

ORDINANCE NO: 590

**BENTLEYVILLE BOROUGH
WASHINGTON COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF BENTLEYVILLE BOROUGH,
WASHINGTON COUNTY, PENNSYLVANIA, BANNING
THE FEEDING OF DEER WITHIN THE BOROUGH AND
PROVIDING PENALTIES THEREOF.**

WHEREAS, in order to promote and protect the health, safety and welfare of the residents of Bentleyville Borough, the Borough Council of Bentleyville Borough, Washington County, Pennsylvania, have determine it necessary to ban the feeding of deer within the Borough; and

WHEREAS, Bentleyville Borough finds that the intentional feeding of deer is a nuisance as such feeding contributes to an unnaturally large population which create traffic hazards, destroy personal property and place the deer herd at risk for disease; and

WHEREAS, scientific studies have proven that Lyme disease is spread to human beings from ticks found on deer, and that the reduction of the deer population can significantly reduce the risk and spread of Lyme disease in human beings.

NOW THEREFORE, pursuant to the Borough Code, as amended, and other relevant laws of the Commonwealth of Pennsylvania, the Bentleyville Borough Council hereby enacts and ordains the following:

SECTION 1: TITLE

This Ordinance shall be known as the "Bentleyville Borough Deer Feeding Ban".

SECTION 2: PURPOSE

No person may place or allow to be places any devise, fruit, grain, mineral, salt, salt stick, vegetable or other mineral outdoors on any public or private property for the purpose of attracting or feeding deer. No person shall be heard to have placed any devise, fruit, grain, mineral, salt, salt stick, vegetable or other material outdoors on any public or private property for the purpose of attracting any other animals, and not for the purpose of attracting or feeding deer, if the effect of placing any devise, fruit, grain, mineral, salt, salt stick, vegetable or other minerals is the attraction and feeing of deer.

Each property owner shall have the duty to remove any materials placed on the owners' property in violation of this Ordinance. Failure to remove such materials within twenty-four (24) hours after notice shall constitute a violation.

SECTION 3: EXCEPTION

This Ordinance shall not apply to naturally growing materials, including but not limited to fruit, grain, nuts, seeds and vegetables.

SECTION 4: PENALTIES FOR VIOLATION

Any person or entity found in violation of any provision of this Ordinance shall be subject to the following fines and penalties.

1 st Offense:	\$25	Fine
2 nd Offense:	\$75	Fine
3 rd Offense:	\$150	Fine
4 th Offense: & all other Subsequent Offenses:	\$300	Fine

A separate offense shall be deemed committed on each day or part of each day during which a violation occurs or continues.

SECTION 5: REPEALER

Any ordinance, resolution or part thereof in conflict herewith, is hereby repealed to the extent of said conflict.

SECTION 6: AUTHORIZATION

The Borough Council are hereby authorized and directed to execute any and all documents necessary to effectuate the purposes of the Ordinance.

SECTION 7: SEVERABILITY

If any sentence, clause, phrase or section 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, phrases, sections or parts of this Ordinance.

It is hereby declared as the intention of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, phrase, section or part thereof not been included therein.

SECTION 8: EFFECTIVE DATE

This Ordinance shall become effective as provided by law.

ORDAINED AND ENACTED into law by the Council of Bentleyville Borough in lawful session assembled this 2nd day of October, 2018.


Tammy Stamm
Tammy Stamm, Secretary

By: Stanley Glowaski
Stanley Glowaski, President

EXAMINED AND APPROVED by me this 2nd day of October, 2018.

By: Thomas Brown
Thomas Brown, Mayor