

**BOROUGH OF YOUNGSVILLE
CHICKEN KEEPING - ZONING APPLICATION**

Application is hereby made for a permit to keep six (6) hens. The information which follows, together with location diagram, is made part of this application by the undersigned. It is understood and agreed by this applicant that any error, misstatement or misrepresentation of material fact, either with or without intention on the part of the applicant, such as might or would operate to cause a refusal of this application, or any change in the location, size or use of structure or land made subsequent to the issuance of this permit, without approval of the Zoning Officer or Zoning Hearing Board shall constitute sufficient ground for the revocation of this permit. This permit shall be exercised within one (1) calendar year from the date of its issue; otherwise it shall become null and void.

Application #:	Zoning District:	Tax Parcel #
----------------	------------------	--------------

1. Name of Applicant: _____ Phone #: _____

2. Address of Applicant: _____

City: _____ State: _____ Zip: _____

3. Address of Premises: _____

City: _____ State: _____ Zip: _____

4. Name of Lot Owner: _____

5. Address of the Lot Owner: _____

City: _____ State: _____ Zip: _____

10. Size of Lot (in Feet): _____ Width _____ Depth _____ Square Feet/Acres

12. Setbacks from the property line to Henhouse & Chicken tractor (in Feet):

Front: _____ Sides: _____
Rear: _____

ORDINANCE #593 IS ATTACHED WITH THIS APPLICATION. ALL SECTIONS MUST BE FOLLOWED.

PLEASE PROVIDE A SKETCH OF THE AREA IN YOUR YARD WHERE THE HENHOUSE AND CHICKEN TRACTOR WILL BE PLACED. SHOW THE SET BACKS FROM THE PROPERTY LINES AS STATED ABOVE.

I do hereby certify that I have reviewed and agree to abide by all of the requirements listed in Ordinance No. 593 Urban Chicken Keeping, to obtain zoning permit.

Signature of Applicant: _____ Date: _____

Application Approved: _____ Denied: _____ Reason: _____
Fee: _____
Borough Manager's Signature: _____ Date: _____

The initial permit shall be valid for 1 year from the date of issue.

If no performance standards under Section's 12 thru 21 have been violated by any permit holder, the permit shall be renewed each year upon the written request of the permit holder consistent with section #8.

If any performance standard has been violated, the permit officer shall visit the property and confer with the applicant to ensure that any corrective or mitigation measures under Section #9D have been implemented.

ORDINANCE NO. 593

Urban Chicken Keeping

Section #1 – Short Title

This ordinance shall be called the “Urban Chicken Ordinance.”

Section #2 – Findings

The Borough Council Finds:

- A. There is a growing interest among Borough residents in local food systems, greater self-sufficiency by households, and non-commercial food production as an adjunct to residential dwellings.
- B. Small-scale chicken keeping can help reduce organic solid waste, and complement home vegetable gardening by providing insect control and composting and fertilizer.
- C. That evolving technologies and husbandry techniques can facilitate the limited regulated keeping of chickens within urban areas.
- D. A large number of urban communities, including Cedar Rapids, Iowa, Seattle, Washington, Ann Arbor Michigan, and State College, Pennsylvania have made provisions for urban chickens.
- E. Providing for limited noncommercial urban chicken keeping meets the community development objective of keeping young families interested in buying property and remaining within Borough limits.
- F. Unregulated chicken keeping in an urban setting could result in proliferation of nuisances. Carefully regulated chicken keeping is an alternative to prohibition.

Section #3 – Statutory Authority

The Borough is authorized to prohibit or regulate the keeping of fowls and other livestock under the Corporate Powers granted by Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, Article XII, 1202(10).

Section #4 – Definitions.

ADEQUATE VENTILATION – Air flow through the coop such that the ceiling of the coop does not hold condensed moisture and does not subject the resident birds to a draft.

ADEQUATE SUN AND SHADE – Such that at all times of ambient temperatures over 65 degrees Fahrenheit, the birds will have access to a fully shaded area to escape the sun. Coop and run will have enough sun exposure to allow ground to dry and allow bird’s access to sun to warm themselves when they choose.

CHICKEN - A member of the subspecies *Gallus gallus domesticus*, a domesticated fowl. This definition shall not be construed to include any species of turkey, duck, guinea fowl, goose or other fowl.

