

**NORTH VERSAILLES TOWNSHIP
ORDINANCE NO. _____**

**AN ORDINANCE OF THE TOWNSHIP OF NORTH
VERSAILLES, COMMONWEALTH OF PENNSYLVANIA,
ALLOWING AND REGULATING THE KEEPING OF
CHICKENS WITHIN THE TOWNSHIP OF NORTH
VERSAILLES; REPEALING PART OF CHAPTER 92 OF
THE CODE OF THE TOWNSHIP OF NORTH
VERSAILLES; ESTABLISHING A PERMIT AND FEE;
EFFECTIVE DATE.**

WHEREAS, there is a growing interest among Township residents in local food systems, greater self-sufficiency by households and non-commercial food production as an adjunct to residential dwellings; and

WHEREAS, the keeping of food producing animals such as chickens provides social, economic and environmental benefits; and

WHEREAS, North Versailles Township is authorized to regulate the keeping of animals by residents within the Township boundaries pursuant to the Pennsylvania First Class Township Code; and

WHEREAS, this Ordinance and the regulation of keeping chickens within the Township of North Versailles is deemed to be in the best interest of the health, safety and welfare of the residents of the Township of North Versailles.

NOW, THEREFORE, IT IS HEREBY ORDAINED AS FOLLOWS:

SECTION 1

Section 92-13 of the Code of the Township of North Versailles is repealed in part as follows:

The prohibition against keeping chickens within the Township of North Versailles is repealed; all other prohibitions contained within Section 92-13 shall continue.

SECTION 2

The following Sections are hereby enacted and added to Chapter 92 of the Code of the Township of North Versailles.

Article VI – Chickens

Section 92-25 – Definitions:

Chicken – poultry or fowl of the species Gallus gallus domesticus, a domesticated fowl. This definition shall not be construed to include any species of turkey, duck, guinea fowl, goose, or other fowl.

Chicken Coop – a structure providing for shelter of female chickens which is completely enclosed and intended for the shelter and protection of chickens.

Single Family Dwelling – any building that contains only one (1) dwelling unit used or intended to be occupied for living purposes by one (1) family consistent with the Township of North Versailles Zoning Ordinance.

Section 92-26 – Permitting Requirements

A permit is required. No person shall raise, harbor or keep chickens within the Township of North Versailles without a valid permit obtained from the Zoning Officer under the provisions of this Ordinance. In order to obtain a permit, an applicant must submit a completed application on forms provided by the Township Zoning Officer and pay the required application fee which will be established from time to time by the Commissioners of the Township of North Versailles by simple resolution.

Section 92-27 – Permit Requirements

- A. All standards and criteria set forth in this Ordinance are met;
- B. All fees, as may be established from time to time by resolution of the Township Commissioners, for the permit are paid in full;
- C. All fees and taxes owed by the applicant and/or property owner to the Township have been paid in full;
- D. The parcel of land to be permitted for the keeping of chickens shall contain only one (1) single family dwelling as defined under the Township Zoning Ordinance;
- E. The applicant has provided notice to the residents of all immediately adjacent dwellings of the applicant's intent to obtain a permit.

Section 92-28 – Issuance of Permit

If the Zoning Officer concludes as a result of the information contained in the application that the requirements for a permit have been met, then the Zoning Office shall issue the permit within thirty (30) days of receipt of a complete application and payment of all fees due. The permit shall be valid for one (1) year from the date of issue and must be renewed annually.

Section 92-29 – Standards for Keeping of Chickens

- A. Only female chickens (hens) are allowed. Roosters are prohibited within the Township limits.
- B. The maximum number of chickens allowed is four (4) per single family dwelling unit.
- C. Chickens shall be housed in a chicken coop which may have access to a chicken pen. During non-daylight hours, chickens shall be secured in the chicken coop.
- D. All chicken coop enclosures must be kept in a clean, dry, odor-free, neat and sanitary condition at all times.

E. Chicken coops must provide adequate ventilation and must be impenetrable to rodents, wild birds, and predators, including dogs and cats.

F. Chicken Coops Design and Construction

1. Chicken coops shall be designed to provide safe and healthy living conditions for the chickens with a minimum of four (4) square feet per bird while minimizing adverse impacts to other residents in the neighborhood.

2. A chicken coop shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird-proof wire of less than one (1) inch openings. The materials used in making a chicken coop shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal, or similar materials is prohibited. Chicken coops shall be well maintained.

