

ORDINANCE NO. 474

**THE BOROUGH OF SAXONBURG
BUTLER COUNTY, PENNSYLVANIA**

AN ORDINANCE OF THE BOROUGH OF SAXONBURG, BUTLER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES, TO PROVIDE REGULATIONS FOR THE KEEPING OF ANIMALS AND PENALTIES FOR VIOLATIONS THEREOF (ORDINANCE NO. 445 AS FROM TIME TO TIME AMENDED) TO ALLOW THE KEEPING OF CHICKENS AND DUCKS IN THE BOROUGH.

WHEREAS, in order to promote and protect the health, safety and welfare of the residents of the Borough of Saxonburg, Butler County, Pennsylvania, the Borough Council has determined it necessary to amend the Code of Ordinances to provide guidelines and penalties for health and sanitation throughout the Borough;

AND WHEREAS, there is a growing interest in local food systems, greater self-sufficiency by households, and non-commercial food production as an adjunct to residential dwellings;

NOW, THEREFORE, BE IT ORDAINED and enacted by the Council of the Borough of Saxonburg, Butler County, Pennsylvania, and it is hereby ordained and enacted by and with the authority of the same as follows:

1. The Borough of Saxonburg's Code of Ordinances is hereby changed to replace Chapter 3, Part 2, Sections 1-7 as follows:

Part 2

Keeping of Chickens and Ducks

Section 1. Purpose. The purpose of this Ordinance is to regulate the keeping of chickens and ducks for household usage.

Section 2. Definitions.

Chickens – Shall include only the female of the species, whether adult or juvenile.

Drakes – Shall include only the male of the duck species.

Ducks – Shall include only domestic flightless duck species and does not include wild ducks with clipped wings.

Enclosure – A coop, fenced area, or other similar structure designed to protect the chickens and ducks and restrict movement into neighboring yards. Enclosures must be enclosed on all sides and the top to prevent unauthorized entry or exit.

Free Range – Conditions allowing fowl to roam freely upon the owner's property, the property of neighbors, or the sidewalks and streets of the Borough.

Roosters – Shall include only the male of the chicken species.

Wild Ducks – Non-domesticated breeds including waterfowl and migratory birds regulated by the Pennsylvania Game Commission.

Section 3. Allowances to Keep Chickens and Ducks. Each residential property shall hereby be allowed to keep no more than 6 chickens and/or ducks as pets, for egg production, or for food usage by the family. All usage of chicken or duck products produced will be for the family keeping and maintaining the chickens and ducks. Roosters and Drakes shall not be permitted within Borough limits.

Section 4. Housing of Chickens and Ducks. Chickens and ducks must be kept in appropriate pens at all times. Free range conditions outside of a pen area unless supervised by the owner are prohibited. Pens, coops, and other structures must be clean, dry and kept in a sanitary condition at all times in a manner that will not disturb the use and enjoyment of neighboring lots due to noise, odor, or other adverse impact. Excrement must be prevented from accumulating in the coop or on the property.

Coops and pens must provide adequate ventilation and must provide protection from rodents, wild birds, and predators, including without limitation, dogs, and cats. No pen may be less than twenty-feet (20') from the property line, and no less than thirty-feet (30') from the occupied portion of any adjacent property.

Coops and pens must be located at the yard opposite the main roadway.

Storage of food and supplies outdoors must be in an enclosed structure and maintained in such manner as to prevent rodent harborage.

Section 5. Permit Required.

The original permit for any structures will be handled as any other zoning permit for structures not requiring a building permit. Annual license renewals will be due by April 30th of each year. The license renewal fee shall be set as a part of the comprehensive fee schedule, herein initially set at \$10.00 per year.

Any person obtaining a permit does authorize the code enforcement officer or a Humane Society Officer to access the property upon reasonable notice to the landowner or permittee to inspect pens and/or investigate complaints.

A permit to keep chickens and ducks may be suspended or revoked where there is a risk to public health or safety or for any violation or failure to comply with the requirements of this Ordinance. There is no vested right to keep chickens and ducks after the expiration of the annual permit.

Section 6. Violation and Penalties. Any person who shall be convicted of violating any provision of Part 2 before a District Magistrate shall be sentenced to pay a fine or penalty not to exceed six-hundred (\$600.00) dollars, together with the costs of prosecution including reasonable attorney's fees and costs for each subsequent offense. A continuation of such violation for each successive day or days shall constitute a separate offense.

Section 7. Authorization.

The Borough Council of the Borough of Saxonburg is hereby authorized and directed to execute any and all documents necessary to effectuate the purposes of this Ordinance.

2. All Ordinances, Code Sections or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

3. This Ordinance shall be effective upon enactment by the Borough Council of Saxonburg Borough.

We do hereby certify that the above Ordinance was passed by the Borough Council on the 15th day of September, 2020.

ATTEST:

BOROUGH OF SAXONBURG

By: _____

Jody R.
Borough Secretary

By: _____

Sherry A. Wangnick
President of Borough Council

APPROVED by me this 15th of September, 2020.

William R. Sullivan
Mayor of Saxonburg

SEAL:

