

BOROUGH OF LEETSDALE

ORDINANCE NO. 683

**AN ORDINANCE OF THE BOROUGH OF LEETSDALE,
COUNTY OF ALLEGHENY, COMMONWEALTH OF
PENNSYLVANIA, AMENDING CHAPTER 113
("ANIMALS") OF THE CODE OF THE BOROUGH OF
LEETSDALE TO REGULATE THE KEEPING OF
CHICKENS**

WHEREAS, Chapter 113 ("Animals") of the Code of the Borough of Leetsdale imposes regulations with respect to the maintenance, keeping and possession of animals within the Borough; and

WHEREAS, public interest in the keeping of chickens has increased in recent years; and

WHEREAS, the Council of the Borough of Leetsdale seeks to respond to residents' requests to permit a limited number of chickens to be housed on properties within the Borough as a source of fresh eggs and for personal use and enjoyment; and

WHEREAS, to protect the health, safety, and peaceful enjoyment of property of citizens of the Borough of Leetsdale, the Council of the Borough of Leetsdale desires to amend Chapter 113 ("Animals") of the Code of the Borough of Leetsdale to permit the keeping of chickens by Borough residents and to establish criteria, procedures, and standards for same.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Leetsdale, Allegheny County, Pennsylvania, that Chapter 113 ("Animals") of the Code of the Borough of Leetsdale is hereby amended as follows:

Section 1.

Section 113-3 ("Definitions") of Chapter 113 ("Animals") of the Code of the Borough of Leetsdale shall be amended to include the following additional terms:

Chicken - A domesticated bird classified as Gallus domesticus, or its young. This term shall not include Roosters as defined below.

Chicken Run - An enclosed area in which chickens are allowed to walk and run about.

Coop - A small building for housing of chickens.

Rooster - A male chicken greater than six (6) months old.

Section 2.

Paragraph B of Section 113-5 ("Permitted animals") of Chapter 113 ("Animals") of the Code of the Borough of Leetsdale shall be amended to add a new subparagraph (15) thereunder to read as follows:

- B. Any person is permitted to maintain, keep or possess within the Borough any of the following types of animals, which classification shall be strictly construed, limited to those quantities customarily maintained in a household:

(15) Chickens, subject to § 113-11.1.

Section 3.

Chapter 113 ("Animals") of the Code of the Borough of Leetsdale shall be amended to add a new Section 113-11.1 to read as follows:

§ 113-11.1 Conditions for keeping chickens.

It shall be lawful for any person to keep chickens in the Borough only if the following conditions are strictly adhered to:

- A. The following general health and safety standards and regulations shall be applicable to the keeping and raising of chickens:
- (1) The area of the lot on which chickens are kept shall be no less than 5,000 square feet. Parcels between 5,000 and 10,000 square feet may have up to four (4) chickens. For each additional 10,000 square feet of any parcel over 10,000 square feet, one (1) additional chicken may be kept, up to a maximum of six (6) chickens. No roosters are permitted within the Borough.
 - (2) There shall be no outstanding violations of any provision of the Borough's Consolidated Code of Ordinances, including but not limited to the Borough's Zoning Ordinance, as amended. If any person keeping or

harboring chickens shall subsequently be cited for a violation of any provision of the Borough's Consolidated Code of Ordinances, including but not limited to the Borough's Zoning Ordinance, as amended, which violation shall remain unresolved for a period in excess of thirty (30) days from the date of the citation, the Borough shall have the right to remove the chickens along with any coop, chicken run, or other structures associated with the keeping and harboring of chickens from the property via animal control officer or other designated representative of the Borough.

- (3) No person cited for two (2) or more violations of any provisions of the Borough's Consolidated Code of Ordinances, including but not limited to the Borough's Zoning Ordinance, as amended, within the previous twelve (12) months shall be permitted to keep or harbor chickens in the Borough.
- (4) Chickens may be kept for personal use and enjoyment only.
- (5) No person shall keep or harbor chickens in the Borough in a manner that creates an offensive odor, excessive noise, or unsanitary conditions, or disturbs neighboring properties or threatens public health.
- (6) No person shall slaughter or butcher any chicken or sell any portion or product of chickens within the Borough, with the exception of eggs which may be sold within the Borough.
- (7) No person shall spread or cause to be spread or deposited upon any ground or premises within the Borough any chicken manure. However, chicken manure may be composted on the property where the chickens are housed and fully composted material may then be applied to the property's gardens or yard.
- (8) Chickens shall be provided with access to clean feed and clean water at all times. All feed, water and other such items associated with the keeping of chickens shall be properly stored in solid sanitary covered metal containers so as to prevent the infestation of rats, mice or other rodents or vectors.
- (9) All chickens shall be afforded veterinary care and shall be vaccinated in accordance with veterinary recommendations. Ill or injured chickens must be removed from the chicken coop promptly and examined by a licensed veterinarian if they exhibits symptoms of illness or injury.
- (10) Physical abuse or neglect of chickens is prohibited and shall be considered a violation of this Section.

