

## Chapter 94. Animals

### Article VI. Backyard Chickens

[Adopted 10-5-2017 by Ord. No. 11-17; amended in its entirety 12-6-2018 by Ord. No. 16-18]

#### § 94-37. Backyard chickens permitted.

[Amended 11-7-2019 by Ord. No. 2019-11]

- A. This article establishes a program to authorize the keeping of backyard chickens in the Borough of Mt. Ephraim subject to the rules and regulations as specified herein.
- B. This article applies to hens only as roosters are strictly prohibited.

#### § 94-38. Location; number and type restricted.

[Amended 11-7-2019 by Ord. No. 2019-11]

- A. The coop and run shall be located in the backyard, shall not exceed 120 square feet and shall be located no closer than 20 feet from any structure owned by another and used for human habitation, occupation or assembly. A predator-proof run shall be attached to the coop and must also be at least 20 feet from the habitable portion of any neighboring property.
- B. There shall be a limit of six chickens per license as provided for in § 94-39 below. Only hens are permitted. Roosters are strictly prohibited.

#### § 94-39. License required; fee; expiration; class.

[Amended 11-7-2019 by Ord. No. 2019-11]

- A. No person shall keep chickens on their property without having first obtained a license from the Municipal Clerk's Office and paying the required fee. For purposes of this program, no more than 10 licenses shall be issued, and no license shall be issued unless the applicant has demonstrated compliance with all criteria set forth in this Article VI and all setback and other zoning requirements of the Zoning Code of the Borough of Mt. Ephraim.<sup>[1]</sup>  
*[1] Editor's Note: See Ch. 525, Zoning.*
- B. A nonrefundable, annual license fee in the amount of \$25 shall be paid for each license issued for participation in the program provided for herein. No more than one license shall be issued per household. Licenses issued shall be for the calendar year and shall be renewed annually for continued participation in the program.
- C. Each applicant wishing to participate in the program provided for herein shall be required to take a class on the basics of raising backyard chickens. Proof of attendance must be presented with the completed license application.

#### § 94-40. Requirements for coops.

The following regulations and conditions for the keeping and housing of chickens shall be complied with:

- A. The coop shall be dry and well ventilated, with windows so placed, if possible, as to admit sunlight.
- B. The coop shall be whitewashed or painted therein.
- C. The coop shall be cleaned and disinfected at least once a week between November 1 and May 1, twice a week between May 1 and November 1, and more often if necessary to eliminate odor.
- D. Perches shall be removable and kept clean.

- E. Chicken nests shall be removable, cleaned, aired and sunned at frequent intervals.
- F. Clean water must be provided, and food must be kept tightly closed in a metal container away from the coop and run at night.
- G. The yard in the area where the coop is located shall be clean and free from odors.
- H. Waste will be handled by the participant to prevent offensive odors and shall be disposed of in an environmentally friendly manner.
- I. The coop and enclosed run shall be predator-proof.
- J. Coops shall be inspected annually by the Borough or upon receipt of a complaint. The property owner shall grant access for the coop to be inspected.
- K. There shall be no selling of eggs.
- L. Chickens shall be kept in the coop or run and shall also be permitted to "free range" so long as they are monitored and in an enclosed area from which they cannot escape.  
[Amended 11-7-2019 by Ord. No. 2019-11]

## § 94-41. Revocation of license.

Failure to comply with the conditions and regulations set forth in this Article **VI** shall result in revocation of the license after notice and a hearing before the governing body.

## § 94-42. Inspections; complaints.

[Amended 11-7-2019 by Ord. No. 2019-11]

If a complaint is received by the Borough, it will be forwarded to the individual designated by the Borough liaison for investigation and inspection of the property. If the investigation substantiates that a violation of the regulations exists, solutions will be discussed with the offending resident to allow them to meet the requirements of the program as soon as possible. However, if after 30 days the violation has not been remedied, the Borough liaison will notify the governing body so that enforcement proceedings can be implemented.

## § 94-43. Enforcement.

This article shall be enforced by the Chief of Police of the Borough of Mount Ephraim or his or her designee.

## § 94-44. Violations and penalties.

Any person, firm, corporation or other entity violating any of the provisions of this article shall, upon conviction thereof, be subject to the penalty provisions contained in Chapter **305**, Penalties.