CHICKEN TRACTOR – A portable enclosure for chickens, intended to be frequently moved as a means to build soil or control garden weeds, which may or may not be attached to a henhouse.

HENHOUSE – A building with four opaque walls and a roof, intended for the shelter and protection of chickens.

PERMITTED TRACT OF LAND – The tract of land as identified by the application upon which a permit is granted for keeping chickens pursuant to this Ordinance.

PERMITTEE – An applicant who has been granted a permit to raise, harbor or keep chickens pursuant to this Ordinance.

PERMITTING OFFICER – The Borough Zoning Officer or his/her agent.

ROOSTER - A male member of the species Gallus gallus domesticus.

SINGLE FAMILY DWELLING – Any building that contains only one dwelling unit used or intended to be occupied for living purposes by one family consistent with the Borough of Youngsville Zoning Ordinance (Ord #301).

TRACT OF LAND – A property or a zoned lot that has one single family dwelling located on that property or zoned lot.

URBAN CHICKEN – A chicken kept on a permitted tract of land pursuant to a permit issued under this Ordinance.

Permitting Requirements

Section #5 – Permit required

No person shall raise, harbor or keep chickens within the Borough of Youngsville without a valid permit obtained from the Permitting Officer under the provisions of this Ordinance.

Section #6 – Application

In order to obtain a permit, an applicant must submit a completed application on forms provided by the permitting officer and paying all fees required by this Ordinance.

Section #7 – Requirements

The requirements to the receipt of a permit include:

- A. All performance standards requirements of this Ordinance are met.
- B. All fees, as may be provided for from time to time by Borough Council resolution, for the permit are paid in full.
- C. All utility fees and taxes owed by the applicant to the Borough have been paid in full.
- D. The tract of land to be permitted shall contain only one single-family dwelling, and accessory buildings or uses, as defined under the Borough Zoning Ordinance 301.
- E. The applicant has provided notice to the residents of all immediately adjacent dwellings of the applicant's intent to obtain a permit.

- F. The applicant has successfully completed a manure management plan and received a signed approval from the Warren County Conservation District without regard to the number of chickens.

Section #8 – Issuance of permit

If the permitting officer concludes, as a result of the information contained in the application that the requirements for a permit have been met, then the officer shall issue the permit within 30 days of receipt of a complete application and fees.

Section #9 – Denial, suspension, revocation, non-renewal

The permitting officer may deny, suspend, revoke, or decline any permit issued for any of the following grounds:

- A. False statements on any application or other information or report required by this Section to be given by the applicant.
- B. Failure to pay any application, penalty, re inspection or reinstatement fee required by this Section.
- C. Failure to correct deficiencies noted in notices of violation in the time specified in the notice.
- D. Failure to comply with the provisions of an approved mitigation/remediation plan by the permitting officer, or designee.
- E. Failure to comply with any provision of this Ordinance.
- F. Notification of suspension or revocation. A decision to revoke, suspend, deny or not renew a permit shall be in writing, delivered by ordinary mail or in person to the address indicated on the application. The notification shall specify reasons for the action.
- G. Effect of revocation. When an application for a permit is denied, or when a permit is revoked, the applicant may not re-apply for a new permit for a period of 1 year from the date of the denial or revocation. Upon the expiration of the appeal period under Subsection H, all chickens shall be removed from the premises. Any premise not complying shall be subject to violations and penalties under Section 22 of this ordinance.
- H. Appeals. No permit may be denied, suspended, revoked, or not renewed without written notice. In any instance where the permitting officer has denied, revoked, suspended, or not renewed a license, the applicant or holder of the permit may appeal the decision to the Borough Zoning Hearing Board within 10 business days of receipt of the notice of the decision. The applicant or holder of the permit will be given an opportunity for a hearing within 30 days.

Section #10 – Duration of permit

The initial permit shall be valid for 1 year from the date of issue.

Section #11 – Renewal of permit

If no performance standards under Section's 12 thru 21 have been violated by any permit holder, the permit shall be renewed each year upon the written request of the permit holder consistent with

Section #8. If any performance standard has been violated, the permit officer shall visit the property and confer with the applicant to ensure that any corrective or mitigation measures under Section #9D have been implemented.

Performance Standards

Section #12 – Number and type of chickens allowed.

- A. The maximum number of chickens allowed is six (6) per tract of land.
- B. Only female chickens (hens) are allowed. Roosters are prohibited within borough limits.

