

Call to Order/Pledge of Allegiance/Attendance

The May 25, 2022 Work Session meeting of the Newtown Village Council was called to order at 6:00 p.m. by Mayor Mark Kobasuk, who led the Pledge of Allegiance to the Flag.

Council Members: Chuck Short (Vice Mayor)
Terry Fairley
Daryl Zornes
Peg Quallen
Jerry Schwab
Jeff Drescher

Solicitor Emily Supinger
Fiscal Officer Keri Everett (excused)
Assistant to Mayor Becky Fairley (excused)
Police Chief Tom Synan

The purpose of tonight's council meeting is to hold a "Work Session" to discuss the Ordinance regulating chickens and rabbits in the Village of Newtown. No participation from the audience will take place. The First Reading of the ordinance took place at the 4.12.2022 Council Meeting:

First Reading of An Ordinance, Chickens and Rabbits 04.12.2022

Mr. Schwab read the First Reading of AN ORDINANCE AUTHORIZING/REGULATING THE KEEPING OF CHICKENS & RABBITS IN RESIDENTIAL AREAS.

Mr. Drescher said this is more of a neighborly thing and we should all get along. Mayor Kobasuk asked Mr. Drescher if he was in favor of the ordinance; Mr. Drescher said yes with restrictions.

Mr. Schwab said he is in favor of the ordinance authorizing and regulating the keeping of chickens. He has lived in Newtown since early 70's and remembers chickens being around as a child. He said Council shouldn't base a ruling off of one complaint. Mr. Schwab said he can't see getting rid of chickens that are highly regarded as pets – times have changed. Mr. Schwab said he believes we should allow the chickens but create rules/standards to go by. Other communities surrounding Newtown have chickens and we should allow chickens too.

Mr. Short said he has no problem with the ordinance as long as property owners can abide by the 15' setback. Mr. Short said he recently learned a resident/neighbor has had chickens for a longtime, and never knew. He also said he has heard people term their chickens as "pets" and now sees why as he witnessed firsthand the chickens running to their owner when she called them.

Ms. Quallen is concerned that the lots are too small and could be a problem if five neighbors next to one another had chickens. She asked that the ordinance include that no other farm animals would be allowed. Ms. Quallen also said she didn't believe residents had an opportunity to become aware of the proposed ordinance Council is considering.

Mayor Kobasuk said the proposed chicken ordinance has been in the council minutes since April and thus far, we have had two readings on the ordinance.

Solicitor Supinger said certain aspects of the zoning code will be clarified regarding agricultural uses and what's permitted and what isn't - provisions will be incorporated into the zoning code. This issue is being discussed now since the zoning code will not be adopted until later in the year. Once adopted, the zoning code will be easily accessed online for those searching for rules and regulations regarding such things as chickens.

Mr. Drescher asked if we should require permits for chickens. Mr. Short said the other communities reviewed did not require a permit and as Mayor Kobasuk said, we don't have the staff to police the chickens. Solicitor Supinger said from an administrative standpoint, there is only so much the folks that work in this building have time to do....tracking or keeping a record of who has chickens or who doesn't and do we have to report when the chickens are gone, etc. She thinks that would be kind of micromanaging a certain aspect of life where we're not micromanaging other aspects. Solicitor Supinger suggested issuing permits is not necessary at this time, unless it becomes a problem. Mr. Drescher questioned the square footage needed for the chickens.

Mr. Zornes said he is okay with the number of chickens, restrictions and the setback requirement. Mr. Zornes said he is on the fence about roosters. The proposed ordinance has "no roosters" allowed and some people have and may want roosters. As long as they are not causing a nuisance in a neighborhood, Mr. Zornes thinks roosters should be considered. Solicitor Supinger said other communities have language regarding roosters causing excessive noise. It's the same as barking dogs!

Council agreed to allow roosters but have language to protect others in case roosters become a nuisance. Council also agreed to keep rabbits in the proposed ordinance.

Mr. Fairley is in favor of the ordinance – there has been a lot of emotion surrounding the issue of chickens and he quoted facts from U.S. Department of Agriculture regarding chickens. 93% of the most populated cities in the United States allow backyard chickens. Mr. Fairley spoke to the cleanliness of the chickens and the cost of raising chickens. Mr. Fairley is close friends with people in Newtown and Anderson Township that have backyard chickens and has witnessed these families loving and caring for their chickens as pets. He said he will not be the council person who tells these kids here tonight that he is coming to take away their chickens/pets and they will no longer be allowed to keep and care for their chickens. Mr. Fairley asked Chief Synan how many complaints he had received in his twenty-nine years serving the Newtown Police Department. Chief Synan said he has received “zero” complaints. Mr. Fairley said Newtown residents are protected from dogs barking excessively by a noise ordinance and the O.R.C. which gives the Police Officers direction on enforcement. Implementing the Chicken Ordinance will do the same. Let’s do the responsible thing and put a few guidelines in place, and protect the homeowners and residents because people will have chickens, stated Mr. Fairley.

Solicitor Supinger said the proposed ordinance provides that the Building Commissioner and/or the Property Maintenance Inspector is responsible for enforcing the ordinance and anyone who violates the ordinance could be found guilty of a minor misdemeanor.

Mr. Short made a motion to adjourn at 6:24p.m., seconded by Mr. Zornes. Meeting Adjourned.

Transcribed by Becky Fairley