

**JACKSON TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 231 - 2024

AN ORDINANCE AMENDING SECTION 27-127.1, ENTITLED “NONCOMMERCIAL KEEPING OF CHICKENS”, OF ARTICLE VII, ENTITLED “SUPPLEMENTAL REGULATIONS”, OF CHAPTER 133, ENTITLED “ZONING” OF THE CODE OF ORDINANCES OF JACKSON TOWNSHIP, YORK COUNTY, PENNSYLVANIA, (1) TO CHANGE THE TITLE OF SAID SECTION TO “KEEPING OF DOMESTIC PETS; NONCOMMERCIAL KEEPING OF CHICKENS, DUCKS AND PIGEONS” AND 2) TO AMEND AND PROVIDE FOR THE REGULATIONS FOR THE KEEPING OF DOMESTIC PETS AND NONCOMMERCIAL KEEPING OF CHICKENS, DUCKS AND PIGEONS

WHEREAS, pursuant to Section 27-127.1 of the Jackson Township Zoning Ordinance, the Board of Supervisors of Jackson Township, York County, Pennsylvania, provided for the noncommercial keeping of chickens; and

WHEREAS, as a result of economic conditions and the desire of residents to have greater food security, as well as an increased interest in the keeping of certain pets, including chickens, ducks and pigeons, the Board of Supervisors have received a number of requests to expand the right to keeps such pets and birds on smaller parcels of land than currently provided for in the Township Zoning Ordinance; and

WHEREAS, in response to such requests to allow such birds on smaller parcels, the Township has revisited the regulations regarding the noncommercial keeping of chickens and has developed revised regulations to provide for the chickens, ducks and pigeons to be kept on smaller parcels and wishes to adopt such revised regulations; and

WHEREAS, a public hearing was duly advertised and conducted according to law in order to hear public comment on this proposed ordinance on Tuesday, May 7, 2024; and

WHEREAS, upon consideration of the proposed ordinance and public comment, as well as the comments of the Jackson Township Planning Commission and the York County Planning Commission, the Board of Supervisors have determined that the amendment to the within referenced section of the Jackson Township Zoning Ordinance is in the best interests of the health, safety and welfare of the residents of Jackson Township, York County, Pennsylvania.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Jackson Township,

York County, Pennsylvania, and it is hereby enacted and ordained by the municipality of the same, as follows, to wit:

Section 1. Section 133-127.1, Article VII of Chapter 133 of the Code of Ordinances of Jackson Township, York County, Pennsylvania, regarding the Noncommercial Keeping of Chickens is hereby deleted in its entirety and the following language is adopted in its place, to read, as follows:

“Section 133-127.1. Keeping of Domestic Pets; Keeping of Chickens, Ducks and Pigeons.

1. In any zoning district, it is permitted to maintain as domestic pets up to five (5) dogs or five (5) cats, or a combination thereof, not to exceed a total of five (5) domestic pets, each over six (6) months of age, provided such domestic pets are maintained on a noncommercial basis. Where a shelter and/or exercise pen is maintained for dogs and/or cats, it shall be located in the rear yard only, at least ten (10) feet from any lot line, and no closer than fifty (50) feet to the nearest dwelling other than that of the owner.
2. In any residential zoning district to include R1, R2 and R3 and Village residential zones, it is permitted on any single-family dwelling lot to maintain pigeons, ducks and chickens, on a noncommercial basis, provided the following conditions are met:
 - A. For lots containing less than 15,000 square feet, no chickens, ducks or pigeons may be kept.
 - B. For lots containing between 15,000 square feet and up to 20,000 square feet, a maximum of six (6) pigeons, ducks or chickens or combination thereof, not to exceed six (6) birds shall be permitted.
 - C. For lots greater than 20,000 square feet, up to (1) one acre a maximum of twelve (12) pigeons, ducks or chickens or a combination thereof shall be permitted.
 - D. Pigeons, ducks and chickens and any shelter, coop or exercise pen including fencing, shall be located in the rear yard only, shall be at least twenty-five (25') feet from any lot line and shall be no closer than fifty (50') feet to the nearest dwelling other than that of the owner's dwelling located on the same lot.
 - E. Pigeons, ducks and chickens shall be contained on the property and shall not be permitted to roam freely.

- F. The owner shall be responsible to ensure that the pigeons, ducks or chickens are healthy and properly maintained at all times. This shall include visual checks to ensure the pigeons or chickens are alert, active, eating and have clean eyes and nostrils.
- G. Any pigeon, ducks or chicken that becomes deceased will be disposed of properly and in a timely manner.
- H. Any outdoor exercise pen or grazing area shall be securely fenced to contain the pigeons, ducks and chickens and to prevent escape. Fences shall comply with all other requirement of this Zoning Ordinance and other applicable Township ordinances.
- I. With regard to chickens: Only hens are permitted to be kept. Roosters are not permitted.
- J. Pigeons, ducks or chickens shall be kept for personal use only.
- K. All waste shall be properly stored and disposed of, shall comply with any applicable ordinances or regulations regarding manure managment and shall not be objectionable at the property line. Any waste that enters the Township's stormwater system is considered an illicit discharge as set forth in the Township's Stormwater Management Ordinance, as amended.
- L. Slaughtering shall not be permissible.
- M. A zoning permit demonstrating compliance with the criteria shall be obtained in order to ensure that the small flock is registered with the Township.
- N. A detailed narrative shall be submitted with the zoning permit including the following:
 - (1) Description of how the pigeons, ducks or chicken will be contained, including a plot plan showing the location of containment facilities and/or grazing/exercise areas in relation to lot lines and adjacent dwellings
 - (2) Description of how waste will be managed and disposed of and describe how any deceased pigeon, duck or chicken will be removed from the property.

- (3) Description of how pigeon, duck or chicken feed will be stored. Feed shall not be stored outside the associated residential dwelling, unless it is stored in a metal latched container designed to prevent entry by vectors, wildlife or animals.
- (4) Photos or drawings of the proposed containment structure including construction specifications.

3. The regulations of this Section do not apply to normal agricultural, or farming operations otherwise permitted by this Ordinance.”

Section 2. Within 30 days of enactment, the Township Secretary is hereby directed to forward a copy of this Ordinance to the York County Planning Commission.

Section 3. Effective Date. This Ordinance shall take effect immediately upon enactment.

ENACTED AND ORDAINED by the Board of Supervisors of Jackson Township, York County, Pennsylvania, in lawful session, duly assembled, this ____ day of May, 2024.

ATTEST:

JACKSON TOWNSHIP BOARD OF
SUPERVISORS

Linda A. Eaton, Secretary

By: _____
Jonathan D. Holmes, Chairman

(SEAL)

By: _____
Emily A. B. Miller, Vice-Chairman

By: _____
Bradley R. Dunham, Member