

TOWAMENCIN TOWNSHIP

ORDINANCE NO. 25-04

AN ORDINANCE AMENDING ARTICLE V, SECTION 153-502(A) [USE DEFINITIONS AND REGULATIONS/AG AGRICULTURAL USES] OF THE TOWNSHIP'S ZONING ORDINANCE, AS AMENDED, BY ADDING A NEW AGRICULTURAL USE: AG-9 [KEEPING AND MAINTAINING OF DOMESTICATED CHICKENS] SUBJECT TO CERTAIN EXPRESS CONDITIONS

DRAFT

ENACTED:

TOWAMENCIN TOWNSHIP

ORDINANCE NO. 25-04

AN ORDINANCE AMENDING ARTICLE V, SECTION 153-502(A) [USE DEFINITIONS AND REGULATIONS/AG AGRICULTURAL USES] OF THE TOWNSHIP'S ZONING ORDINANCE, AS AMENDED, BY ADDING A NEW AGRICULTURAL USE: AG-9 [KEEPING AND MAINTAINING OF DOMESTICATED CHICKENS] SUBJECT TO CERTAIN EXPRESS CONDITIONS

This Board deems certain amendment to the Township's Zoning Ordinance is warranted and that such amendment is in furtherance of the Township's health, safety, and welfare.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by this Board:

SECTION 1. AMENDMENT TO ARTICLE V, SECTION 153-502(A) [USE DEFINITIONS AND REGULATIONS/AG AGRICULTURAL USES]

Article V, Section 153-502(A) is amended to include a new agricultural use: AG-9 [Keeping And Maintaining Of Domesticated Chickens] subject to certain conditions, which reads as follows:

- (9) Ag-9 Keeping and maintaining of domesticated chickens, subject to the following:
 - (a) Domesticated chickens are only permitted in residential zoning districts as a non-commercial accessory use to single family detached dwellings when the property is utilized for residential purposes and the lot size is greater than 20,000 square feet; roosters are prohibited.
 - (b) No more than four birds shall be kept on a property less than one acre.

(c) No more than six birds shall be kept on a property greater than one acre.

(d) These provisions are not intended to prohibit the commercial raising of chickens as may be permitted in Ag-1 Agricultural uses per this ordinance.

(e) All owners of chickens must maintain sanitary living conditions for the chickens so that the keeping of chickens does not become a public or private nuisance. All chicken feed must be stored in closed containers. Owners shall remove feces at least once a week. The feces must be double-bagged and placed in the trash for collection. Any slaughtering of chickens shall be conducted in a fully enclosed structure.

(f) Shelters:

(1) All birds shall be provided with a shelter having a roof and at least three enclosed sides and shall be contained within a fenced area. A zoning permit shall be required for the shelter.

(2) All shelters must be located in the rear yard and shall be no closer than fifteen (15) feet to any property line and no closer than twenty-five (25) feet from any residential structure.

(3) Any shelter shall not be located any closer to a neighboring dwelling than it is to the dwelling of the property it is located on as an accessory to.

(4) Shelters shall have minimal dimensions of four-square feet per bird. In addition, fenced areas surrounding shelters must contain at least 10 square feet per bird.

(5) The chicken run fence shall be made of durable materials, such as wood and wire mesh, extending underground for at least one foot and having an above

ground height of at least four feet. The chicken run fence may not be any closer to the property line than fifteen (15) feet. The chicken run shall also have a roof made of wire mesh or aviary netting to protect against predators. The height of the chicken coop and chicken run shall not exceed six feet in height.

(6) Shelters must be shielded from the view of adjacent properties with fence or shrubbery with a minimum height of four feet.

- (g)** In the case of keeping chickens, no male birds (roosters) may be kept. All birds shall be females (hens)
- (h)** It shall be unlawful for any person to permit or allow any chicken to run at large within Township limits.
- (i)** Public slaughtering is prohibited.
- (j)** Commercial slaughtering is prohibited.
- (k)** The sale of chickens or chicken eggs for commercial purposes is prohibited.
- (l)** It shall be a nuisance for chickens to be kept and maintained in a manner which produces noise, odor, attracts flies or rodents, or is otherwise considered a concern to public welfare or health.
- (m)** Any tenant must have written permission from his or her landlord to keep and maintain chickens.
- (n)** Permits. An owner wishing to keep chickens on his/her property must obtain a zoning permit from the Zoning Officer for the use and the structures. A stormwater permit may also be required and shall follow the guidelines outlined for storage sheds. An applicant seeking to obtain a permit to maintain chickens must submit an application on forms provided by the Township and pay the applicable permit fee as determined by resolution of the Board of Supervisors.

- (o) Denial, suspension, or revocation of permit. The Township shall deny a permit if the applicant has not demonstrated compliance with all of the provisions of this section. A permit to keep domesticated chickens may be suspended or revoked by the Township where the Township finds that the keeping of the chickens creates a public nuisance or for any violation of, or failure to comply with, any of the provisions of this section or with the provisions of any other applicable ordinance or law.
- (p) The Zoning Officer shall have the right to inspect any chicken coop, chicken run, and fencing between 8:00 a.m. and 5:00 p.m. (Monday through Friday). The inspector shall issue any order deemed necessary to comply with this section and/or any and all federal, state, county, and municipal codes. Twenty-four hours' notice shall be given to the property owner where practicable.

SECTION 2. SEVERABILITY

This Ordinance's provisions are intended to be severable. If any section, sentence, clause, part, or provision of this ordinance is determined to be illegal, invalid, or unconstitutional by any court of competent jurisdiction, such determination shall not affect or impair this Ordinance's remaining sections, sentences, clauses, parts, or provisions.

Furthermore, it is hereby declared to be this Board's express intent that this ordinance still be adopted even if such an illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included.

SECTION 3. EFFECTIVE DATE

This ordinance shall take effect five days from this Board's approval of it as required by Pennsylvania law.

SECTION 4. REPEALER

All other ordinances and resolutions or parts thereof as they are inconsistent with this ordinance are hereby repealed.

ORDAINED and **ENACTED** at the Township's _____ 2025 Meeting.

TOWAMENCIN TOWNSHIP
BOARD OF SUPERVISORS

JOYCE F. SNYDER, *Chairperson*

Attest:

KOFI OSEI, *Secretary*