

North Huntingdon Township

Backyard Chicken Permit Application



APPLICANT/OWNER

Name _____

Address _____

City _____

State _____ Zip _____

Phone _____

Email _____

Tax Parcel ID _____

Zoning District _____ Acreage _____

PERMITTING REQUIREMENTS

- A. To be eligible to apply for a backyard chicken keeping permit, **the applicant must own at least one (1) acre** of residentially zoned land in North Huntingdon Township.
- B. No more than 6 chickens (no Roosters) are allowed per property.
- C. Applicant must provide survey of property to show where henhouse will be located.
- D. If the applicant's lot is greater than ten (10) acres in R-4, fifteen (15) acres in R-3 and twenty (20) acres in R-2, the requirements for livestock in the North Huntingdon Township Zoning Ordinance #765 shall take effect.
- E. Applicant must submit a complete application to the Permitting Officer along with the fee.
- F. Submission of plans and specifications for the construction of the henhouse, showing the structure meets the requirements of Ordinance 2301. Depending on the size, the henhouse may require a separate building permit.
- G. Upon receipt of a complete application and the **required fee of \$200**, the permit will be issued within 30 days.
- H. Permits shall only be issued to properties with owner-occupied single-family structures.
- I. Chickens will not be permitted on properties with single family attached homes or on properties without a principal structure.
- J. Applicant must refer to Ordinance 2301 for complete list of rules and regulations.

Signature of Owner _____

Date _____

PERMIT FEES ARE NON-REFUNDABLE

<u>TO BE COMPLETED BY THE TOWNSHIP</u>	
Received by:	Amount Paid:
Date & Time Received:	Check Payee Name:
Assigned Application Number:	Check #:
Accepted: <input type="checkbox"/> Returned: <input type="checkbox"/>	Check Date:

COMPLETENESS CHECKLIST

In order for an application to be accepted, the following checklist is used by the Community Development Department.

_____ Official Application Form

_____ Application Fee of \$200.00

_____ Original Signature of Owner

OFFICIAL
TOWNSHIP OF NORTH HUNTINGDON
BACKYARD CHICKEN KEEPING ORDINANCE

ORDINANCE NO. 2301

AN ORDINANCE FOR THE TOWNSHIP OF NORTH HUNTINGDON, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING STANDARDS AND REGULATIONS FOR BACKYARD CHICKEN KEEPING IN RESIDENTIAL AREAS, DEFINITIONS, PERMITTING REQUIREMENTS, VIOLATIONS AND PENALTIES PERTAINING THERETO.

WHEREAS, The North Huntingdon Township Board of Commissioners believe residents of North Huntingdon Township have the right to have backyard chickens for the purpose of egg production.

WHEREAS, The North Huntingdon Township Board of Commissioners desires to implement an ordinance to protect surrounding neighbors from excessive noise or odor levels from the chickens.

BE IT ORDAINED, AND IT IS HEREBY ENACTED by the Board of Commissioners of North Huntingdon Township, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1: DEFINITIONS

ADJOINING PROPERTY – All properties that share a common point or line.

APPLICANT – The homeowner(s) whose name(s) appear(s) on the current property deed of record.

BACKYARD CHICKEN KEEPING – The keeping of chickens, strictly for the purpose of egg production for personal consumption.

CHICKEN – A member of the subspecies Gallus Domesticus, a domesticated fowl. This definition shall not be construed to include any species of turkey, duck, guinea fowl, goose, or other fowl. For the purpose of this ordinance, chickens will be defined as livestock, not household pets.

DILAPIDATED – Framework or structural supports that are separating, out of level, rotted, deteriorating, insect infested, and/or have peeling paint or coatings or surfaces that are patched with dissimilar material.

HENHOUSE – A fixed structure with walls and a roof, intended solely for the shelter and protection of chickens.

CHICKEN RUN – A predator-proof fenced area attached to the henhouse where chickens are allowed to move freely.

PERMITTING OFFICER – The Township Code Enforcement Officer.

SECTION 2: PERMITTING REQUIREMENTS

- A. To be eligible to apply for a backyard chicken keeping permit, the applicant must own at least one (1) acre of residentially-zoned land.
- B. No more than 6 chickens are allowed per property.
- C. If the applicant's lot is greater than ten (10) acres in R-4, fifteen (15) acres in R-3 and twenty (20) acres in R-2, the requirements for livestock in the North Huntingdon Township Zoning Ordinance #765 shall take effect.
- D. The applicant must submit a complete application to the Permitting Officer along with the fee.
- E. Submission of plans and specifications for the construction of the henhouse, showing the structure meets the requirements of this ordinance. Depending on the size, the henhouse may require a separate building permit.
- F. Upon receipt of a complete application and the required fee, the permit will be issued within 30 days.
- G. Permits shall only be issued to properties with owner-occupied single-family structures.
- H. Chickens will not be permitted on properties with single family attached homes or on properties without a principal structure.

