

KEEPING OF CHICKENS

PROPOSED AMENDMENT CHAPTER 295 - ZONING
AND REVISIONS TO CHAPTER 104 - ANIMALS

MARCH 2024

GALLUS DOMESTICUS

- “Keeping chickens as pets became increasingly popular in the 2000s among urban and suburban residents. Many people obtain chickens for their egg production but often, will also name them and treat them as any other pet. Chickens are just like any other pet in that they provide companionship and have individual personalities. While they do not cuddle much, they will eat from one's hand, respond to and follow their handlers, as well as show affection.” WIKIPEDIA



CURRENT ZONING CODE REGULATIONS (CHAPTER 295)

PETS, KEEPING OF

The keeping of domesticated animals of types that are normally considered to be kept in conjunction with a dwelling for the pleasures of the resident family. This shall include dogs, cats, small birds, gerbils, rabbits and other animals commonly sold in retail pet shops. See § 295-96.

(11) Keeping of pets.

- (a)** This is a permitted by right accessory use in all districts.
- (b)** See Chapter 104, Article IV, Control of Animals. No use shall involve the keeping of animals or fowl in such a manner or of such types of animals that it creates a serious nuisance (including noise or odor), a health hazard or a public safety hazard.
- (c)** Horses: minimum lot area: two acres for the first horse or similar animal, plus one acre for each horse or similar animal in excess of one. Any horse barn, manure storage areas or stable shall be a minimum of 75 feet from any residential lot line.
- (d)** Only those pets that are domesticated and are compatible with a residential character shall be permitted as "keeping of pets."
- (e)** The keeping of cows, sheep, goats, and hogs shall require a minimum lot area of five acres.



CURRENT ZONING & OTHER CODE REGULATIONS

CHAPTER 104 – ANIMALS

(CURRENT FEE = \$50.00)

§ 295-67 **Raising of livestock and poultry.**

- A. Minimum lot area: five acres, except a minimum lot area of 25 acres shall apply for an intensive raising of livestock or poultry use.

§ 104-27 **Harboring of certain animals restricted.**

Effective one year from date of adoption of this article (May 14, 1980), no horses, donkeys, burros, cows, pigs, goats, sheep, ducks, geese, or other such animals larger than the average dog and no wild animals shall be harbored or kept within the Township of Swatara; provided, however, that the aforesaid prohibition shall not apply to animals on farms currently existing within the Township of Swatara or other similar areas devoted to agricultural purposes under the provisions of Chapter 295, Zoning, or in commercial businesses dealing in the sale or transfer of animals, domesticated or wild, or in such specific instances as the Code Enforcement Officer of Swatara Township determines not to be detrimental to the health, safety, or welfare of the Township and issues a special permit permitting the maintenance of a specified animal or animals in a specified location; the fee for such a special permit shall be determined by the Board of Commissioners of Swatara Township pursuant to resolution and no such special permit shall be issued until the prescribed fee shall have been paid.



CHAPTER 104 CODE REGULATIONS FOR PIGEONS

(CURRENT FEE = \$20.00 PER YEAR)

§ 104-11 **Requirements for obtaining permit.**

[Amended 12-11-1985 by Ord. No. 1985-6]

- A. The Health Officer of Swatara Township shall issue a carrier pigeon permit to the owner of any carrier pigeons who complies with the following requirements:
- (1) Identification marks stamped on each carrier pigeon or band are recorded with the Health Officer.
 - (2) The loft is found on inspection to be in compliance with regulations prescribed by the Health Officer and approved by the Board of Commissioners of Swatara Township, and is maintained in a clean, orderly condition and kept in good repair.
 - (3) The construction of a loft complies with the Swatara Township Building Code regulations and the Swatara Township zoning requirements.
- B. The owner of any carrier pigeons shall pay an annual fee for a carrier pigeon permit as determined by the Board of Commissioners of Swatara Township pursuant to resolution and no permit as required by this article shall be issued until the prescribed fee shall have been paid. The Health Officer of Swatara Township shall keep a record of all permits issued under this article.



PROPOSED NEW 2- PRONG REGULATORY APPROACH

1. ZONING (Chapter 295)

- Regulates the zoning districts within which the use can occur;
- States the minimum lot size where the use can occur & maximum number of chickens per lot;
- States set back requirements for the coops;
- States that permits are required;

2. PERMITS (Chapter 104)

- A pre-permit inspection is conducted to determine if there are any ongoing zoning or property maintenance code violations;
- If there are, a permit application will not be accepted until the violations are corrected.
- Must comply with Standards of Practice.
- Permit fee to be established by the Board of Commissioners.



PROPOSED NEW 2- PRONG REGULATORY APPROACH

I. ZONING

- Minimum lot size = 0.20 acres = 8,712 square feet;
- Lots between 0.20 and 0.50 acre may keep up to 6 chickens;
- Lots between .050 and 5.0 acres may keep up to 12 chickens;
- Lots greater than 5.0 acres limited to 24 chickens unless the owner qualifies for an intensive poultry-raising operation;
- Coops and shelters set back at least 15 ft from lot line and 30 ft from any occupied residence.

2. PERMITS

- If the applicant meets the zoning requirements, then a permit application can be filed.
- Occupants who are not the owner of record must provide written approval from the owner.
- A post-permit inspection is conducted to determine if coops, runs, and accessories meet the standards of practice and setback requirements.
- An annual permit renewal is required.
- An annual inspection is required for permit renewal.



STANDARDS OF PRACTICE

NO ROOSTERS!

- Pens and coops must be in rear yard;
- Must have rear yard area of 200 sq ft;
- Must be kept in a secure, fully enclosed coop within an enclosed run;
- Must have at least 3 sq ft of space for each chicken inside the coop;
- Must have at least 5 sq ft of space per chicken inside the run;
- Run must be at least 4 ft high and made of durable materials with a wire mesh over the top;
- All feed and waste must be kept in secure containers;
- Chickens may not free roam;
- Outdoor or public slaughter is prohibited;
- Coops and runs must be cleaned on a regular basis and waste materials disposed of properly.
- Eggs may be sold from the property and must comply with applicable state regulations.



PERMIT ENFORCEMENT

- Township Code Official would have the right to inspect the property with proper notice to the property owner.
- Notices of Violation may be issued for infractions of the zoning code or the animal standards of practice.
- Citations may be filed if infractions are not abated in a timely manner.
- Successive Citations may lead to the revocation of the Permit. If the permit is revoked, all hens and roosters must be removed within 15 days, and the coop and run must be removed within 30 days.

COMMENTS, QUESTIONS, & SUGGESTIONS

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