3. Chicken coops shall only be located to the rear of a dwelling.

4. Chicken coops and chicken pens must be located at least fifteen feet (15') from the property line and at least twenty-five feet (25') from any adjacent building or residential structure not owned by the applicant.

5. The chicken pen shall be covered with mesh wire, aviary netting or solid roofing.

6. Chickens shall have access to feed and clean water at all times, and such feed and water shall be inaccessible to rodents, wild birds and predators. Chickens shall be provided adequate bedding in the coop.

Section 92-30 – Odor and Noise Impacts

Odors from chickens, chicken manure or other chicken related substances shall not be perceptible beyond the boundaries of the permitted parcel of land. Noise from chickens shall not be loud enough beyond the boundaries of the permitted tract of land at the property boundaries to disturb persons of reasonable sensitivity.

Section 92-31 – Waste Storage and Removal

All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure, or garbage cans with tight fitting lids. No more than three (3) cubic feet of manure shall be stored on the permitted parcel of land. All other manure not used for composting and fertilizing shall be removed from the site or incorporated into a garden area. The chicken coop, chicken pen and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

Section 92-32 – Chickens-at-large Prohibited

No owner shall allow chickens to roam off the permitted parcel of land.

Section 92-33 – Unlawful Acts

A. It shall be unlawful for any person to keep chickens in violation of any provision of this Ordinance.

B. It shall be unlawful for any owner of rental property, renter or leaseholder of property to allow chickens to be kept on any property, except where the owner of the chickens is also the resident and owner of the property upon which the chickens are kept.

- C. No person shall slaughter any chickens within the Township limits.
- D. No person shall keep a rooster.
- E. No person shall keep chickens on a vacant or uninhabited parcel of land.

Section 92-34 – Nuisances

Any violation of the terms of this Ordinance that constitutes a health hazard or that interferes with the use or enjoyment of neighboring properties is a nuisance and may be abated under the general nuisance abatement provisions of the Pennsylvania First Class Township Code and all applicable Township nuisance or zoning ordinances, with fines and penalties consistent therewith.

Section 92-35 – Permit Revocation and Removal of Items

A. The chicken permit shall be revoked if the Code Enforcement Officer or Zoning Officer, in his/her sole discretion, determines that the individual granted the permit is in violation of this Ordinance.

B. Violation of the provisions of this Ordinance shall result in permit revocation and may result in the initiation of enforcement proceedings set forth herein including the assessment of penalties.

C. Misrepresentation by a permit applicant shall result in the subject permit being revoked, voided or denied.

D. If a violation of this Ordinance occurs, the Township Manager is authorized to order immediate removal of all disposable items associated with the keeping of chickens. Stationary structures associated with the keeping of chickens may remain, provided the structure is not creating a nuisance and is not in violation of any provision of the Code of the Township of North Versailles.

E. Any individual who has a chicken permit revoked, removed or voided will not be eligible for consideration for another chicken permit.

F. If any applicant, permittee or land owner adjacent to a permitted chicken coop or chicken pen is aggrieved by the determination of the Township Manager, Code Enforcement Officer or Zoning Officer, such aggrieved person may appeal the determination to the North Versailles Township Commissioners. The appeal shall be in writing and must be received at the Township office no later than thirty (30) days from the date of the determination of which such person is aggrieved. The written appeal must describe in detail the reason for the appeal. The Township Commissioners may make a determination after considering the written appeal or may notify the aggrieved person of when the matter will be considered by the Commissioners at a public meeting.

Section 92-36 – Violations and Penalties

Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000.00 and/or to imprisonment for a term not to exceed 30 days. Every day that a violation of this Ordinance continues shall constitute a separate offense.

SECTION 3

Severability - The provisions of this Ordinance are severable, and should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such

judgment shall not affect the validity of the Ordinance as a whole or any remaining part or provision thereof, other than the part so declared to be invalid.

SECTION 4

Effective Date - This Ordinance shall take effect immediately.

ORDAINED into law this _____ day of _____, 2020.

ATTEST:

NORTH VERSAILLES TOWNSHIP

By _____
Manager

By _____
President

CERTIFICATION

I, Patricia Logo, hereby certify that I am the Manager of North Versailles Township, and that the within Ordinance was advertised in accordance with law and enacted at a regular meeting of the Township Commissioners duly convened, at which a quorum was present and voted in favor thereof.

CERTIFIED this _____ day of _____, 2020

Patricia Logo