

BOROUGH OF WHITE OAK

ORDINANCE NO. 2020-29

**AN ORDINANCE OF THE BOROUGH OF WHITE OAK, COUNTY OF ALLEGHENY,
COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING RESTRICTIONS AND
REGULATIONS RELATED TO THE KEEPING OF CHICKENS WITHIN THE
BOROUGH OF WHITE OAK**

WHEREAS, the Borough of White Oak (hereinafter referred to as “the Borough”) deems it is in the best interests of the residents to establish and adopt restrictions and regulations related to the keeping of chickens;

WHEREAS, Borough Ordinance Article 705 does not address requirements relative to the keeping of chickens within the confines of the Borough;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, and it is hereby Ordained and Enacted by the Council of the Borough of White Oak as follows:

SECTION I- DEFINITIONS.

As used in this chapter, the following words and terms shall have the meaning indicated:

BOROUGH - The Borough of White Oak.

CHICKEN- A member of the subspecies Gallus gallus domesticus, a domesticated fowl.

CHICKEN RUN- An enclosed area where chickens are allowed to walk and run about.

COOP- A small building for housing poultry.

HEN- A female chicken.

ROOSTER- A male domestic chicken.

CHICK- An immature chicken.

SECTION II- USE REGULATIONS.

The keeping of chicken hens shall be allowed by right in residentially zoned areas of the Borough, provided that the following conditions are met:

- (a) The building lot has been developed as a single-family residence.
- (b) No more than four hens or chicks shall be kept per one-family dwelling.
- (c) A minimum lot size either owned, leased or rented of 1/2 acre shall be required.
- (d) No person shall keep a rooster.
- (e) All hens and chicks shall be housed in a roofed coop that is stationary, secure, and enclosed in a way that contains the chickens.
- (f) The coop shall not be within 30 feet of any main building on an adjacent lot.

- (g) The minimum coop size shall be three square feet per chicken. The maximum overall coop size shall not exceed 30 square feet.
- (h) A chicken run is permitted when attached to the coop.
- (i) If a chicken run is provided, it shall be no bigger than 10 square feet per chicken and shall be enclosed in a way that contains the chickens.
- (j) The chicken run shall not be within 30 feet of any main building on an adjacent lot.
- (k) All coops and runs are subject to setbacks for accessory structures.
- (l) All coops and runs shall be screened from the view at ground level from adjacent lots by using fencing, landscaping, or a combination thereof.
- (m) A zoning permit shall be required for keeping chicken hens, coops, and chicken runs.

SECTION III- RUNNING AT LARGE PROHIBITED; SANITARY REQUIREMENTS; SLAUGHTERING; FEED AND WATER.

The following shall apply to all residentially zoned properties that are keeping chickens as set forth in Section II:

- (a) Any chicken not contained within an approved coop or run shall be deemed at large.
- (b) Any owner or owners of chickens shall be required to house the same at all times under sanitary conditions so that the keeping of chickens shall not become either a public or private nuisance. The following provisions apply:
 - (1) Chicken feces on private property shall not be allowed to accumulate to the degree that it becomes a public health nuisance or hazard. All chicken feces shall be properly stored and disposed of, so as not to be objectionable due to odor, pests or otherwise, at the site's property line. The owner or owners of chickens shall show that adequate provisions are being implemented to collect, store and dispose of the feces and other litter associated with the keeping of chickens. The containers used in the process shall be kept covered and shall be cleaned on a regular basis to avoid the potential for detectable odors. In cases where chicken feces does accumulate on private property, the code enforcement officer may conduct an investigation, after which the accumulation may be declared a public health hazard or nuisance and the owner shall be ordered to remove and dispose of the accumulated feces in an approved manner. The order to remove such accumulated feces shall be given personally to the owner or shall be sent by registered mail, and the owner shall be given a period of 48 hours from the date and time of receipt of the order to clean the property and remove the accumulated feces.
 - (2) Coops and runs shall be kept in good repair and must be capable of being maintained in a clean and sanitary condition, free of vermin and obnoxious odors.
 - (3) It shall be prohibited to slaughter and/or purposefully kill any chicken, for any purpose. Excluded from this prohibition is the killing of a chicken for medical reasons by a licensed veterinarian and/or the off-site slaughtering by a professional.

- (4) All feed, water, and other items associated with the keeping of chickens shall be protected in a way that prevents infestation by rats, mice, or other rodents or vectors. Failure to keep all feed, water and other items associated with the keeping of chickens in a clean and sanitary condition constitutes a violation of this chapter.

SECTION IV- VIOLATION AND PENALTIES.

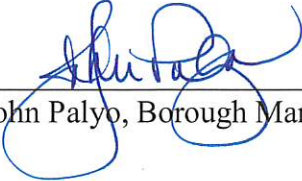
Any person who violates this chapter shall be subject to a fine not to exceed \$500 per occurrence, and in default of payment thereof, to undergo imprisonment not exceeding 30 days. Each day that a violation of this chapter continues shall constitute a separate offense.

SECTION V- SEVERABILITY.

If a section, provision or part of this chapter shall be judged to be invalid or unconstitutional, such adjudication shall not affect the validity of the chapter as a whole or any sections, provisions or parts thereof not adjudged invalid or unconstitutional


ORDAINED AND ENACTED by the Council of the Borough of White Oak, County of Allegheny and Commonwealth of Pennsylvania, meeting in regular and public session, this 21st day of December, 2020.

ATTEST:



John Palyo, Borough Manager

BOROUGH OF WHITE OAK



Charles D. Davis, Council President

EXAMINED AND APPROVED by me this 21st day of December, 2020.



Ina Jean Marton, Mayor