

**BOROUGH OF CHURCHILL**

**ORDINANCE NO. 747**

**AN ORDINANCE OF THE BOROUGH OF CHURCHILL,  
ALLEGHENY COUNTY, PENNSYLVANIA, CREATING A NEW  
CHAPTER 133 OF THE BOROUGH OF CHURCHILL CODE TO  
PROHIBIT FEEDING WILD GAME**

WHEREAS, the Pennsylvania Game Commission and the Humane Society of the United States, along with other wildlife management agencies, caution against feeding wildlife in suburban areas; and

WHEREAS, the Council of the Borough of Churchill has determined that feeding wildlife in the Borough causes increased contact between residents and wild game, leading to property damage, vegetation damage, vehicle collisions, and public health concerns such as the spread of Lyme disease; and

WHEREAS, the Council of the Borough of Churchill has determined that the prohibition against feeding wild game within the Borough is necessary to protect the health, safety and welfare of the residents of the Borough of Churchill.

NOW, THEREFORE, it is hereby ORDAINED and ENACTED that the Borough of Churchill Code shall be amended as follows:

Section 1.

Chapter 133, entitled "Feeding of Wild Game," shall be added to the Borough of Churchill Code, and shall state as follows:

**Chapter 133: Feeding of Wild Game**

**§ 133-1. Generally.**

No person shall create conditions that are attractive to wild game, including, but not limited to, deer, bears, coyotes, groundhogs, opossums, skunks, rats, rodents, raccoons, vermin, turkeys, ducks, geese, swans, heron, egrets and pigeons (collectively, "Wild Game"). Any person creating conditions attractive to Wild Game shall be committing a nuisance.

**§ 133-2. Prohibited Conduct.**

Conduct creating conditions attractive to Wild Game includes, but is not limited to: 1) feeding, baiting, or in any manner providing access to food to any Wild Game on lands either publicly or privately owned; 2) leaving, spreading or storing any refuse, garbage, food product, pet food, forage product or supplement, salt, licks, wildlife feed, livestock feed, fruit, corn, or grain in a manner that would be accessible to any Wild Game; 3) failing to take remedial action to avoid contact or conflict with Wild Game, which may include the securing or removing of outdoor trash, cooking grills, pet food, or any other similar food source or attractant after being advised by the Borough to undertake such remedial action; 4) or after an initial contact or conflict with Wild Game, continuing to provide, or otherwise failing to secure or remove, any likely food sources or attractants, including, but not limited to, outdoor trash, grills, or pet food.

**§ 133-3. Bird Feeders.**

The use of bird feeders for the feeding of songbirds and other backyard birds shall be permitted outdoors with the condition that the food bin of bird feeders must be placed at least five (5) feet above the ground.

**§ 133-4. Violation and Penalties.**

Any person that violates this ordinance shall immediately and permanently, upon notification from the Borough of Churchill, remove any conditions identified by the Borough and discontinue the activity for which notice was given. If the person notified complies with the notification within one week, no penalties will be sought.

Any person who does not comply within one week of notification of violation shall be liable for a fine of not less than \$25 nor more than \$50 for each offense, in addition to the costs of prosecution. A separate offense shall be deemed committed for each day thereafter during which a violation continues.

**§ 133-5. Severability.**

The provisions of this Chapter are declared to be severable, and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clause and phrases of this Chapter.

Section 2.

As of the effective date of this Ordinance, all ordinances currently in existence are repealed to the extent that such ordinances are inconsistent with the provisions of this Ordinance; provided however, that such ordinances shall remain in full force and effect to the extent that they are not inconsistent with the provisions of this Ordinance.

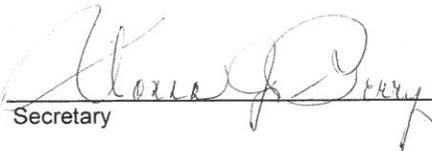
Section 3.

The provisions of this Ordinance shall become effective upon adoption by the Council of the Borough of Churchill.

**ORDAINED AND ENACTED** into law this 11<sup>th</sup> day of February, 2019.

**ATTEST:**

**BOROUGH OF CHURCHILL**

  
Secretary

  
President of Council

**EXAMINED AND APPROVED** this 11<sup>th</sup> day of February, 2019

  
Mayor