

BOROUGH OF GLEN OSBORNE
ORDINANCE NO. 411

AN ORDINANCE OF THE BOROUGH OF GLEN OSBORNE,
ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING
CHAPTER 48, ARTICLE 1, ORDINANCE #286 OF THE
BOROUGH CODE OF ORDINANCES, ANIMALS, TO PERMIT
AND REGULATE THE KEEPING OF CHICKENS WITHIN
THE BOROUGH.

WHEREAS, Section 1202(10) of the Pennsylvania Borough Code, 53 P.S. §46202(10) authorizes the Borough of Glen Osborne (the "Borough") to regulate the keeping of livestock, fowls and all other animals within the Borough; and

WHEREAS, Chapter 48 of the Glen Osborne Borough Code of Ordinances, Animals, as amended, regulates the keeping of barnyard animals within the Borough; and

WHEREAS, the Council of the Borough of Glen Osborne desires to amend Chapter 48, (Ordinance #286) of the Borough of Glen Osborne Code of Ordinances, Animals, as amended, to permit and regulate the keeping of chickens within the Borough; and

WHEREAS, the Borough is committed to creating policies that encourage environmental stewardship and sustainability.

NOW, THEREFORE, the Council of the Borough of Glen Osborne hereby ordains and enacts as follows, incorporating the above recitals by reference:

SECTION 1. Article I, of Chapter 48 of the Glen Osborne Borough Code of Ordinances, Animals (Ordinance #286), is amended as follows to insert the following text:

§48-1. Certain animals prohibited.

From and after the effective date of this Ordinance, it shall be unlawful for any person, individual, partnership or corporation to maintain or keep within the limits of the Borough of Glen Osborne, any geese, ducks, pigeons, goats, hogs, cows, ponies, horses, monkeys or any animals or fowl of the barnyard classification deemed to be a health nuisance, except:

A. Chickens Permitted; Roosters Prohibited.

- i. From and after the effective date of this Ordinance, it shall be lawful to keep and maintain chickens in the Borough subject to the terms, conditions, and regulations of this Ordinance. No residence shall contain at any one time more than six hens

over the age of 1 month. The number of chickens authorized shall comply with the following:

The minimum occupied residential parcel permitted for maintaining chickens is 6,000 square feet.

For the first 6,000 to 10,000 square feet of any occupied residential parcel, up to four (4) chickens;

For each additional 2,500 square feet of any occupied residential parcel over 10,000 square feet one additional chicken up to a maximum of six (6).

- ii. Chickens shall be permitted only in the Residential zoning districts.
- iii. No person shall keep or harbor any rooster within the Borough.

B. Definitions.

Chicken Run: An enclosed area in which chickens are allowed to walk and run about.

Coop: a small building for housing poultry.

C. Permits.

- i. No person may own, keep, or harbor any chickens within the Borough without first obtaining a permit from the Borough Secretary. An application for a permit shall be made in writing and on such forms or in such format as established by the Borough, and shall be accompanied by the prescribed permit fee in the amount established from time to time by resolution of Borough Council.
- ii. No person shall erect, alter, relocate, or expand a coop without first obtaining a permit from the Borough Secretary. The issuance of a permit shall not obviate the necessity for compliance with all other Borough Ordinances. Non-property owners that wish to keep chickens on property that the non-property owner is renting must include written permission from the property owner or landlord that explicitly indicates that the non-property owner has permission to own chickens on the subject property. Such written permission shall be supplied to the Borough as part of the chicken permit application.

