

ORDINANCE NO. 2025 - _____

**GREEN LANE BOROUGH
MONTGOMERY COUNTY, PENNSYLVANIA**

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF GREEN LANE (“BOROUGH”), AS AMENDED, FOR THE PURPOSES OF ADDING TO PART II, ENTITLED “GENERAL LEGISLATION,” CHAPTER 149, ENTITLED “ANIMALS,” AN ARTICLE I, ENTITLED “LIVESTOCK AND CHICKENS,” TO AUTHORIZE AND PROVIDE STANDARDS FOR THE KEEPING OF LIVESTOCK AND DOMESTICATED CHICKENS AND REPEALING ANY INCONSISTENT PROVISIONS THEREWITH

WHEREAS, Section 1202(10) of the Borough Code specifically allows the Borough to enact ordinances prohibiting or regulating the keeping or running at large of livestock and fowls and any other animals not covered in paragraph in Section 1202(9) of the Borough Code; and

WHEREAS, Borough Council of the Borough deems it in the best interest and the general welfare of the citizens and residents of the Borough to authorize and provide standards for keeping of livestock and domesticated chickens on a non-commercial basis while limiting the potential impacts on the surrounding neighborhood to regulate the health, safety and general welfare of the Borough; and

NOW, THEREFORE, BE IT ENACTED and ORDAINED and it is hereby **ENACTED and ORDAINED** by the Borough Council of Green Lane Borough as follows:

SECTION 1. Chapter 149, of Part II, entitled “General Legislation,” of the Code of the Borough of Green Lane, entitled “Animals,” including Article I, entitled “Livestock and Chickens,” is hereby added to the Code of the Borough of Green Lane, which shall contain the following:

Section 149-1. **Definitions.**

As used in this article, the following terms shall have the meanings indicated:

BOROUGH

Borough of Green Lane

CHICKEN

A member of the subspecies *Gallus gallus domesticus*, domesticated fowl.

CHICKEN RUN

A fenced or other type of enclosure that is mostly open to the elements, for the purpose of

allowing chickens to leave the henhouse or coop while remaining in a predator-safe environment. The chicken run or pen is typically attached to the henhouse or chicken coop.

CHICKEN COOP

A structure providing shelter for chickens which is completely enclosed.

DWELLING

A building designed for and occupied exclusively as a residence for only one family.

LIVESTOCK

Animals raised, stabled, fed or maintained on an agricultural operation with the purpose of generating income or providing work, recreation or transportation.

PERMITTED TRACT OF LAND or PROPERTY

The tract of land as identified by the application upon which a permit is granted for keeping chickens pursuant to this article.

ROOSTER

Male poultry or fowl

PERMITTEE

An applicant who has been granted a permit to raise, harbor or keep a limited number of chickens pursuant to this article.

PERMITTING OFFICER

The Borough Code Enforcement Officer or designee.

PERSON

Any natural person, corporation, firm, partnership, association, organization or other entity.

Section 149-2. Unlawful to keep livestock and farm animals within Borough limits

- A. Except as permitted pursuant to the Green Lane Zoning Ordinance of 1971, as amended, no person shall keep any (i) livestock, (ii) farm animals, including, but not limited to, pigs, hogs, horses, cows, chickens (except as permitted below), (iii) ducks, and (iv) sheep within the Borough, nor shall any person maintain any buildings or pens (except as permitted below) for the keeping or maintenance of any such animals at any place within the said Borough.

Section 149-3. General rules and purpose for the keeping of chickens.

- A. The keeping of chickens in conformity with the provisions of this Ordinance shall be permitted in the Borough. This Ordinance enables residents to keep chickens on a non-commercial basis while limiting the adverse effects of the activity to the surrounding

properties.

- B. The purpose of this Ordinance is to provide minimum standards for the keeping of chickens. This Ordinance enables residents to keep chickens on a noncommercial basis as an accessory use to a dwelling, while limiting the adverse effects of the activity on surrounding properties. Such adverse effects can include noise, odors, unsanitary conditions, attraction of predators or rodents, chickens running at large, unsightly conditions, and similar adverse conditions.

Section 149-4. Requirements; Regulations; Permitting.

- A. The keeping of chickens is permitted as an accessory use to a dwelling, subject to the following requirements:
 - (1) Type and number of chickens.
 - a. No roosters may be kept on a property.
 - b. A minimum net lot area of 10,000-square feet is required to keep chickens.
 - c. No more than five chickens shall be permitted on any property.
 - (2) Permitting and inspection.
 - a. Chicken coops, chicken runs, and fences are not permitted to be installed before submitting a complete permit application to the Borough and receiving approval from the permitting officer.
 - b. If a tenant should wish to keep chickens on rented property, then the tenant must secure written authorization from the owner as well as conform to all other requirements as enumerated in this section, and both tenant and landowner shall be liable for compliance with the provisions of this section.
 - c. The permitting officer shall have the right to inspect any chicken coop, chicken run, and fencing between 8:00 a.m. and 5:00 p.m. (Monday through Friday). The inspector shall issue any order deemed necessary to comply with any and all federal, state, county, and municipal codes. Twenty-four hours' notice shall be given to the property owner where practicable. No person shall raise, harbor or keep chickens within the Borough without a valid permit obtained from the permitting officer under the provisions of this Ordinance. In granting a permit the permitting officer may attach such reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as the permitting officer may deem necessary to implement the purposes of this Ordinance. Fees assessable by the Borough for the administration and enforcement undertaken pursuant to this article shall be established by the Borough Council by resolution from time to time. The permitting officer shall grant a permit allowing for the raising and keeping of chickens when the following conditions are met:
 - i. Applicant demonstrates that the proposed use meets all of the standards of all applicable Borough Ordinances.
 - ii. Applicant demonstrates that the proposed use meets all of the

