

ORDINANCE NO. 2020-_____

AN ORDINANCE OF LANGHORNE BOROUGH, BUCKS COUNTY, PENNSYLVANIA,
AMENDING THE 1995 LANGHORNE BOROUGH ZONING ORDINANCE,
ARTICLE 4, SECTION I8 TO ADD SUB-SECTION f.
TO ESTABLISH THE KEEPING OF CHICKENS AS A RESIDENTIAL ACCESSORY USE,
TO ESTABLISH A REGISTRATION AND INSPECTION PROCESS, AND TO ESTABLISH
ADMINISTRATIVE PROCEDURES, FEES AND PENALTIES FOR NON-COMPLIANCE.

WHEREAS, Borough Council has determined that the health, safety and general welfare of the citizens of Langhorne Borough will be served by authorizing, regulating and administering the keeping of chickens as a hobby or other non-commercial purpose in residential districts;

WHEREAS, Borough Council has determined that the unregulated keeping of chickens may cause a nuisance or hazard to surrounding properties, residents, pets and wildlife; and,

WHEREAS, Borough Council has determined that encouraging self-sufficiency by the limited raising of chickens will benefit the citizens of the Borough.

NOW THEREFORE, BE IT ORDAINED AND ENACTED that the 1995 Langhorne Borough Zoning Ordinance, Article 4 is revised, modified, and amended as follows:

Article 4 Section I8 Keeping of Pets

- f. No person may keep chickens on any property used for residential purposes in the Borough, except in compliance with this sub-section and all applicable Borough and state laws, ordinances and regulations.
 - (i) Permit required.
 - (a) No person may keep any chicken on any real property used for residential purposes prior to receipt of an annual residential chicken-keeping permit, which permit may be obtained from Borough Hall upon submission of an application, on a form to be provided by the Borough, and upon payment of a fee in the amount set forth in a Fee Resolution. All residential chicken-keeping permits shall expire on December 31 of the year in which they were issued.
 - (b) The application shall be accompanied by a lot plan that includes the size of the lot, the location of the chicken coop and chicken run, the distance of the structures from the property lines.
 - (c) Non-property owner applicants who wish to own or maintain chickens on the property that the applicant is renting must include written permission from the property owner or landlord that explicitly indicates that the applicant has permission to maintain chickens on the property. The written permission must include an acknowledgment from the property owner or landlord that they are responsible to ensure the chickens and all structures are removed when the tenant vacates the property.

- (d) The issuance of a zoning permit shall not obviate the necessity for compliance with all applicable H.A.R.B. and other Borough Ordinances requirements.
- (ii) Maximum permitted; roosters prohibited. Not more than six hens may be kept on any property at any time. The keeping of roosters is prohibited.
- (iii) Non-Commercial Use. It shall be unlawful for any person to display, sell, offer for sale, barter or give away chickens, chicks and eggs from the property.
- (iv) Location. Chickens must be confined at all times to a chicken coop or chicken run in compliance with the following:
 - (a) Only one (1) chicken coop and one (1) chicken run shall be permitted on the property;
 - (b) Chicken coops and chicken runs must be set back at least ten (10') feet from all principal residential structures;
 - (c) Chicken coops and chicken runs shall be located in the rear yard and set back at least ten (10') feet from all property lines;
 - (d) No chicken coop or chicken run shall exceed eight (8') feet in height;
 - (e) Chicken coops and runs must provide not less than four (4 s.f.) square feet for each chicken kept on the property; and,
 - (f) No chicken coop may be erected or constructed except upon receipt of, and in compliance with, all required building and zoning permits.
- (v) Inspections. All properties for which a permit has been issued pursuant to this subsection are subject to inspection by Borough representatives upon initial installation of any chicken coop or chicken run, and in the discretion of the Borough to investigate any complaint concerning chickens kept on such property. Inspectors shall have free access, ingress and egress to and from any chicken coop, chicken run, premises, building, or other place in which chickens (alive or deceased), chicken parts, feathers, droppings or appliances may be kept or stored.
- (vi) Care. Adequate food, shelter, water and care shall be provided to all chickens at all times in accordance with the following regulations:
 - (a) Chickens shall have access to a chicken coop or other enclosure providing protection from the elements and from predators.
 - (b) Access shall be provided to an enclosure or pen outside of a chicken coop that provides fresh air.
 - (c) Sufficient food and water shall be provided.

(vii) Sanitation.

- (a) All chickens, chicken coops and chicken runs must be maintained, housed and kept in a clean and sanitary condition and in a manner that does not cause a public or private nuisance from: odor, litter, droppings, feathers or other waste; excessive noise; predators, pests, rodents or other animals; or, favorable conditions that breed or attract flies, mosquitoes, maggots, other insects, pests or rodents.
- (b) All chicken feed must be kept in rodent-proof containers.
- (c) The feeding of vegetables, meat scraps or garbage shall be done only in impervious containers or on an impervious platform.
- (d) Watering troughs, tanks or other watering containers shall be equipped with adequate facilities for draining water overflow to prevent the breeding of flies, mosquitoes and other insects.
- (e) Outside Slaughtering prohibited. No chicken may be slaughtered in the Borough, unless said slaughtering occurs in a fully enclosed structure. Any processing of deceased chickens shall not occur in any area visible from public rights-of-way or from adjacent properties.
- (f) Manure and droppings shall be removed from pens, yards, cages and other enclosures as necessary to maintain sanitary conditions and handled or properly disposed of as to keep the property free of any public nuisance.
- (g) Discarding waste on any public or private property shall be considered a violation. The accumulation of waste on the property is prohibited.

(viii) Nuisance. It shall be unlawful to keep chickens in such a manner as to cause unhealthy conditions, interfere with the normal use and enjoyment of human or animal life, or interfere with the normal use and enjoyment of the properties surrounding the applicant's property. By way of example and not of limitation, the following activities are hereby declared to be a public nuisance and are, therefore, unlawful:

- (a) The accumulation or improper disposal of manure, droppings, feathers, eggs or dead chickens;
- (b) The use of chicken coops and chicken runs that do not comply with this subsection;
- (c) The keeping of overcrowded, unsanitary or abandoned chicken coops;
- (d) The presence of roosters; or,
- (e) The sale of eggs, chicks, chickens or chicken parts at the property.

(ix) Penalties.

- (a) Any person who violates any provision of this sub-section shall be subject to fine, with each day on which a violation occurs or exists to be deemed a separate and distinct offense.
- (b) The Borough may revoke any residential chicken-keeping permit upon the occurrence by the permittee of two (2) violations within the preceding 12-month period.

Effective Date. This Ordinance shall become effective in accordance with the provision of the Borough Code of the Commonwealth of Pennsylvania and the Pennsylvania Municipalities Planning Code.

ORDAINED AND ENACTED this 9th day of September, 2020.

LANGHORNE BOROUGH COUNCIL

Kari Thomas, President Christine Schoell, Secretary

Examined and Approved this 9th day of September, 2020.

Joe Taylor, Mayor