- D. Coops.** All chickens must be kept in a coop, chicken run, or fenced area at all times. During daylight hours, chickens may have access to outdoors via a chicken run. Chickens may also be allowed in a securely fenced yard if supervised so that they cannot stray beyond the premises on which they are secured. The chickens shall be secured within the coop during non-daylight hours.
- i. Coops and chicken runs shall be located at least 30 feet away from a doorway, opening or window of an occupied dwelling other than that of the property owner.
 - ii. The minimum coop shall be solid, vermin and predator proof and shall provide at least three (3) square feet of area per chicken.
 - iii. The chicken run shall be adequately fenced to contain the chickens on the property and to prevent predators from gaining access to the chicken run.
 - iv. Coops 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. Openings, windows, and vents must be covered with vermin, predator and bird-proof wire of one-half (1/2) inch hardware cloth.
 - i. Materials used for making a coop shall be uniform for each element of the enclosure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or opening are constructed using the same materials. The use of scrap, waste board, or similar material is prohibited.
 - ii. The coop shall be painted or stained; the color shall be uniform around the coop and shall be in harmony with the surrounding area.
 - iii. Coop location shall be limited to side or back yards
 - v. Coops and chicken runs shall be designed to provide safe and healthy living conditions for the chickens and shall provide shade in the warm weather, suitable protection from inclement weather, and adequate ventilation.
 - vi. Coops and chicken runs shall be kept in good repair and must be capable of being maintained in a clean and sanitary condition, free of vermin and obnoxious odors.
 - vii. Coops and chicken runs must reasonably prevent the chickens from running at large. Chickens will be considered running at large within the meaning of this Section when off the permit holder's premises.
 - viii. Coops and chicken runs shall be open at all times for inspection by the Borough.

- E. **Feed and Water.** Chickens shall be provided with access to feed and clean water at all times. All feed, water, and other such items associated with the keeping of chickens shall be properly stored in a clean and sanitary manner so as to prevent the infestation of rats, mice, or other rodents or vectors.
- F. **Nuisance.** No person shall keep or harbor chickens in the Borough in a manner that creates an offensive odor, excessive noise, or unsanitary conditions which disturb neighboring residences or threatens public health. Chickens running at large shall be considered a public nuisance.
- G. **Veterinary Care.** All chickens shall be afforded veterinary care if they are known or suspected to be sick or injured.
- H. **Slaughtering.** No person shall slaughter or butcher any chicken within the Borough.
- I. **Waste Storing and Removal.** All chicken droppings shall be disposed of pursuant to Borough Ordinances and Regulations.
- J. **Composting.** It shall be lawful for any person to spread or cause to be spread or deposited any chicken manure upon any ground or premises within the Borough but only if done in accordance with recognized composting customs and practices.
- K. **Sale of Chicken Parts or Eggs.** Any sale of chicken parts or eggs must comply with state and federal laws and regulations.

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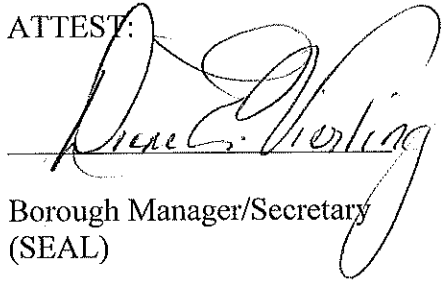
SECTION 2. All prior ordinances are hereby repealed in whole or in part but only to the extent inconsistent herewith.

SECTION 3. Any person, firm, corporation, or group of individuals found in violation of this chapter shall, upon conviction thereof, be subject to a fine of up to six hundred dollars (\$600.00) and may be sentenced to a period of incarceration not exceeding ninety (90) days in the Allegheny County Jail. Each incident in violation of this Ordinance shall be considered a separate offense and may be punishable as such. This penalty shall not preclude the Borough from seeking further relief in law or equity in a court of competent jurisdiction in the Commonwealth.

SECTION 4. This Ordinance shall take effect in accordance with applicable law.

ORDAINED and **ENACTED** this day of 2016, by the Council of the Borough of Glen Osborne in lawful session, duly assembled.

ATTEST:

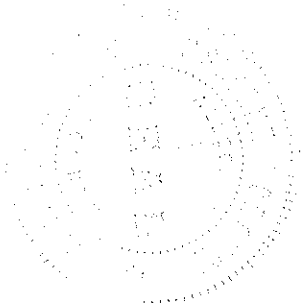

Borough Manager/Secretary
(SEAL)

BOROUGH OF GLEN OSBORNE



President, Borough Council

EXAMINED and APPROVED this 21st day of June 2016.




Mayor

