

**SHREWSBURY BOROUGH
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2024-02

**AN ORDINANCE OF SHREWSBURY BOROUGH ALLOWING RESIDENTS OF
THE BOROUGH TO KEEP NO MORE THAN SIX (6) FEMALE CHICKENS,
IMPOSING CERTAIN REQUIREMENTS FOR KEEPING SAID CHICKENS
AND IMPOSING PENALTIES FOR VIOLATIONS OF SUCH REGULATIONS**

WHEREAS, the Pennsylvania Borough Code (8 Pa. C.S.A. § 1202 *et seq.*) permits a borough to regulate animals and to make regulations to provide for the public health, safety and welfare; and

WHEREAS, Shrewsbury Borough Council desires to permit residents of Shrewsbury Borough to keep no more than six (6) female chickens for noncommercial use.

SECTION 1. Short Title. This Ordinance shall be known and referred to as the “Shrewsbury Borough Chicken Ordinance.”

SECTION 2. Number and Gender of Chickens Allowed.

- A. Property owners shall be permitted six (6) chickens per parcel, regardless of the number of dwelling units on the parcel.
- B. No roosters are permitted. Only hens are allowed.

SECTION 3. Application. An application process must be followed, and it must include a site plan. Upon receipt of a complaint by the Borough under this Ordinance, the Zoning Officer is permitted to investigate and enter onto the property as authorized in the Application form.

SECTION 4. Where Permitted.

This Ordinance regulates and permits chickens in the Village Zone, Residential Zone and the Residential-One Family Zone, subject to Section 2 above.

SECTION 5. Noncommercial Purposes.

Chickens kept under this Ordinance may be kept for personal use and consumption only and property owners shall not engage in any commercial sales, breeding or other endeavor

with regard to the chickens permitted hereunder.

SECTION 6. Chicken Coops, Enclosures or Fenced Areas.

- A. Chickens must be kept in a coop, enclosure and fenced area at all times.
- B. All chicken coops, enclosures, or fenced areas containing the chickens shall be (in their entirety) placed:
 - (i). In the rear yard behind the principal building (i.e., the dwelling) on the property.
 - (ii). No closer to either side yard setback than the principal building itself, and
 - (iii). Within half the distance between the principal building and the rear setback within that zoning district.
 - (iv). In the Village District, the coop, enclosure or fenced area should be centered in the rear of the property and shall be located no further from the principal building than one-half the distance between the principal building and the rear setback line.
 - (v). No chicken coops, enclosures or fenced areas shall be permitted in the front or side yards of any property.
- C. Coops, enclosures and fenced areas shall be kept in a clean, dry, odor-free, neat and sanitary condition at all times.
- D. Coops and enclosures shall provide adequate ventilation and adequate sun/shade and must be reasonably impermeable to rodents, wild birds and predators, including dogs, cats, raccoons, etc.
- E. Chicken coops, fenced areas or enclosures shall be removed, if they are not in use for the keeping of chickens for a period of 12 consecutive months.

SECTION 7. Control and Safety of Chickens.

- A. The control and safety of chickens at all times shall be the responsibility of the permittee.
- B. Chickens shall be provided with access to feed and clean water at all times. Feed and water shall be unavailable to rodents, wild birds and predators.
- C. Manure shall be stored in a fully enclosed structure or watertight container. No more than three cubic feet of manure may be stored on a permitted tract of land.

However, manure may be used as fertilizer. Any manure not used as fertilizer or in excess of the amount permitted to be stored shall be removed. The coop, enclosure, fenced area and surrounding area shall be kept free of trash and accumulated feces.

- D. Food storage shall be kept in a container with a tight-fitting lid.
- E. Chickens shall not be permitted to roam off of the property owner's tract of land.
- F. The property owner shall take action necessary to reduce the attraction of rodents and predators and the potential infestation of insects and parasites. The property owner shall remove or have treated any chickens found to be infested with parasites or insects, or sick.
- G. The slaughtering of chickens must be done in a humane manner and in a completely enclosed area. The remains thereof shall be disposed of properly.
- H. Dead chickens shall be removed and disposed of in accordance with Borough ordinances immediately upon discovery.
- I. No dog, cat or other domesticated animal which kills a chicken off the property owner's tract of land shall, for that reason alone, be considered a dangerous or aggressive animal.

SECTION 8. Violations and Penalties.

- A. The following acts shall be deemed to be violations of this Ordinance:
 - (1) The keeping of chickens in violation of any provision of this Ordinance.
 - (2) Permitting any owner, renter, lessee or other occupant of a property to allow chickens to be kept on a property in violation of this Ordinance.
 - (3) Keeping chickens inside of any dwelling unit.
- B. Any person who shall violate the provisions of this Ordinance shall be subject to a summary criminal proceeding before the magisterial district justice as provided by the Pennsylvania Rules of Criminal Procedure, as may be amended from time to time. Upon a finding of a violation, a fine of \$1,000, including court costs and reasonable attorney fees incurred the Borough in prosecution of the violation, shall be imposed, and such person may be subject to imprisonment of up to 15 days in the event such fines and costs are unpaid. Each day that such violation continues shall constitute a separate violation of this Ordinance.

SECTION 9. Severability. The provisions of this Ordinance are severable. In the event that any provision, section, sentence, clause, or part of this ordinance shall be

held to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any remaining provisions, section, sentence, clause, or part of this Ordinance. It is hereby declared to be the intent of this Borough that such remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 10. All prior ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 11. Effective Date. This Ordinance shall become effective five (5) days after the date of its enactment as provided by law.

ENACTED AND ORDAINED this 8th day of May, 2024.

ATTEST:

SHREWSBURY BOROUGH COUNCIL

Secretary

President

APPROVED this 8th day of May, 2024.

Mayor