

ORDINANCE NO. _____

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF BONNEAUVILLE, ADAMS COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE BOROUGH OF BONNEAUVILLE ARTICLE IV, ADDITIONAL REQUIREMENTS OF SPECIFIC USES, § 255-39(D) (10) Pets, keeping of. Subsection (d) thereof.

WHEREAS, the Borough Council of the Borough of Bonneauville, Adams County, Pennsylvania, desires to amend the Borough Code Article IV, Additional Requirements of Specific Uses, § 255-39(D) (10) Pets, keeping of. Subsection (d); and

NOW THEREFORE, be it by the Borough Council, it is hereby ENACTED AND ORDAINED, amending the language of subsection (10) (d) and replacing it as follows:

§ 255-39(D) (10) (d)

- (i) **Pigeons, chickens, roosters, ducks, geese, and/or similar fowl shall not be kept on a lot of less than one acre with the exception of provisions as set forth in subsections (ii) through (viii). However, if the total weight of such fowl is 200 to 500 pounds, then a minimum lot area of three acres shall be required. If the total weight of such fowl is 500 pounds, then the requirements shall be for “raising livestock or poultry” as set forth in the Code of Ordinances.**
- (ii) **Residential chickens; permit required; revocation of permits; appeals.**
 - A. **Permit.** No person, corporation, limited liability company, partnership, or other entity shall raise, harbor, or keep chickens on a lot of less than one acre within the Borough without first applying for and obtaining a permit as set forth herein.
 - B. **Application.** In order to obtain a permit to raise, harbor, or keep chickens on a lot of less than one acre, an applicant shall submit an application on the forms as provided by the Borough.
 - C. **Permit Requirements.** In order for a permit to be issued, the following requirements must be met:
 - 1. All requirements of this article shall be met.

2. The tract of land on which the chickens are to be kept shall contain a single or two-family dwelling only and shall be occupied and used as such.

D. **Issuance of Permit.** The Borough shall issue a permit within 30 days of receipt of the application and upon all requirements having been met. A Borough representative shall inspect the subject property prior to issuance or renewal of a permit, and the applicant shall make the property available for such inspection.

E. **Denial, Suspension, or Revocation.** The Borough may deny, suspend, or revoke any permit issued hereunder for any of the following reasons:

1. Any false statements on any application or other information required to be given by the applicant or permit holder.
2. Failure to correct deficiencies noted in violation notices within the time specified in such notice.
3. Failure to comply with any provisions of this article.

F. **Notification.** A decision to revoke, suspend, or deny any permit shall be in writing, delivered by certified mail or in person to the address indicated on the application. If such certified mail is not picked up by the applicant, it may be sent by the United States Postal Service to the address provided by the applicant.

G. **Effect of Revocation.** When a permit is revoked, an applicant may not reapply for a new or reissued permit for a period of two years from the date of revocation.

H. **Appeals.** The revocation, suspension, or denial of 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 the Borough Council following receipt of the written appeal. The written appeal shall set forth the basis for such appeal. A written decision of the Borough Council shall be issued within 30 days of hearing the appeal, and such decision shall be deemed final and binding.

I. **Number and Gender of Chickens Allowed.**

1. A permittee shall be permitted a maximum of twelve chickens per lot, regardless of the size of the lot but not to exceed one acre as set forth herein.

2. No roosters are permitted. Only hens are allowed.

J. Where Permitted.

Chickens shall be permitted within any zoning district, provided the conditions set forth herein have been met.

K. Noncommercial Purposes.

Chickens kept under this article may be kept for personal use and consumption only, and permittees shall not engage in any commercial sales, breeding, or other commercial endeavor with regard to the chickens with the exception of direct local sales of eggs produced from chickens upon said lot, which shall be permitted.

L. Chicken Coops or Enclosures.

1. Chickens must be kept in a coop, enclosure, or fenced area at all times.
2. No chicken coops, enclosures, or fenced areas shall be permitted in the front yard of any lot.
3. A building permit shall be obtained for all chicken coops and fencing for containing the chickens. For the purpose of this article, a chicken coop will be considered an accessory building (not connected to the main structure) under the zoning ordinance and must meet all regulations relating to accessory buildings in applicable Borough ordinances.
4. Coops, enclosures, and fenced areas shall be kept in a clean, dry, odor-free, neat, and sanitary condition at all times.
5. 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, and the like.

M. Control and Safety of Chickens.

1. The control and safety of chickens shall be the responsibility of the permittee at all times.

2. Chickens shall be provided with access to feed and clean water at all times. Feed and water shall be rendered inaccessible to rodents, wild birds, and predators. Uneaten food shall be removed in a timely manner.
3. Manure shall be stored in a fully enclosed structure or watertight container. Storage of manure on a property shall be limited to a container equivalent to no more than a thirty-gallon garbage can at any one time. The coop, enclosure, fenced area, and surrounding area shall be kept free of trash and accumulated feces. If the storage of manure is found to be a nuisance, the Borough reserves the right to further limit the manner or location of such storage.
4. Chickens shall not be permitted to roam off the permitted tract of land. If the owner of the chickens fails to keep the chickens on his/her land, it will be grounds for the Borough to revoke the permit in addition to any other remedies set forth herein.
5. A permittee shall take action necessary to reduce the attraction of rodents and predators and the potential infestation of insects and parasites. A permittee shall remove or have treated any sick chickens or those found to be infested with parasites or insects.
6. Dead chickens shall be removed and disposed of immediately upon discovery.
7. No dog, cat, or other domesticated animal that kills a chicken off the permitted tract of land shall, for that reason alone, be considered a dangerous or aggressive animal.

(iii) Violations and Penalties.

A. The following acts shall be deemed to be violations of this Article:

1. The keeping of chickens without a permit or the keeping of chickens in violation of any provision of this Article.
2. Permitting any owner, renter, lessee, or other occupant of a property to keep chickens on a property in violation of this Article.
3. Keeping chickens inside of any dwelling unit.

4. The slaughtering of chickens unless said slaughter is for personal use and consumption.

B. Any person and/or owner violating any provision of this Article shall be issued a notice of violation, and if the violation is not corrected, a citation will be filed with the local Magisterial District Justice as outlined in accordance with this Article and any person, firm, or corporation violating provisions of this Article shall, upon conviction in a summary proceeding under the Pennsylvania Rules of Civil Procedure, be guilty of a summary offense and shall be punishable by fine of not more than \$1,000, plus court costs and reasonable attorney's fees incurred by the Borough if the enforcement proceeding upon judgment against any person by summary conviction, or by proceedings by summons on default of payment of fine or penalty imposed and the costs, the defendant may be sentenced to the county correctional facility for a period not to exceed 30 days

ENACTED ORDAINED as an Ordinance of the Borough of Bonneauville, Adams County, Pennsylvania, by the Borough Council this _____ day of _____, 2026, in a lawful session duly assembled.

ATTEST:

BONNEAUVILLE BOROUGH COUNCIL

By: _____
Christina Busbey,
Borough Secretary

By: _____
Michael L. Shanebrook,
Council President

APPROVED this _____ day of _____, 2026

By: _____
Joshua Turner, Mayor