Section #13 – Non-commercial use only

A permit shall not allow the permittee to engage in chicken breeding, sales or fertilizer production for commercial purposes.

Section #14 – Enclosures

- A. Chickens must be kept in a secure enclosure or fenced area at all times. Chickens shall be secured within a henhouse during non-daylight hours. A henhouse may be attached to a chicken tractor, provided it meets all design and construction standards.
- B. Enclosures must be kept in a clean, dry, odor-free, neat and sanitary condition at all times.
- C. Henhouses, chicken tractors must provide adequate ventilation and adequate sun and shade and must be impermeable to rodents, wild birds and predators, including dogs and cats.
- D. Henhouse and chicken tractors design and construction.
 - 1. Henhouses shall be designed to provide safe and healthy living conditions for the chickens with a minimum of 4 square feet per bird while minimizing adverse impacts to other residents in the neighborhood.
 - 2. A henhouse or chicken tractor shall enclose on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird proof wire of less than 1 inch openings.
 - 3. The materials used in making a henhouse or chicken tractor shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal, or similar materials is prohibited. Henhouses and chicken tractors shall be well maintained.
 - 4. Henhouses, chicken tractors and chicken pens shall only be located to the rear of a dwelling.
 - 5. Henhouses, chicken tractors and chicken pens must be located at least 10 feet from the property line and at least 25 feet from any adjacent building in separate ownership from the permittee.
 - 6. Any enclosed henhouse shall consist of sturdy wire fencing. The pen must be covered with wire, aviary netting, poultry netting or solid roofing. The wire must have openings of ½ inch or less.

Section #15 – Odor and noise impacts

Odors from chickens, chicken manure or other chicken related substances shall not be perceptible beyond the boundaries of the permitted tract of land. Noise from chickens shall not be loud enough beyond the boundaries of the permitted tract of land at the property boundaries to disturb persons of reasonable sensitivity.

Section #16 – Predators, rodents, insects and parasites

The permittee shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects or parasites. Chickens found to be infested with insects or parasites that may result in unhealthy conditions to human habitation shall result in revocation of a permit.

Section #17 – Feed and water

Chickens shall be provided with access to feed and clean water at all times. The feed and water shall be unavailable to rodents, wild birds and predators.

Section #18 – Waste storage and removal

All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure, or garbage cans with tight fitting lids. No more than 3 cubic feet of manure shall be stored on the permitted tract of land. All other manure not used for composting or fertilizing shall be removed from the site or incorporated into a garden area. The henhouse, chicken tractor, chicken pen and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

Section #19 – Chickens at large prohibited

- A. No owner shall allow chickens to roam off the permitted tract of land.
- B. No dog or cat or other domesticated animal which kills a chicken off the permitted tract of land will, for that reason alone, be considered a dangerous or aggressive animal or the Borough's responsibility to enforce any animal control provisions.

Section #20 – Unlawful acts

- A. It shall be unlawful for any person to keep chickens in violation of any provision of this Ordinance.
- B. It shall be unlawful for any owner of rental property, renter or leaseholder of property to allow chickens to be kept on any property, except where the owner of the chickens is also the resident and owner of the property upon which the chickens are kept.
- C. No person shall slaughter any chickens within Borough limits except as said activity may be provided for under industrial uses and districts within the Zoning Ordinance #301. You may slaughter a chicken for your own consumption within the premises of the single family dwelling.
- D. No person shall keep a rooster.
- E. No person shall keep chickens on a vacant or uninhabited tract of land.

- F. No chickens shall be kept within Borough limits except as provided under this Ordinance unless for purposes of education or exhibition at a public school, college or, fair, or chickens kept temporarily for sale as an accessory to an agricultural retail business.

Section #21 – Nuisances

- A. Any violation of the terms of this Ordinance that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is a nuisance and may be abated under the general nuisance abatement provisions of the Pennsylvania Borough Code and all applicable Borough nuisance or zoning ordinances, with fines and penalties consistent with said ordinances.
- B. This Chapter shall be in full force and effect from and after its passage and publication as provided by law.
- C. Repealer. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

Section #22 – Grandfathering

Any resident in ownership of chickens at the passing of this ordinance will need to complete the permitting requirements within 30 days.

