BOROUGH OF OAKMONT
ORDINANCE NO. O4 of 2024

AN ORDINANCE OF THE BOROUGH OF OAKMONT, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND UPDATING THE BOROUGH CODE OF ORDINANCES, CHAPTER 202, WILD WATERFOWL, BY UPDATING THE TITLE AND REQUIREMENTS OF THE CHAPTER TO ADDITIONALLY PROHIBIT THE FEEDING OF WILD ANIMALS AND ANIMALS USED BY THE BOROUGH FOR VEGETATION CONTROL OR OTHER PURPOSES

WHEREAS, Oakmont Borough has prohibited the feeding of wild waterfowl; and

WHEREAS, the Borough further wishes to prohibit the feeding of deer and other wild animals as it has been determined that the health and general welfare of the citizens of the Borough is impacted in a negative way by the feeding and cultivating of wild animals within the confines of the Borough; and

WHEREAS, the Borough has found that there has been a problem with the feeding of animals like goats, donkeys and sheep being used by the Borough for vegetation management and therefore also wishes to prohibit the feeding of such animals.

BE IT ORDAINED AND ENACTED, by the Council of the Borough of Oakmont, Allegheny County, that the following amendments are adopted.

I. Chapter 202 is amended as follows

1. The title shall be changed to Wild and Borough Animals.

2. Section 202-2 Feeding Prohibited shall be amended to read as follows:

   a) It shall be unlawful for any person to feed or provide food for any wild waterfowl at any time during the year within the Borough of Oakmont.
   b) It shall be unlawful for any person to feed or provide food for any wild animal, including but not limited to deer, whether on private or public property, at any time during the year with the Borough of Oakmont.
   c) It shall be unlawful for any person to feed or provide food for any animals under the control, custody or being used for the Borough, including but not limited to goats, donkeys and sheep used by the Borough for vegetation management.

3. Section 202-3 Definitions shall be amended as follows:
   The definition of "Feed" shall be repealed and replaced with the following:
   To place, deposit, scatter or distribute in a location accessible to wild animals, including waterfowl or deer, any type of feed, including but not limited to fruit, grain, mineral, salt, salt stick, vegetable, corn, wheat or other grains, bread, popcorn, scraps or any substance liable to be eaten by wild waterfowl or deer or to feed or provide any food at all, whether animal feed, plants, or food for human consumption to goats, donkeys, sheep or other animals being used by the Borough for vegetation management or any other purposes.

   A new definition term "Wild Animal" shall be added with the following definition:

   a. That which is not of a species used or kept as an ordinary household pet;
   b. One which ordinarily would be confined to a zoo, deer, or one which would ordinarily be found in the wilderness of this country,
   c. Includes any animals prohibited from being owned as domestic pets under the laws of the Commonwealth of Pennsylvania and the Code of the Borough of Oakmont

II. Ordinances which are inconsistent herewith are hereby repealed.

IV. Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

BE IT ORDAINED AND ENACTED this 17th day of June, 2024.

ATTEST: BOROUGH OF OAKMONT

Secretary By: President, Borough Council

Examined and approved the _____ day of _____, 2024.

This Ordinance recorded in the Borough Ordinance book at Volume/Page _____, on _____, 2024, by the undersigned.

_____
Borough Secretary

_____
Mayor, Borough of Oakmont