

**THE BOROUGH OF PAXTANG
DAUPHIN COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2025-688

**AN ORDINANCE OF THE BOROUGH OF PAXTANG, DAUPHIN COUNTY,
PENNSYLVANIA, AMENDING THE BOROUGH OF PAXTANG ORDINANCE
GOVERNING ANIMALS TO ALLOW CITIZENS TO KEEP DOMESTIC
CHICKENS FOR NONCOMMERCIAL PURPOSES**

WHEREAS, the Borough of Paxtang ("Borough") desires to amend its Ordinance governing Animals to allow citizens within the Borough to keep domestic chickens for noncommercial purposes.

BE IT ORDAINED AND IT IS HEREBY ORDAINED as follows:

Section 1 The Borough of Paxtang Animals Ordinance is hereby revised as follows:

Chapter 121 Article II shall be added as follows:

§ 121-5 – Short Title and Definitions.

This Article shall be known as the "Borough of Paxtang Chicken Ordinance."

The following words and phrases shall have the particular meaning assigned by this section in the appropriate sections of this Article:

"Chicken" shall mean a domestic, egg-laying hen of the species *Gallus gallus domesticus*. "Chicken" shall not include roosters of the species *Gallus gallus domesticus* or other species of poultry or fowl.

"Manure" shall mean fecal and urinary excrement of chickens and any other biological byproduct of the chicken.

"Chicken coop" shall mean a structure made of durable, solid materials, with no fewer than three walls and a roof, to provide a nesting area of Chickens to lay eggs and to protect the chickens from predators and weather. A coop may be mobile or stationary.

"Chicken run" shall mean a pen or enclosure made of durable wire mesh or similar materials for the purpose of containing the chickens and creating a space within which chickens may walk, feed, and exercise.

"Nuisance" shall mean a chicken or chickens that is/are: 1) damaging or destroying property; 2) creating a foul or obnoxious odor; 3) causing an unsightly condition; 4) disturbing the peace and quiet by repeating loud noises; 5) making any noise natural to its species in an excessive, continuous, or untimely fashion so as to disturb the peace; or 6)

soiling, defiling, or causing manure on any property other than the property of the chicken's owner, keeper, or controller, without removing such waste.

"Code Officer" shall mean an individual or agency appointed by the Borough Council to enforce the civil codes and ordinances of the Borough of Paxtang.

§ 121-6 – Requirements for obtaining permit for keeping chickens.

- A. Permit Requirement – No person shall raise, harbor, or keep chickens within the Borough of Paxtang without first having obtained a valid permit from the Code Officer. Such permit shall be valid for one (1) year from the date of issue and must be renewed on an annual basis to allow the Permittee to continue to raise, harbor, or keep chickens.
- B. Application for Permit – To obtain a permit, an applicant shall submit an application on the forms provided by the Borough office. The application shall also include:
 - a. Site plan indicating all existing buildings, the location (including distances from buildings and setback lines) of any and all proposed coops and chicken runs; and
 - b. A documented Manure management and disposal plan, which shall detail: 1) the size and location of the structure or watertight container in which the Manure will be stored for future use or disposal; and 2) the applicant's plan for storage and disposal of the Manure to ensure all requirements of this Article will be met.
 - c. Fees – an applicant for a permit shall pay, in full, a fee for such permit, which shall be set by resolution of the Borough Council from time to time.
 - d. Additional Permit Requirements – In order for a permit to be issued or renewed, all of the following requirements must be met:
 - i. All requirements of this Article shall be met.
 - ii. All fees related to the issuance or renewal of a permit shall have been paid in full.
 - iii. If the applicant is not the property owner, the applicant must provide written approval from the property owner.
 - iv. The keeping of chickens at the particular property is consistent with the character of the neighborhood and not detrimental to the health, safety, or welfare of the community.
 - v. All other requirements of the Code shall be met, including the submission and approval of any and all Zoning Permits or Building Permits, as determined to be necessary by the Codes and Zoning Officer.

- e. Permit Issuance – The Borough shall issue a permit within 30 days of receipt of the application if all requirements have been met. A Borough representative shall have the authority to inspect the subject property prior to the issuance of a permit.
 - f. Denial, Suspension, Revocation, or Nonrenewal – The Borough may deny, suspend, revoke, or decline to renew any permit issued hereunder for any of the following reasons:
 - i. Any false statements on any application or other information required to be given by the applicant or permit holder.
 - ii. Failure to pay any fee or penalty required by this Article or resolution of Borough Council.
 - iii. Failure to correct deficiencies noted in violation notices within the time specified by the notice.
 - iv. Failure to comply with any provisions of this article.
 - v. Animal cruelty as defined and regulated under Title 18 of the Pennsylvania Consolidated Statutes.
- C. Notification – A decision to revoke, suspend, deny, or not to renew a permit shall be in writing, delivered by first class mail or in person to the address indicated on the application. Such notice shall state the reasons for the action.
- D. Effect of Revocation – When a permit is revoked, an applicant may not reapply for a new or reissued permit for a period of six (6) months from the date of revocation.
- E. Appeals – The revocation, suspension, denial, or decision not to renew a permit may be appealed in writing to the Borough Council within 30 days of such action. The appeal shall be heard at the next regularly scheduled meeting of Borough Council following receipt of the written appeal. A written decision of Borough Council shall be issued within 30 days of hearing the appeal and such decision shall be deemed final and binding.
- F. Compliance with Existing Borough Code
 - a. In addition to the requirements set forth in this Article, chicken coops and runs as contemplated in this Article shall comply with all Borough of Paxtang zoning ordinances, specifically relating yard and setback requirements for accessory structures in the applicable zoning district.
 - b. In addition to the requirements set forth in this Article, a Permittee who keeps chickens shall comply with Chapter 310 of the Code, relating to property maintenance, and other applicable health and safety codes, as well as any applicable state regulation.

