

ORDINANCE NO. 1020

AN ORDINANCE OF THE TOWNSHIP OF FERGUSON, CENTRE COUNTY, PENNSYLVANIA AMENDING THE CODE OF ORDINANCES, CHAPTER 27, ZONING, IN PARTICULAR, SECTION 204, USES, TO ADD THE USE OF DOMESTIC CHICKENS AS AN ALLOWABLE ACCESSORY USE IN VARIOUS ZONING DISTRICTS AND UPDATE THE DEFINITIONS FOR DOMESTIC CHICKEN USE.

The Board of Supervisors of the Township of Ferguson hereby ordains:

Section 1: Chapter 27, Zoning, Part 2, Use Regulations, Section 27-204.SS. Domestic Chickens, as it is intended to enable residents to keep a small number of female (Chicken Hens) on a noncommercial basis while creating standards and requirements that ensure that domesticated chickens do not adversely impact the neighborhood surrounding the property on which the chickens are kept and shall be permitted on single-family lots subject to conformance with the following:

- (1) Normal "Agriculture" and/or "Farming" practices found with the AR, RA or RR zoning districts shall be exempt from this section.
- (2) Only female chickens are allowed as Domestic Chickens, however, there is no restriction on chicken species.
- (3) The maximum number of chicken hens allowed is six (6) per lot regardless of how many dwelling units are on the lot.
- (4) Chicken hens shall be kept for personal use only. No person shall engage in chicken breeding or fertilizer production for commercial purposes.
- (5) Chicken hens must be kept in a chicken coop, chicken tractor, fenced area (chicken pen) at all times during daylight hours, and include access to a chicken run. Such enclosures must be clean, dry, and odor-free, kept in a neat and sanitary condition at all times. The chicken pen must provide adequate sun and shade and must be impermeable to rodents, wild birds, and predators, including dogs and cats. It shall be constructed with sturdy wire fencing securely wrapped on all sides and the bottom. The coop, tractor or pen must be covered with wire, aviary netting, or solid roofing.
 - (a) Chickens shall be secured within a henhouse during non-daylight hours. The structure 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. Opening windows and vents must be covered with predator and bird-proof wire of less than one (1") inch openings. The use of scrap, waste board, sheet metal, or similar materials is prohibited. The henhouse must be well-maintained.

- (b) Henhouses, chicken coops, chicken tractors, fenced areas (chicken pens) or chicken runs shall not be calculated toward the allowed amount of Accessory Structures under §27-204.A-1.(1), and are not allowed within the front yard as defined in §27-1202. Henhouses, chicken coops, chicken tractors, fenced areas (chicken pens) or chicken runs shall be allowed in both side and rear yards as defined in §27-1202, however, they shall not be placed or built within ten (10') feet of the side or rear property lines.
- (c) Only one (1) installation which can consist of a henhouse, chicken coop, fenced areas (chicken pen) and/or chicken run as a unit shall be allowed on each property. A chicken tractor may be temporarily relocated from the permanently installed unit. Provision must be made for the storage and removal of chicken manure.
- (d) The minimum chicken coop size shall be three (3 ft.²) square feet per chicken hen. The maximum structure area shall be 144 ft.².
- (6) Chicken hens must be provided with access to feed and clean water at all times; such feed and water shall be unavailable to rodents, wild birds and predators. All feed, water and other items associated with Domestic Chickens shall be protected from infestation by rodents, wild birds and predators. Failure to keep water, feed and other items associated with Domestic Chickens in a clean and sanitary condition will constitute a violation of this ordinance.
- (7) All stored manure shall be covered by a fully enclosed container or compost bin. No more than one (1), twenty (20) gallon container of manure shall be stored on any one property housing chickens. It is unlawful to spread or cause to be spread or deposited upon any ground of premises within the township any chicken manure and/or used bedding, with the exception where chicken manure and/or used bedding may be composted on the property where the Domestic Chickens are housed.
- (8) In addition, the henhouse, chicken coop, chicken tractor, fenced area (chicken pen) or chicken run and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.
- (9) It shall be unlawful for the owner or owners of any chicken hens to allow the same to run at large upon any of the common thoroughfares, sidewalks, passageways, play areas, parks, streets, alleys or public highways, or any place where people congregate or walk, or upon any public or private property. Any chicken hen not contained in a coop or run shall be deemed "at large."

(10) Slaughtering or butchering of chickens for personal consumption shall be permitted, provided that it is done wholly on the property where the chicken hens are kept. Slaughtering or butchering shall be conducted only in an indoor location and any waste created from slaughtering or butchering shall be disposed of in a proper and sanitary manner. Commercial slaughtering or butchering is prohibited unless it is done under the operation of an approved facility for the slaughtering of animals as regulated by the Pennsylvania Department of Agriculture.

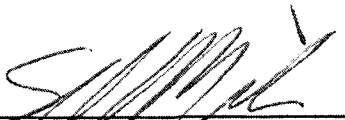
(11) A Zoning Permit and Fee shall be required.

(12) If a property owner abandons or vacates a permitted Domestic Chicken coop, henhouse, chicken tractor, fenced area (chicken pen) or chicken run, the township shall allow the property owner thirty (30) days to remove the structure from the property.

Section 2: Chapter 27, Zoning, Part 12, Definitions is hereby amended to add the following definitions: **Chicken Coop:** any fully enclosed and covered hen house providing a predator resistant shelter that is thoroughly ventilated, provides adequate sun and shade and all season protection from the elements, designed to be easily accessed and cleaned where poultry and/or chicken lives. **Chicken Hen:** a domesticated female chicken considered a chick, pullet or adult. **Chicken Run:** a covered, secure enclosure that allows chicken hens' access to the outdoors. **Chicken Tractor:** a movable fully enclosed structure commonly used for pastured chicken hens that graze on fresh grass daily. The Chicken Tractor is moved every day or week as needed for the chicken hens to have fresh grass underneath them. Chicken Tractors can be used as permanent or temporary housing for chicken hens and are considered a type of chicken coop.

Ordained and Enacted this 18th day of July, 2016.

Ferguson Township Board of Supervisors


By: Steve Miller, Chairman

[SEAL]

ATTEST:


Mark A. Kunkle, Secretary