Section #23 – Penalty as defined by the Nuisance Ordinance

Upon failure to abate or remove the unlawful action and/or nuisance as determined herein above, within 5 days, summary proceedings may be instituted against any violator of the within Part who, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and in default of payment of said fines and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues shall be deemed a new violation.

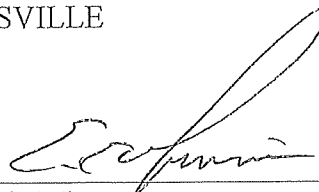
Section #24 – Payment of Fines as defined by the Nuisance Ordinance

All fines levied, assessed, and paid under the terms of this shall be payable by the magisterial district judge or such other judicial officer to the Borough of Youngsville for the general use of the Borough or as otherwise provided by law.

ADOPTED this 14th day of November, 2016.

COUNCIL OF THE BOROUGH OF
YOUNGSVILLE

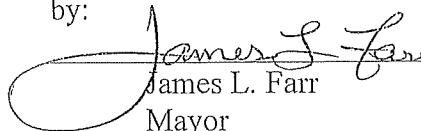
by:



Eric Mineweaser
Vice President of Council

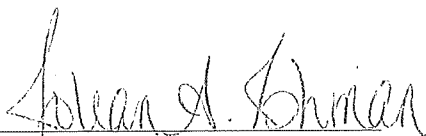
Approved this 14th day of November, 2016.

by:



James L. Farr
Mayor

ATTEST:



Jolean A. Ishman
Borough Secretary

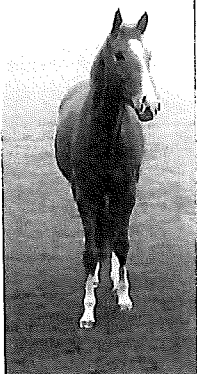


MANURE MANAGEMENT PLANS

Manure Management Requirements

AGRICULTURAL ENVIRONMENTAL REGULATIONS THAT INCLUDE EQUINE OPERATIONS

- ✓ All farming operations that land apply manure generated from their own horses, or import other's manure **must** develop **and implement** a written Manure Management Plan.
- ✓ All farms that include an Animal Concentration Area (ACA)* or pasture **must** have a written Manure Management Plan.
- ✓ For farms **not** defined as Concentrated Animal Feeding Operations (CAFOs) or Concentrated Animal Operations (CAOs), Manure Management Plans can be prepared by the equine owner.
- ✓ Don't confuse the Manure Management Requirements with the Nutrient Management Act (NMA)*.
- ✓ An equine owner may benefit from getting assistance by those trained and experienced in developing plans. Manure Management Plans do not have to be submitted for approval but must be kept on the farm and made available upon request.
- ✓ PA Chapter 91 regulations (Title 25, Sect. 91.36) refer to the Manure Management Manual (MMM) as containing standards for development of a Manure Management Plan. The MMM has a workbook section designed to assist equine owners and farmers develop a written Manure Management Plan.



**Contact your local County Conservation District (<http://pacd.org/your-district/find-your-district/>) or regional PA Dept of Environmental Protection office for details and assistance.*

NUTRIENT MANAGEMENT PLAN

All horse operations in Pennsylvania, no matter how large or small, are required to have a Nutrient Management Plan (NMP) or Manure Management Plan (MMP) to manage nutrients. PA's Nutrient Management Act (Act 38) establishes requirements for horse operations defined as Concentrated Animal Operations (CAOs) or Concentrated Animal Feeding Operations (CAFOs). Operations with 2 or more AEU's/acre of suitable land for manure application, and a minimum of 8 AEU's, must have a NMP. 1 AEU = 1,000 lbs. animal weight. NMPs must be written by a certified specialist.

The Manure Management Manual for Environmental Protection mandates that horse and livestock operations

- Not classified as a CAO
- Not classified as a CAFO

must have a written MMP. Manure Management Plans can be written by the equine owner.

The Sections in a Manure Management Plan

Section 1 - General operation contact information and details

Section 2 - Manure Application details (where, when, how much, environmentally sensitive areas, and winter application details)

Section 3 - Farm Maps

Section 4 - Record keeping

Section 5 - Manure Storage/Stockpiling details

Section 6 - Pasture Management

Section 7 - Animal Concentration Areas (ACAs) identification and treatment details

* Complete details are outlined in the *Manure Management for Environmental Protection*.