§ 121-7 – Noncommercial Purposes

Chickens kept under this Ordinance shall be kept for personal/household use and consumption only. Permittees shall not engage in commercial sales, breeding, or any other commercial endeavor relating to the chickens permitted hereunder.

Permittees are specifically prohibited from engaging in the following: 1) breeding of chickens; 2) sale of chickens, whether chickens are living or not and whether in whole or in part; 3) sale of eggs/egg products; and 4) sale or distribution of fertilizer.

§ 121-8 – Chicken Coops and Runs

- A. Chickens must be kept in an enclosed coop or enclosed run at all times. No chickens shall be permitted to roam or range outside of the coop or run on the Permittee's property.
- B. Coops and runs may be commercially built and designed, or designed and built by the Permittee. The coop and/or run shall meet the following specifications:
 - a. Coops and runs shall maintain 4 square feet of accessible area per chicken.
 - b. Coops and runs shall be constructed in such a way to prevent the chickens from escaping and/or roaming free from the coops and runs, and to keep predators from accessing the coops and runs.
- C. Coops and runs shall be kept in a clean, dry, odor-free, neat, and sanitary condition at all times.
- D. Coops shall have a solid roof designed to protect the chickens, provide adequate ventilation and adequate sun/shade and must be reasonably impermeable to rodents, vermin, wild birds, predators, or domestic animals such as dogs.
- E. Chicken coops and runs must be removed from the property if they have not been used as a coop or run for a period of 12 consecutive months.

§ 121-9 – Control and Safety of Chickens

- A. The control and safety of chickens at all times shall be the responsibility of the Permittee and/or property owner.
- B. Chickens shall be provided with access to feed and clean water at all times. Feed and water shall be stored and provided in a manner that is unavailable to rodents, wild birds, and predators. Chicken feed shall be stored in a container with a tight-fitting lid.
- C. Manure shall be stored in a fully enclosed structure, meaning a structure that is enclosed so that its interior is not visible to persons who are outside the structure, or in a watertight container. No more than three cubic feet of Manure may be stored on or within any permitted parcel, fully enclosed structure, or watertight container. However, Manure may

be composted and used as personal use fertilizer by the property owner or Permittee. Any Manure not used as fertilizer or in excess of the amount permitted to be stored shall be removed from the property in compliance with the Code. The coop and/or run shall be kept free of trash and accumulated Manure.

- D. No chickens may be kept on any parcel in the Borough that causes a public nuisance in the form of noise, odor, attraction of predators or insects to any neighbor.
- E. Chickens shall not be permitted to roam off of the property owner and/or Permittee's parcel.
- F. The property owner or Permittee shall take action necessary to reduce the attraction of rodents and predators and the potential infestation of insects and parasites. The property owner or Permittee shall remove or have treated any chickens found to be infested with parasites, insects, or disease, especially bird flu. In the case of suspected bird flu, the chickens shall be examined by a licensed veterinarian and upon the direction of such veterinarian or the Pennsylvania Department of Agriculture shall be immediately euthanized and disposed of in a way to preclude the spread of the disease.
- G. Slaughter of chickens must be done in a humane manner and not in public view. Any excess viscera, carcass, or deceased chicken must be disposed of pursuant to 3 Pa.C.S. § 2352. Commercial slaughter is prohibited.
- H. All keeping of chickens must comply with minimal animal care standards set by Pennsylvania law relating to cruelty to animals under Title 18 of the Pennsylvania Consolidated Statutes.
- I. Coops and runs shall be kept in a sanitary condition and free from unpleasant odors.
- J. Coops and runs shall be cleaned of Manure, uneaten food, feathers, and other waste on a regular basis as necessary to maintain a sanitary environment as contemplated in this Article.
- K. No dog, cat, or other domestic pet which kills a chicken off the Permittee's parcel, for that reason alone, shall be considered a dangerous or aggressive animal.

§ 121-10 – Inspection of chicken coops and runs

Any Permittee to whom the Code Officer has issued a chicken permit shall permit employees or officials of the Borough of Paxtang or appropriate state officials with reasonable cause to enter upon their property for the purpose of making an inspection of chickens and coops and runs at reasonable times.

§ 121-11 – Violations and Penalties

Any person who violates the provisions of the Borough of Paxtang Chicken Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000, or, in default of such fine, to undergo imprisonment for not more than 30 days. Each day that a violation of this Article occurs shall constitute a separate offense.

Section 2. That all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 3. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Borough of Paxtang hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

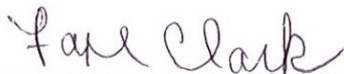
Section 4. That nothing in this legislation hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 5. This Ordinance, having been advertised in a newspaper of general circulation in the Borough of Paxtang not more than sixty days nor less than seven days prior to passage and a copy of the proposed ordinance having been available for public inspection pursuant to 8 Pa.C.S. § 3301.2, shall become effective 90 days after adoption.

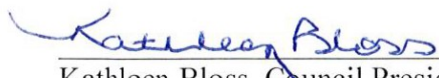
ADOPTED this 16th day of December, 2025.

ATTEST:

BOROUGH COUNCIL OF PAXTANG

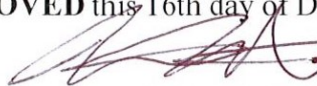


Faye Clark, Secretary



Kathleen Bloss, Council President

APPROVED this 16th day of December, 2025



Nathan A. Martin, Mayor