

**TOWNSHIP OF FORKS
NORTHAMPTON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 394

AN ORDINANCE OF THE TOWNSHIP OF FORKS, NORTHAMPTON COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP OF FORKS CODE OF ORDINANCES, BY AMENDING CHAPTER 54, ANIMALS, BY ADDING A NEW SECTION 54-5, DECLAWING OF CATS, AND A NEW SECTION 54-6 PROHIBITING THE SALE OF DOGS, CATS, RABBITS AND GUINEA PIGS BY PET SHOPS.

WHEREAS, the Board of Supervisors of the Township of Forks has deemed it necessary to amend Chapter 54, Animals, of the Code of the Township of Forks to prohibit the declawing of cats, and to prohibit the sale of dogs, cats, rabbits and guinea pigs in the Township.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Forks, Northampton County, Pennsylvania, as follows:

SECTION 1. Chapter 54, Animals is hereby amended by adding a new Section 54-5 to read as follows:

“§54-5 Declawing of Cats.

A. Definitions.

1. Cat - Any member of the Felidae family (both domestic and nondomestic felines).
2. Declawing - As used in this section the term “declawing” means any of the following:
 - a. An onychectomy, dactylectomy, phalangectomy, partial digital amputation, or any other surgical procedure by which a portion of a cat’s paw is amputated to remove the cat’s claw.
 - b. A tendonectomy or another surgical procedure by which the tendons of a cat’s limb, paws, or toes are cut or modified so that the cat’s claws are prevented from functioning normally.
 - c. Any other method of permanently or irreversibly preventing the normal functioning of a feline’s claws.
3. Therapeutic purpose - It shall be affirmative defense from prosecution under this Section that the declawing was performed for a Therapeutic Purpose. This term refers to the necessity of addressing the physical medical condition of a cat, such as an existing or recurring illness, infection, disease, injury, or abnormal condition of a cat’s claw, nail bed, or toe bed, that jeopardizes the cat’s health. The term does not include a cosmetic or aesthetic reason or reasons of convenience for keeping or handling the cat.

- B. Prohibition. A person may not perform a declawing by any means on a cat within the Township unless the procedure is necessary for a therapeutic purpose.
- C. Any person who violates this Section is subject to a civil penalty of up to five hundred dollars (\$500.00), plus costs for each violation. Each incident in which a cat is declawed or partially declawed in violation of this Section constitutes a separate violation.
- D. The Forks Township Police Department shall be empowered to enforce any and all parts of this Section upon notification of such violation. A record of the violation shall be kept on file with the Township.”

SECTION 2. Chapter 54, Animals is hereby amended by adding a new Section 54-6 to read as follows:

“54-6 Prohibition on the Sale of Dogs, Cats, Rabbits and Guinea Pigs by Pet Shops.

- A. Prohibition on the Sale of Dogs, Cats, Rabbits and Guinea Pigs by Pet Shops
 - 1. It shall be unlawful for a pet shop to sell or offer for sale a dog, cat, rabbit or guinea pigs.
 - 2. Nothing in this Section shall be constructed to prohibit a retail pet shop from providing space to either an animal shelter or to an animal rescue organization, whether such shelter or organization is located within or outside the Commonwealth of Pennsylvania, for the purpose of displaying dogs or cats or rabbits available for adoption.
- B. Prohibition on Shelters and Rescues Purchasing Dogs, Cats, Rabbits or Guinea Pigs. It shall be unlawful for an animal shelter or animal rescue organization to, in exchange for payment or other compensation, obtain a dog, cat, rabbit or guinea pigs from a person who breeds animals, resells animals from a person who breeders animals, or sells dogs at auction.
- C. Definitions. For purposes of this section:
 - 1. Sell - To exchange for consideration, adopt out, barter, trade, lease, or otherwise transfer.
 - 2. Offer for sale - To display or proffer for acceptance by another person.
 - 3. Animal shelter - A facility operated by or under contract with a political subdivision of any state for the impoundment and care of seized, stray, homeless, abandoned, unwanted, or surrendered animals.
 - 4. Adoption fee - Remuneration to cover the cost of feeding, sheltering, surgical sterilization and providing care for an animal without profit.

5. Retail sale - The auction, order, display for sale, offer for sale, or selling of any dog or cat.
6. Animal rescue organization - A non-profit organization under the law of any state and exempt from federal taxation under Section 501(c)(3) of the Federal Internal Revenue Code, as amended, and whose principle purpose is the prevention of cruelty to animals and whose principle activity is to rescue sick, injured, abused, neglected, unwanted, abandoned, orphaned, lost, or displaced animals and to adopt them to good homes.
7. Cat - Any member of the species Felis catus.
8. Dog - Any member of the species Canis familiaris.
9. Rabbit - Any member of the species Oryctolagus cuniculus domesticus.
10. Guinea Pig - Any member of the species Cavia porcellus.

D. Violations and Enforcement

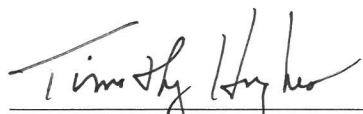
1. A retail pet shop that sells or offers for sale a dog or cat or rabbit or an animal shelter or rescue organization that purchases dogs, cats or rabbits will be in violation of this Section and the violation is punishable by a fine of up to five hundred dollars (\$500.00). Each unlawful sale or offer for sale of each dog, cat, rabbit or guinea pig shall constitute a separate violation.
2. The Forks Township Police Department shall be empowered to enforce any and all parts of this Section upon notification of such violation. A record of the violation shall be kept on file with the Township.”

SECTION 3. All Ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

SECTION 4. This Ordinance shall be effective five (5) days after its enactment.

ENACTED AND ORDAINED at a regular meeting of the Board of Supervisors of the Township of Forks, County of Northampton on this 3rd day of August 2023.

ATTEST:



Timothy Hughes, Secretary

FORKS TOWNSHIP
BOARD OF SUPERVISORS

By: 

Ty Corallo, Vice-Chairman