

**BOROUGH OF SWARTHMORE  
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO.5 OF 2022

**AN ORDINANCE OF THE BOROUGH OF SWARTHMORE, COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA, ADDING NEW CHAPTER 678 TO THE GENERAL OFFENSES CODE OF THE BOROUGH OF SWARTHMORE ENTITLED “RAISING AND KEEPING OF CHICKENS,” AND ESTABLISHING HEALTH REGULATIONS AND STANDARDS FOR THE KEEPING OF CHICKENS**

WHEREAS, § 1202(10) of the Pennsylvania Borough Code authorizes boroughs “to enact ordinances prohibiting or regulating the keeping or running at large of livestock and fowls;” and

WHEREAS, in the interests of public health and safety, the Borough Council desires to enact standards which regulate the keeping of chickens within the Borough; and

WHEREAS, the Borough Council therefore desires to ensure that the raising and keeping of chickens and their associated structures are conducted in a way as to not adversely affect the safety and general welfare of the citizens of the Borough, and not create any public nuisance.

NOW THEREFORE, IT IS HEREBY enacted and ordained by the Borough Council as follows:

**Section 1. Amendment of General Offenses Code with New Chapter 678 Entitled “Raising and Keeping of Chickens.”** Part 6 of the Codified Ordinances of Swarthmore, entitled, “General Offenses Code,” is hereby amended by adding the following new section Chapter 678 entitled “Raising and Keeping of Chickens:”

Chapter 678. RAISING AND KEEPING OF CHICKENS

678.01. Purpose. The purpose of this section is to provide standards for the keeping of a small number of female chickens on a noncommercial basis while limiting the potential adverse impacts on the surrounding properties.

678.02. Definitions.

CHICKEN — shall mean a member of the subspecies *Gallus gallus domesticus*, domesticated fowl.

678.03. Standards for Keeping Domesticated Chickens.

(1) Domesticated female chickens shall be allowed only within the zoning districts authorized therefor under the Borough of Swarthmore Zoning Ordinance, as the same may be amended from time to time, and subject to all of the requirements of the Zoning Ordinance.

(2) Roosters are prohibited.

(3) The slaughtering of chickens is prohibited.

(4) All owners of chickens must maintain sanitary living conditions for the chickens so that the keeping of chickens does not become a public or private nuisance. Owners shall not allow feces from the chickens to accumulate on the owner's land such that it becomes a nuisance caused by odors. The feces must be regularly removed.

(5) All owners of chickens shall take all necessary action to reduce the attraction of predators and rodents and the potential infestation of rodents, insects and parasites. The owners of chickens shall store all feed supplies in rodent-proof containers. The owners of chickens shall control rodents by eliminating nearby hiding places (trash, weeds, and debris), trapping and baiting rats and mice on a regular basis, and retaining a professional pest control contractor if evidence of the presence of rodents persists for more than seven (7) days. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation or kept in a manner that results in continued rodent infestation may be removed by a Swarthmore Borough Code Enforcement Officer.

**Section 2. Severability:** The provisions of this Ordinance are severable, and if any sections, sentences, clauses, parts or provisions thereof shall be held illegal, invalid or unconstitutional by any Court of competent jurisdiction, such decision of the Court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted as if such illegal, invalid or unconstitutional, sections, sentences, clauses, parts or provisions had not been included therein.

**Section 3: Saving Provision:** Nothing in this Ordinance, as hereby amended, shall be construed to affect any suit or proceeding in any Court, and rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under this Ordinance prior to the adoption of this amendment.

**Section 4: Immediate Effect:** This Ordinance shall take effect and be in force from and after its approval of this amendment.

**ENACTED AND ORDAINED,** by the Borough of Swarthmore, Delaware County, Pennsylvania, this 19<sup>th</sup> day of December, 2022.

**BOROUGH OF SWARTHMORE**

Attest:

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Mary J. Walk, Council President

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William Webb, Borough Manager/Secretary

Approved this 19<sup>th</sup> day of December , 2022.

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Martin Spiegel, Mayor