

**FAIRVIEW TOWNSHIP, YORK COUNTY
PENNSYLVANIA**

ORDINANCE NO. 2023- 07

**AN ORDINANCE AMENDING THE FAIRVIEW TOWNSHIP CODE OF
ORDINANCES, CHAPTER 300, ZONING ORDINANCE AS AMENDED**

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Fairview Township, York County, Pennsylvania, that Chapter 300, Zoning, of the Code of Ordinances of Fairview Township shall be amended as follows:

SECTION 1: § 300.76.L shall be amended to insert/add § 300.76.L(8) “Noncommercial Keeping of Chickens” along with the following criteria:

- a. Permit required. No person, corporation, limited-liability company, partnership or other entity shall raise, harbor or keep chickens for non-commercial purposes, within the Township without having first obtained a valid zoning permit to do so from the Township.
- b. Where permitted.
 - (1) The noncommercial keeping of chickens shall be permitted within any zoning district on any lot where the only principal use is residential and which is located a single-family dwelling.
 - (2) A minimum lot size of one acre (43,560 square feet) is required, subject to compliance with this section.
 - (3) Chickens shall not be kept on a two-family, duplex, multiple-family, quadruplex, townhouse, multi-family properties or in mobile home parks.
- c. Number and gender of chickens permitted.
 - (1) A property owner shall be permitted to keep up to twelve (12) chickens on a residential lot with a maximum of twelve (12) chickens per lot for noncommercial purposes as provided herein. Non-commercial keeping of chickens in excess of twelve (12) shall be subject to the “Non Commercial Keeping of Livestock” regulations in Section 300.76.L (1-7) and as permitted in the Permitted Uses charts as prescribed in the Zoning Ordinance.
 - (2) No roosters/male chickens are permitted. Only hens are allowed.
 - (3) All other fowl or poultry (duck, geese, turkey or pheasant, etc) shall be considered livestock and are subject to regulations associated with livestock.

- d. Noncommercial purposes. Chickens kept under this section may be kept for personal use and consumption only. The property owner(s) or occupant(s) shall not engage in any commercial sales, breeding or other endeavor with regard to the chickens permitted hereunder.
- e. Chicken coops, enclosures and fenced in areas.
 - (1) Chickens must be kept in a coop, enclosure or fenced area at all times.
 - (2) All chicken coops, enclosures and fenced in areas containing the chickens shall be at least 25 feet from any property line. No chicken coops, enclosures or fenced in areas for chickens shall be permitted in the front yard of any lot.
 - (3) Coops, enclosures and fenced areas shall be kept in a clean, dry, odor-free, neat and sanitary condition at all times.
 - (4) 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.
- f. Control and safety of chickens.
 - (1) The control and safety of chickens at all times shall be the responsibility of the property owner, tenant or person occupying the property.
 - (2) 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. In the absence of chickens, uneaten food shall be removed in a timely manner.
 - (3) Chicken manure shall be stored in a fully enclosed structure or watertight container. No more than three (3) cubic feet of chicken manure may be stored on a lot. 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 disposed of in a manner approved by the Pennsylvania Department of Agriculture. The coop, enclosure, fenced area and surrounding area shall be kept free of trash and accumulated feces.
 - (4) The chicken owner shall take actions necessary to reduce the attraction of rodents and predators and the potential infestation of insects and parasites. The owner shall immediately remove or have treated any chickens found to be infested with parasites or insects or that is sick/diseased.
 - (5) Dead chickens shall be removed and disposed of in accordance with Pennsylvania Department of Agriculture approved disposal procedures immediately upon discovery.
 - (6) The owner of such chickens shall not allow the chickens to roam off of the permitted lot or tract of land.
- g. Violations. The following acts shall be deemed to be violations of this section:
 - (1) The keeping of chickens in violation of any provision of this section.
 - (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 section.

- (3) Keeping chickens inside of any dwelling unit.
- (4) The slaughtering of chickens on the property, outside of normal culling of chickens for consumption purposes.

SECTION 3: Repealer. The passage of this Ordinance amending in part the Fairview Township Zoning Ordinance, as amended, shall in no way be deemed to invalidate or repeal any provisions of said Ordinance, except as specifically provided for herein.


SECTION 4. Severability. Should any section of provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decisions shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 5. Effective Date. This Ordinance shall be effective five (5) days after its enactment by the Board of Supervisors of Fairview Township, York County, Pennsylvania.


ORDAINED AND ENACTED, this 28th day of August, 2023.

Attest:


TOWNSHIP OF FAIRVIEW
YORK COUNTY, PENNSYLVANIA




Secretary

By: 

Chairman



Member



Member



Member



Member

(SEAL)