B. The following standards and regulations shall be applicable to coops and chicken runs:

- (1) Chicken coops and chicken runs shall be permitted to be constructed in the rear yard of a property only and shall be located at least twelve (12) feet away from all property lines, measured from the base of the coop or run located nearest to any such property line.
- (2) All chickens must be kept in a coop, chicken run, or fenced area at all times. During daylight hours, chickens may have access to outdoors via a chicken run. Chickens may also be allowed in a securely fenced yard so that they cannot stray beyond the property on which they are secured. Chickens shall be secured within the coop during non-daylight hours;
- (3) Coops shall be designed to provide safe and healthy living conditions for chickens, including the provision of shade from the sun, suitable protection from inclement weather and extremes in temperature, and adequate ventilation at all times. The coop shall be kept in good repair and designed to allow easy access to clean and maintain it in a sanitary condition.
- (4) Coops shall be enclosed on all sides and shall have a metal or shingled roof and lockable access doors for security. Openings, windows, and vents must be covered with vermin, predator and bird-proof wire mesh.
- (5) Materials used for making a coop shall be uniform for each element of the enclosure, such that the walls are made of the same material and the roof has matching shingles or uniform metal covering.
- (6) Chicken coops shall be constructed to provide three (3) square feet of indoor space per chicken and must allow sufficient roosting space for each chicken. At least a 12" x 12" nesting box shall be provided in the chicken coop for every two (2) chickens.
- (7) The chicken run shall be designed to provide safe and healthy living conditions for the chickens and to prevent injury to the chickens. It shall be kept in good repair and must be capable of being maintained in a clean and sanitary condition.
- (8) The chicken run shall be attached to the chicken coop and shall be built to accommodate a minimum of four (4) square feet per chicken, and to allow sufficient space for chickens to flap their wings and move about freely. Chickens may also forage in a securely fenced enclosure located in the rear yard, only if supervised, so that they cannot stray or be attacked by predators.

- (9) The chicken run shall consist of a durable support structure with three walls and a roof covered with vermin, predator, and bird-proof wire mesh. A lockable door to the chicken run must be installed to allow for human access for the chicken run and for security.
- (10) The chicken run shall provide sufficient sun and air exposure to allow natural lighting for the chickens and to allow the ground to dry below the coop and run where the chickens are confined.
- (11) The chicken run must include a stable ramp up into the chicken coop.
- (12) If chickens are no longer being kept at the property, all feed, straw, refuse, and similar materials, excluding however any chicken coop or chicken runs existing on the property, shall be removed from the property within fourteen (14) days of the abandonment of the use.

Section 4.

Paragraph W of Section 113-12 ("Prohibited animals") of Chapter 113 ("Animals") of the Code of the Borough of Leetsdale shall be amended to read as follows:

§ 304-12 Prohibited animals.

No person is permitted to maintain, keep or possess within the Borough any of the following animals, which classification shall be broadly construed:

- W.** Rooster and Poultry (ducks, swans, geese, turkeys and guinea fowl), except for chickens subject to § 113-11.1.

Section 5. Effective Date / Repealer

This Ordinance shall become effective immediately upon enactment and shall repeal all prior inconsistent ordinances and resolutions to the extent of such inconsistency.

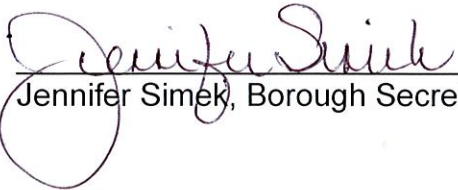
Section 6. Severability

If a final decision of a court of competent jurisdiction holds any provision of this Ordinance or the application of any provision of this Ordinance to any circumstance to be illegal or unconstitutional, the other provisions of this Ordinance and the application of such provisions to other circumstances shall remain in full force and effect.

ORDAINED AND ENACTED this 13th day of April, 2023.

ATTEST:

BOROUGH OF LEETSDALE



Jennifer Simek, Borough Secretary



Patricia Lee, President

EXAMINED AND APPROVED this 28th day of April, 2023.



Sandra J. Ford, Mayor