

ORDINANCE NO. 2023-2

BOROUGH OF PLEASANTVILLE,
COUNTY OF VENANGO, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF PLEASANTVILLE, VENANGO COUNTY, PENNSYLVANIA TO AMEND AND RESTATE CHAPTER 106, ARTICLE III OF THE CODE OF THE BOROUGH OF PLEASANTVILLE, KEEPING OF LIVESTOCK AND OTHER ANIMALS, TO REPEAL CERTAIN INCONSISTENT PRIOR PROVISIONS OF THE CODE AND TO IMPOSE FINES AND PENALTIES FOR VIOLATIONS THEREOF.

WHEREAS, the Borough of Pleasantville has the power and authority pursuant to Section 1202 (10) of the Borough Code to enact ordinances regulating the keeping or running at large of livestock and fowl;

WHEREAS, pursuant to Section 1202 (3), the Borough of Pleasantville has the authority to impose fines and penalties for violations of ordinances;

WHEREAS, the Borough of Pleasantville has previously adopted certain regulations regarding the keeping of livestock and other animals; and

WHEREAS, the Borough Council of the Borough of Pleasantville has deemed it advisable to promote the public health, safety and welfare of the citizens by making certain changes to the Pleasantville Code to allow for the keeping of chickens under certain restrictions within the Borough of Pleasantville.

NOW, THEREFORE, be it enacted as follows:

1. Article III of the Code of the Borough of Pleasantville is hereby amended and restated in its entirety, to provide as follows:

§ 106-9. Prohibited acts.

No person, partnership, association, firm or corporation shall on real estate owned or leased by them, or in which they are in possession, keep or maintain for any period of time any livestock, ducks, poultry, fowl, reptiles or rodents. For the purposes of this article, "livestock" shall mean cows, horses, sheep, goats, mules, llamas, etc.

§ 106-10. Exclusions.

- A. For purposes of this article, the word "fowl" shall not be deemed to include parrots, canaries, or other birds sold in pet stores as household pets.
- B. For purposes of this article, the word "rodents" shall not be deemed to include gerbils, hamsters or mice sold in pet stores as household pets.

- C. The prohibitions of this article shall not apply to any of the ducks, poultry, fowl, reptiles or rodents being kept or maintained, for sale to the public, in a pet store located within the Borough.
- D. For purposes of this article, "poultry" and "fowl" shall not include chickens so long as they are kept in compliance with Section 106-11 herein.

§ 106-11. Keeping of chickens.

Keeping and raising of chickens is permitted as an accessory use to single family dwellings, subject to the following limitations:

- A. Chickens are defined as domestic female chicken hens. The keeping of roosters is prohibited.
- B. Chickens shall be kept for the household's personal consumption only. There shall be no sales of eggs or chickens, nor of butchered chickens or chicken products from the property.
- C. Outdoor slaughtering or processing of chickens is prohibited; all such activities shall be conducted within the residence on the property.
- D. No more than six chickens may be kept on a single property at any time.
- E. Chickens shall not be allowed to roam free. Chickens shall be kept in an enclosed, secured area not to exceed a total of fifty (50) square feet in size.
- F. Adequate shelter, care and control of the chickens are required. Any person keeping chickens shall comply with all other provisions of Pennsylvania State Law and the Pleasantville Borough Code.
- G. All pens or chicken coops shall be located in the rear yard of the property; no chicken pen or chicken coop shall be located in the front yard.
- H. All pens or coops shall be constructed and maintained so as to prevent the entry of rodents and predators; shall be kept dry, well ventilated and in sanitary condition at all times; and shall be cleaned on a regular basis to prevent odor. All waste material shall be removed promptly.
- I. All feed intended for consumption by the chickens shall be kept in sealed containers that cannot be penetrated by rodents. No unconsumed food material shall be accessible to other animals or

pests, nor shall any such material be allowed to accumulate on the property.

- J. No chicken coop shall be located within thirty (30) feet of any structure located on an adjacent lot, and no chicken coop shall be located within ten (10) feet of a side or rear property line.
- K. No person may keep or raise chickens at any property within the Borough of Pleasantville unless such person holds a permit issued pursuant to Section 106-12 of this Ordinance.

§ 106-12. Permits

- A. Permits to allow the keeping of chickens may be obtained by completing an application on a form provided by the Borough of Pleasantville with such information as deemed necessary by the Borough in order to determine that the requirements of this Ordinance will be met. Along with the application, a permit fee of \$25 shall be paid to the Borough.
- B. The term of permits issued pursuant to this Ordinance shall be three years and shall be renewable for additional three year terms by submission of a new permit application with the appropriate fee.
- C. The Borough Council reserves the right to adjust the permit fee from time to time as it deems necessary and appropriate by resolution.

§ 106-13. Violations and penalties.

- A. Any person who shall violate any provision of this article shall, upon conviction, be sentenced to pay a fine of not more than \$300, plus costs of prosecution, and, in default of payment of fine and costs, to imprisonment for a term not exceeding 30 days.

2. The provisions of this Ordinance and of the Code adopted hereby are severable, and if any clause, sentence, subsection, section, article, chapter or part thereof shall be adjudged by any court of competent jurisdiction to be illegal, invalid or unconstitutional, such judgment or decision shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation and application to the clause, sentence, subsection, section, article, chapter or part thereof rendered. It is hereby declared to be the intent of the Borough Council that this ordinance and the Code would have been adopted if such illegal, invalid or unconstitutional clause, sentence, subsection, section, article, chapter or part thereof had not been included therein.

3. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

4. The provisions of this Ordinance shall become effective at the earliest date permitted by law.

Enacted this 11th day of July, 2023



Council President

ATTEST:



Borough Secretary/Treasurer



Mayor

1st Reading: 6/13/2023

2nd Reading: 7/11/2023