standards of this Ordinance.

- d. The permitting officer shall deny a permit if the applicant has not demonstrated compliance with all of the provisions of this Ordinance.
 - e. Any material misstatement or omission shall be grounds for denial, suspension or revocation of the permit.
 - f. Permits shall be valid for a period of one year from the date of issue unless suspended or revoked. Applicant shall apply for renewal at least two weeks prior to the expiration of the permit.
- (3) Chicken coop, chicken run, and fencing.
- a. All chickens shall be housed within a secure, fully enclosed, chicken coop which is contained within a fenced chicken run.
 - b. There shall be at least four-square feet of space for each chicken within the coop and an additional 10 square feet of space per chicken within the chicken run.
 - c. The chicken run fence shall be made of durable materials, such as wood and wire mesh, extending underground for at least one foot and have an aboveground height of at least four feet. The chicken run shall also have a roof made of wire mesh or aviary netting to protect against predators. The height of the chicken coop and chicken run shall not exceed the maximum height for accessory structures applicable to the property.
 - d. It shall be unlawful to let any chicken roam freely outside of the areas of the chicken coop and chicken run, unless the chickens are kept in a fully enclosed area six feet in height. Any fencing shall be extended underground for at least one foot and have an aboveground height six feet.
 - e. Chicken coops, chicken runs, and fencing shall be located in the rear yard and shall be no closer than 15 feet to any property line and no closer than 25 feet to any residential structure.
- (4) Slaughter.
- a. Public slaughter is prohibited.
 - b. Commercial slaughter is prohibited.
 - c. Slaughter shall be conducted in a fully enclosed structure with all excess viscera disposed of in a sanitary way.
- (5) The sale of chickens or chicken eggs for commercial purposes is prohibited.
- (6) All chicken-related materials and feed must be kept in a secure enclosed structure on the premises so as to prevent vermin and any nuisance to surrounding neighbors.
- (7) All chicken waste must be disposed of regularly in a sanitary way acceptable to the Borough.
- (8) It shall be unlawful and shall constitute a nuisance if any chicken, chicken coop, chicken run, or fenced area produces odors, excessive noise, attracts vermin, is kept in an unsanitary condition and/or is otherwise a concern to public health in the discretion of the permitting office.
- (9) The keeping of chickens shall not be permitted as an accessory use on a property where such use is prohibited by a covenant, restriction, rule or regulation of a homeowners' or other association which includes the property.

Section 149-5. Enforcement.

- A. The permitting officer is authorized to enforce the provisions of this Ordinance and to serve a notice of violation to the permittee in violation.
- B. The notice of violation shall indicate the time the Borough determines that a violation exists and provide a reasonable time period for the permittee to comply in order to avoid municipal confiscation or penalties.

Section 149-6. Violation and penalties.

- A. Any person who violates the provisions of this Ordinance and/or fails to comply with any of the requirements thereof shall, upon being found liable in a civil enforcement proceeding commenced by the Borough, pay a judgment penalty of not more than \$600 plus any and all court costs, including reasonable attorney fees incurred by the Borough as a result thereof.
- B. Each day that a violation continues shall constitute a separate violation at the discretion of a court with jurisdiction over this matter. Any and all judgments, costs and reasonable attorney fees for a violation of this Ordinance shall be paid directly to the Borough.
- C. The penalties and remedies prescribed by this article shall be deemed concurrent. The existence or exercise of any remedy shall not prevent the Borough from exercising any other remedy provided by this article or otherwise provided at law or equity, including, without limitation, seizing chickens found to be kept in violation of the requirements of this Ordinance.
- D. In addition to any other remedy provided in this Ordinance, the Borough may institute a suit in equity where unlawful conduct or public nuisance exists as defined in the Code of the Borough of Green Lane for an injunction to restrain a violation of this Ordinance. In addition to an injunction, the court may impose penalties as authorized by this Ordinance.

SECTION 2. Repealer. All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 3. Severability. In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

SECTION 4. Effective Date. This Ordinance shall become effective within the time period provided by law.

ORDAINED and **ENACTED** by the Borough Council of Green Lane Borough this _____ day of _____, 2025.

BOROUGH COUNCIL OF
GREEN LANE BOROUGH

Attest:

Mary T. Garber, Secretary

Brian Carpenter, Borough Council President

Lynn Bergey, Mayor, Green Lane Borough