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Ordinance of the Borough of Curwensville,
Clearfield County, Pennsylvania
Ordinance 506 of 2025

APR 24 2025

COURT ADMINISTRATOR'S
OFFICE

**AN ORDINANCE OF CURWENSVILLE BOROUGH, CLEARFIELD COUNTY,
PENNSYLVANIA, AMENDING ORDINANCE NO. 302 TO MODIFY THE
CONDITIONS OF WHICH LIVESTOCK MAY BE KEPT WITHIN THE BOROUGH**

WHEREAS, the Borough adopted Ordinance No. 302 on September 19, 1966 and amendments thereafter to said Ordinance, and

WHEREAS, said Ordinance made it unlawful to raise, keep, maintain or stable livestock subject to certain exceptions, and

WHEREAS, the Borough has authority pursuant to Section 1202(10) of the Borough Code, 53 P.S. §46202(10) to enact ordinances regulating the keeping of livestock and fowls; and

WHEREAS, the Borough believes further amendments to said Ordinance to provide standards for keeping domesticated chickens on a non-commercial basis while limiting the potential impacts on the surrounding neighborhood is in the best interest and general welfare of the citizens and residents of the Borough.

NOW THEREFORE, be it enacted and ordained by the Borough of Curwensville, Clearfield County, Pennsylvania, and it is hereby enacted and ordained by authority of the same that Chapter 73 of the Code of the Borough of Curwensville, entitled "Livestock" is hereby amended as follows:

1. § 73-1. Raising or maintaining livestock restricted.

From and after the effective date of this chapter, it shall be and hereby is unlawful for any person or persons, corporation or association to raise, keep, maintain or stable livestock within the Borough of Curwensville except as set forth hereinafter.

2. §73-2. Nonapplicability.

- A. This chapter shall not pertain to stables heretofore erected or in the process of erection at the time of the enactment of this chapter, except as to the sanitation requirements set forth hereinafter and the penalties for the violation thereof.
- B. With the exception of sanitation and permit requirements as set forth hereinafter and the penalties for the violation thereof, this chapter shall not pertain to the raising, keeping, maintaining and stabling of livestock at least 100 feet from the property line of any residence, home, business establishment or office not entirely owned and occupied by the owners of said livestock.

3. §73-3. Conditions for the maintenance of livestock.

- A. Where livestock is now or may hereafter be kept, maintained, or stabled within the limits of the Borough of Curwensville, said stables must be kept clean and be free from all vermin and disease carriers. Manure piles must be covered at all times and must be removed completely once a week during the period of April 1 to November 1 of each year and at such times as weather may permit during the period from November 1 to April 1 of each year.
- B. All buildings, fences and retaining walls shall be kept in good maintenance and repair. Any and all of said stables will be subject to inspection by the Code Officer of the Borough, or other individual(s) authorized by Council, as the case may be. Said Code Officer of authorized individual(s) shall be and is hereby authorized to prosecute any violation of the provisions of this Ordinance as provided by law on behalf of the Borough of Curwensville as set forth by this Ordinance in a summary action before the District Justice of the Borough.

4. § 73-4. Definitions.

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

- a. CHICKEN- Farm style of fowl. Does not include ducks, geese, turkey,
- b. COOP Enclosure for the keeping and storing of chickens.
- c. LIVESTOCK — All horses, ponies, donkeys, mink, cattle, goats, and sheep, regardless of the purpose for which they are raised, kept, maintained and stabled.
- d. STABLE — Any enclosure for the purpose of the raising, keeping and maintenance of livestock. Said word shall not be limited to a covered enclosure but shall include, in addition to any buildings for said purpose, all the land within the walls or fences established to prevent said animals from running at large.

5. § 73-5. Violations and penalties.

- A. Any person or persons, corporation or association violating any of the provisions of this chapter shall, upon conviction thereof, be subject to a fine not exceeding \$300.00 and costs of prosecution, or in default of the payment thereof, shall be sentenced to not more than thirty (30) days in the Clearfield County Jail.
- B. In addition to the above, any person or persons, corporation or association violating any of the provisions of this chapter shall be subject to revocation of their permit by the Zoning Officer or authorized designee. In the case that a permit is revoked, livestock/chickens must be removed from the parcel within 15 days and the chicken coop and/or fencing must be removed within 30 days of the revocation.

6. § 73-6. Chickens.