SECTION 3: FEES

The application fee is \$200 as determined by the Township Board of Commissioners. The application fee in this Ordinance is established to cover processing costs, permit review and site inspections. It is subject to change by resolution approved by the Board of Commissioners.

SECTION 4: CHICKEN KEEPING REQUIREMENTS

- A. Only one henhouse with chicken run is permitted per residence.
- B. A permit shall not allow for chicken breeding, chicken or egg sales, fertilizer sales, or any other commercial use.
- C. Only female chickens are permitted. Roosters are expressly prohibited.
- D. Chickens must be kept in the henhouse or chicken run at all times. They may not run freely around the property, even if the property is fenced on all sides.
- E. All henhouses must provide adequate ventilation and shade and be impermeable to all predators.

- F. Henhouses shall be designed to be a minimum of 4 square feet per chicken with a maximum height of seven (7) feet.
- G. The materials used for the construction of the henhouse shall be uniform, in that the walls are made of the same material, and the roof has the same shingles or metal. Use of scrap materials, waste board, sheet metal, tarps, metal or wood patching materials, and/or similar recycled junk material is prohibited for henhouse construction.
- H. Chicken runs must be fenced, including the top, to prevent the escape of chickens and must be attached to the henhouse.
- I. Chicken runs must provide at least 10 sf per chicken and may not exceed seven (7) feet in height.
- J. Henhouses and chicken runs shall only be located at the rear of the dwelling.
- K. Henhouses and chicken runs shall be located at least 20 feet from any property line and at least 50 feet from an adjacent occupied dwelling.
- L. Noise and odors from chickens shall not be perceptible beyond the boundaries of the permitted property.
- M. Chicken feed shall be stored in a sealed container.
- N. No henhouse or chicken run shall be located over a drainage way or swale, or within 50 feet of a stream or water well.
- O. Chicken manure and deceased chickens shall be disposed of by municipal garbage collection, using double bagging and/or other containment that is acceptable per the current garbage hauler under contract.

SECTION 5: UNLAWFUL ACTS

- A. It shall be unlawful to keep chickens without a permit.
- B. No person shall slaughter any chickens in a residentially-zoned area, unless the tract consists of ten (10) acres in R-4, fifteen (15) acres in R-3 and twenty (20) acres in R-2.
- C. Any violation of chicken-keeping requirements or permitted number of birds is enforceable.
- D. Any violation of this Ordinance which constitutes a health, safety, and/or sanitary hazard, or which interferes with the use or enjoyment of a neighboring property is considered to be a nuisance that is unlawful.

SECTION 6: VIOLATIONS THAT RESULT IN REVOCATION OF PERMIT

- A. Falsification of any part of the application.
- B. Henhouse that is dilapidated; odors crossing property boundaries; lack of safe and/or sanitary condition(s); and/or structural deficiencies of the henhouse or chicken run.
- C. Failure to pay any fine associated with chicken keeping, as noted in this Ordinance.

Revocation of a permit shall be issued in writing by the Township. Any appeal of a revocation must be requested by the applicant within 30 days. The Zoning Hearing Board will rule on appeals. Upon revocation of the permit, the applicant must remove all chickens, henhouses, chicken runs and any other related chicken-keeping material within 30 days. If removal is not complete within 30 days, the Township may initiate action in the Court of Common Pleas of Westmoreland County for injunctive relief compelling the removal of the chickens.

SECTION 7: FINES AND PENALTIES

- A. Chicken keeping without a permit will result in a written violation from the Permitting Officer. A resident in violation will have a chance to apply for a chicken keeping permit assuming the property meets all criteria laid out in this ordinance. If the property size is not greater than or equal to one (1) acre, the chickens and chicken structures must be removed within 30 days. If an eligible property owner does not seek a permit and/or fails to remove the chickens, they will be subject to the fine schedule in subsection B.
- B. Properties that received a chicken keeping permit from the Township will be subject to the following fines: The first proven violation by the Permitting Officer will result in a \$100 fine; the second violation is a \$200 fine, and the third violation is a \$500 fine. After the third violation, the permit will be revoked, and the chickens must be removed from the property. Failure to pay fines will result in a hearing in front of the local Magistrate where additional court costs may apply. Failure to remove chickens from the premises may result in legal proceedings being commenced in the Court of Common Pleas of Westmoreland County to secure their removal.
- C. Once the permit is revoked, the applicant may not re-apply for a backyard chicken keeping permit.

SECTION 8: SEVERABILITY

Each section, paragraph, sentence and provision of this ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this ordinance.

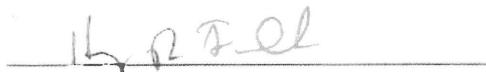
ORDAINED AND ENACTED at a Regular Meeting of the Board of Commissioners of the Township of North Huntingdon, County of Westmoreland and Commonwealth of Pennsylvania, a full quorum being present, this Wednesday, the 19th day of June, 2024.

TOWNSHIP OF NORTH HUNTINGDON



Jason Atwood, President
Board of Commissioners

ATTEST:



Harry R. Faulk, Township Secretary

SEAL

SOLICITOR: Bruce E. Dice