

WESLEYVILLE BOROUGH  
ORDINANCE NO. 2024-008

AN ORDINANCE

Amending Chapter 2, Part 4 of Wesleyville Borough's Codified Ordinances to permit and regulate the non-commercial keeping of chickens in Wesleyville Borough.

WHEREAS, Wesleyville Borough's Ordinances currently prohibit the keeping of chickens within the Borough;

WHEREAS, Wesleyville Borough has received multiple requests to allow the keeping of chickens within the Borough.

WHEREAS, the Borough desires to amend Chapter 2, Part 4 of Wesleyville Borough's Codified Ordinances to permit and regulate the non-commercial keeping of chickens in Wesleyville Borough.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE BOROUGH OF WESLEYVILLE, PENNSYLVANIA:

**Section 1. Chapter 2, Part 4 is hereby amended to add the following definitions:**

- |                   |                                                                                                                                                |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| "Chicken."        | Female poultry or fowl of the species <u>gallus domesticus</u> .                                                                               |
| "Pen."            | A fenced area designed to contain the animal to a restricted area, and prevent animals roaming at large.                                       |
| "Rooster."        | Male poultry or fowl.                                                                                                                          |
| "Waste material." | The natural waste produced by keeping activity, which may include feces, soiled hay or bedding. It does not include the carcass of any animal. |

**Section 2. Article 2-401 Wild, Exotic and Farm Animals, Section 1(F) is hereby amended as follows:**

Cattle, horses, swine (excluding potbellied pigs), sheep goats, fowl (excluding chickens as described and regulated in Section 3 below) and all other animals usually kept as farm animals or livestock for the production of food, clothing, other products, or agricultural labor.

**Section 3. Article 2-401 Wild, Exotic and Farm Animals, is hereby amended to add Section 3 as follows:**

Section 3. Chickens

A. Definitions:

Chicken - Female poultry or fowl of the species gallus domesticus.

Pen - A fenced area designed to contain the animal to a restricted area, and prevent animals roaming at large.

Rooster - Male poultry or fowl.

Waste material - The natural waste produced by keeping activity, which may include feces, soiled hay or bedding. It does not include the carcass of any animal.

B. General rule. Chickens shall be permitted when in compliance with the provision of this Article.

- C. Non-commercial use. The keeping of chickens under this ordinance shall not be for commercial purposes including but not limited to commercial breeding, sale, or egg or fertilizer production.
- D. Permit Required. It shall be unlawful to keep chickens without having first obtained a permit from the Borough.
- (1) The permit must be renewed annually after inspection of compliance is completed.
  - (2) As a condition of the permit, the Borough shall have the right to enter the property to investigate complaints or abate violations.
  - (3) The permit fees will be established as follows: initial permit is \$35, annual renewal is \$15. Thereafter, Wesleyville Borough Council shall at its regular June meeting adopt, by resolution, a comprehensive fee schedule establishing the amount of each fee to be effective from January 1 through December 31 of the following year. A written summary of the comprehensive fee schedule shall be available to the general public at the Borough's office, located at 3421 Buffalo Road, Wesleyville, PA 16510.
- E. Number. The maximum number of chickens allowed is 4 per lot.
- F. Type. Chickens must be hens. Roosters may not be kept.
- G. Coops.
- (1) Chicken coops shall have a solid roof and sides and have adequate ventilation; Safe, sanitary condition, and free of predators.
  - (2) Coops must provide a minimum of five (5) square feet per chicken.
  - (3) Coops shall not exceed 8 feet in height.
  - (4) Coops must be elevated off the ground, placed on level ground, and graded in a direction away from the property line preventing runoff to adjacent properties.
- H. Pens.
- (1) Pens shall permit a minimum of ten (10) square feet of area per chicken;
  - (2) The pen must be constructed in a way to prevent chickens from roaming free and keep predators from getting into the pen; and,
  - (3) The pen must be accessible by the hens from their coop when they are not secured in the coop.
- I. Location.
- (1) Pens and coops shall be located in the backyard only and at least twenty-five (25) feet from any street;
  - (2) Any part closer than ten (10) feet from any property line shall be screened by closed fencing or solid hedge;
  - (3) Pen and coop must maintain a minimum of eight (8) feet from any property line; and,
  - (4) No part of the pen and/or coop may be less than fifteen (15) feet from the primary dwelling and/or any neighboring house.
- J. Living conditions.
- (1) Chickens shall have access to feed, clean water, and clean bedding at all times; and
  - (2) Feed shall be secured to prevent rodents or other pests from accessing the feed.
  - (3) Pens must be surrounded by wire netting or other fences to prevent their escape and must be kept in good repair and free from peeling paint, untreated or rotted wood and rust. Tarps are not an acceptable material for fencing or as a top.
  - (4) Wire netting or fencing shall not exceed six (6) feet in height.

- K. Disposal of waste material. All waste shall be double bagged and placed into municipal waste.
- L. Disposition of deceased chickens. Chicken carcasses shall be disposed of in compliance with (3 Pa.C.S. § 2352) and no person shall slaughter a chicken in a residential zone.

**Section 4. Severability.**

If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

**Section 5. General repeal.**

All ordinances and part of ordinances inconsistent herewith are hereby repealed.

**Section 6. Effective date.**

This Ordinance shall take effect in ninety (90) days following the date of passage and approval by the Mayor.

We do hereby certify that the Ordinance was finally passed by the Wesleyville Borough Council on \_\_\_\_\_, 2024.

Attest: _____	_____
Marcus A. Jacobs, Manager	Regina Julius, President

THIS ORDINANCE APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
E. Paul Johnson, Mayor