provided, however, that, if the owner or person in charge of such animal immediately removes all feces deposited by such animal and disposes of same in a sanitary manner, such type of nuisance shall be considered abated, providing said occurrence does not happen on a continued, habitual basis. A continued, habitual nuisance shall be defined as an instance that occurs two times or more, inclusive of verbal and/or written notification from the homeowner to the animal owner and with notice to the Code Enforcement Officer, requesting that said nuisance activity cease.
- B. No person shall knowingly, purposely or intentionally feed deer, cause deer to be fed or provide food to deer in the Township on any public or private property. This prohibition includes, but is not limited to, disbursement of food on the ground, at a

feeding station, a feeding device, or in a container of any form; providing salt or mineral lick/block; or any other means which serves to provide feed or results in the attraction of any deer in the Township. This prohibition shall not include live vegetation such as ornamental landscaping, flowers, trees, vines or vegetable gardens. This prohibition shall also not apply to licensed veterinarians, Animal Control Officers, or county, state or federal game officials who in the course of their duties have deer in their custody or management.

**SECTION 2.** Chapter 80, Article II, of the Township of Shaler Code of Ordinances, Section 80-9, Violations and penalties, is amended as follows by inserting the underlined terms as follows:

**§80-9 Violations and penalties.**

- A. If any owner, custodian or keeper of any dog, cat, fowl or other animal having been notified as per the provisions of this article shall further allow the dog, cat, fowl or other animal to be a nuisance in violation of § 80-6 of this article, said owner, custodian or keeper so offending shall, upon conviction thereof by any issuing authority, be sentenced to pay a fine of not more than \$600 and may be sentenced to a period of incarceration not exceeding 90 days in the Allegheny County Jail, at the discretion of the issuing authority. Each incident in violation of this article shall be considered as a separate offense and shall be punishable as such.
- B. Any person, firm or corporation who violates any other provision of this Part, or who fails to comply therewith, or with any of the requirements thereof, shall be, upon conviction thereof, sentenced to pay a fine or not less than \$300 nor more than \$1000 for each violation, plus court costs and costs of prosecution, and in default of payment of said fine



and costs, to imprisonment to the extent permitted by law for the punishment of summary offenses. A separate offense shall arise for each day or portion thereof in which a violation is found to exist. The Township may also commence appropriate actions in equity or other to prevent, restrain, correct, enjoin or abate violations of this section.

**SECTION 3.** Should any sentence, section, clause, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, other than the part declared to be invalid.


**SECTION 4.** All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.


**SECTION 5.** This Ordinance shall take effect in accordance with applicable law.

ORDAINED and ENACTED this 9<sup>th</sup> day of May 2023, by the Board of Commissioners of Shaler Township.

ATTEST:

SHALER TOWNSHIP BOARD OF COMMISSIONERS:

By:   
Christopher Lovato

By:   
David Shutter

Township Manager

President of the Board of Commissioners

(SEAL)

