

**BOROUGH OF LEESPORT, BERKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 491-2024**

**AN ORDINANCE OF THE BOROUGH OF LEESPORT,  
BERKS COUNTY, PENNSYLVANIA, AMENDING THE  
LEESPORT BOROUGH ZONING ORDINANCE OF 1972, AS  
AMENDED, TO ALLOW THE ACCESSORY KEEPING  
OF CHICKENS IN ALL ZONING DISTRICTS**

WHEREAS, the Pennsylvania Municipalities Planning Code, act of July 31, 1968, as amended, 53 P.S. §§10101 *et seq.*, enables a municipality through its zoning ordinance to regulate the uses of property; and

WHEREAS, on January 15, 2020, the Council of the Borough of Leesport (the "Borough") enacted Ordinance No. 470 consolidating the Leesport Zoning Ordinance of 1972, as amended ("Zoning Ordinance"); and

WHEREAS, the Zoning Ordinance regulates agricultural activities in Article V entitled "Supplementary Regulations", Section 506 entitled "Agricultural Regulations"; and

WHEREAS, Council for the Borough of Leesport desires to amend the Zoning Ordinance, Article V entitled "Supplementary Regulations", Section 506 entitled "Agricultural Regulations" to permit in all zoning districts the accessory keeping of chickens in the rear yard of lots of all sizes.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Council of Leesport Borough, Berks County, Pennsylvania as follows:

SECTION 1. The Leesport Borough Zoning Ordinance of 1972, as amended, Article V entitled "Supplementary Regulations", Section 506 entitled "Agricultural Regulations" is amended to add a new Section 506.6, to be entitled "Accessory Keeping of Chickens", which shall read in its entirety as follows:

#### 506.6 Accessory Keeping of Chickens

- A. The accessory keeping of up to a maximum of six (6) hen chickens (no roosters) shall be permitted in all zoning districts in the rear yard only on lots of any size, so long as chickens are at all times fully contained (on top, bottom, and all sides), with any containing enclosure, fencing, or related building housing such chickens being located no closer than 10 feet from all property lines.
- B. On all properties with an area of less than ten (10) acres, structures and roaming areas shall be kept sanitary and free from accumulations of chicken excrement and objectionable odor.
- C. All chicken feed shall be stored in a secure, rodent-proof container.
- D. Any person keeping chickens under this section of the zoning ordinance shall register with the Borough their intention to keep chickens and their agreement to comply with the requirements of this section. Registration shall be provided on a form prepared by the Borough. Registration shall be updated whenever there is a change in the information included on the form.
- E. Any person registering under this section shall be made aware by the Borough Manager or her designee of the opportunity to access educational services from the Penn State Extension on the keeping of chickens

SECTION 2. Repealer. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.


SECTION 3. Zoning Ordinance. Except as amended herein, the Borough of Leesport Zoning Ordinance shall remain in full force and effect as previously enacted and amended.

SECTION 4. Severability. If any section, subsection, clause, sentence, paragraph or part of this Ordinance shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, illegal, or unconstitutional, such invalidity, illegality or unconstitutionality shall not affect, impair or invalidate the remaining provisions of this Ordinance. It is hereby declared to be the legislative intent of the Council of the Borough of Leesport that this Ordinance would have been adopted had such provisions not been included herein.


SECTION 5. Effective Date. This Ordinance shall become effective five (5) days after enacted, as provided by law.

ENACTED AND ORDAINED as an Ordinance of the Borough of Leesport, Berks County, Pennsylvania, this 16<sup>th</sup> day of October, 2024.

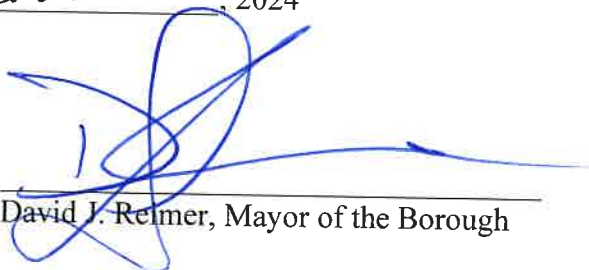
COUNCIL FOR THE  
BOROUGH OF LEESPORT,  
BERKS COUNTY, PENNSYLVANIA

  
\_\_\_\_\_  
Ronald Strause, President

ATTEST:


  
\_\_\_\_\_  
Sandra Weiser-Pascavage,  
Borough Manager / Secretary

APPROVED this 16<sup>th</sup> day of October, 2024

  
\_\_\_\_\_  
David J. Reimer, Mayor of the Borough

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 491-2024 adopted by the Council of the Borough of Leesport, Berks County, Pennsylvania at a public hearing following a regular meeting held on October 16, 2024, pursuant to notice as required by law.



Sandra Weiser-Pascavage  
Borough Manager / Secretary