A. Keeping of chickens. The keeping of chickens is permitted at owner-occupied one-family dwellings provided all of the following conditions are met:

- i. There shall be no more than twenty-five (25) chickens per residence. A resident may request an exception from Borough Council for additional chickens over twenty-five on a case-by-case basis. The decision of Borough Council is final.
- ii. There shall be no slaughtering of chickens within the Borough.
- iii. There shall be no chickens running at large or free roaming.
- iv. All chickens shall be housed in a roofed coop or proper fencing that is secure and enclosed in a way that contains the chickens and subject to the following:
 - a. Coops may be mobile as long as their placement is in accordance with all designated setbacks.
 - b. Coops are subject to zoning permits. Coops and fencing must meet all zoning requirements.
 - c. Any coop or fencing must be ten (10) feet from the property line.
 - d. The minimum coop size is to be three square feet per chicken.
- v. Chickens shall be provided with access to feed and clean water at all times. All feed, water, and other such items associated with the keeping of chickens shall be properly stored in a clean and sanitary manner so as to prevent the infestation of rats, mice, or other rodents or vectors. The removal of any infestation caused by improper food storage, shall be the responsibility of the property owner.
- vi. Feces are not allowed to accumulate to the degree that it becomes a public health nuisance or hazard. In the case of a violation, the Zoning Officer will issue a warning for corrective action to be taken within forty-eight (48) hours by posting a notice on the property. Failure to perform corrective action within the allotted time will be considered a violation of this Ordinance.
- vii. The Zoning Officer has the right to inspect, at will, the conditions of the chickens, coop, and feed.
- viii. There shall be no chickens kept at any commercial properties or rental properties.

B. Roosters. The raising of Roosters in the Borough is strongly discouraged. However, Roosters may be permitted in the Borough, subject to the above requirements for chickens as well as the following:

- i. Only one rooster per residence.
- ii. If the rooster becomes a nuisance to the direct neighbors, as determined by the Zoning Officer, the Zoning Officer has the authority to order the removal of the rooster. Failure to follow the removal of a rooster will be considered a violation of this Ordinance.

C. Sanitary requirements. All owner or owners of chickens within the limits of the Borough are hereby required to always house the same under sanitary conditions so that the keeping of chickens/rooster shall not become either a public or private nuisance. The following provisions apply:

- i. All chicken feces accumulated on private property shall be removed by using the approved sanitary method of double-bagging and placement in the trash for collection. It shall be unlawful for any person to spread or cause to be spread or deposited upon any ground or premises within the Borough any chicken manure.
- ii. Chicken feces on private property shall not be allowed to accumulate to the degree that they become a public health nuisance or hazard. In cases where chicken feces do accumulate on private property, the Zoning Officer or other designee may conduct an investigation, after which the accumulation may be declared a public health hazard or nuisance, and the owner shall be ordered to remove and dispose of the accumulated feces in an approved manner. The order to remove such accumulated feces shall be either given personally to the owner, sent by registered mail or posted on the property. The owner shall be given a period of 48 hours from the date and time of receipt of the order to clean the property and remove the accumulated feces.

7. § 73-7. Permit and fees. No person may own, keep, house or harbor any livestock or chickens within the Borough without first obtaining a permit from the Borough Zoning Officer, or authorized designee. An application shall be made in writing and on such forms or in such format as established by the Borough and shall be accompanied by the prescribed permit fee in the amount established from time to time by resolution of Borough Council.

A. Permits shall be renewed on a yearly basis with permits being effective August 1st through July 31st of the following year. Renewals of permits shall occur on or before July 25th of each year.

- a. Permits issued after the enactment of this Ordinance for the current year will be valid, unless revoked, through July 31, 2026 and will need renewed no later than July 25, 2026 for the next yearly renewal.

B. Through the fee schedule, Council may provide for the prorating of fees in its discretion. Council may also set a different fee schedule to account for the enactment of this Ordinance through the first permit renewal.

8. § 73-8. Sales. Any sale of chicken parts or eggs must comply with state and federal laws and regulations. This Ordinance is not meant to address the sale of eggs or animal products.

9. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance or any Ordinance referenced which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are severable.

10. If any sentence, clause, section, or part of this Ordinance is found to be unconstitutional, illegal or invalid for any reason such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance. It is hereby declared as the intent of the Borough that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid, sentence, clause, section or part thereof, not been included herein.

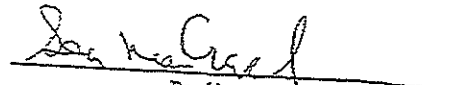
11. This Ordinance shall become effective immediately.

DULY ADOPTED and enacted this 14th day of April, 2025.

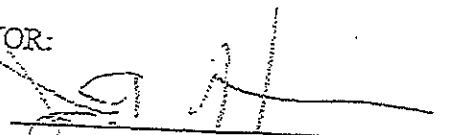
ATTEST:


Secretary

COUNCIL:


President

MAYOR:


Mayor