

## East Bradford sample Keeping of Animals text (Chapter 115, Zoning)

### § 115-75 Keeping of animals.

[Amended 6-12-2018 by Ord. No. 01-2018]

- A.** Purpose. The intent of this section is to establish reasonable regulations governing the keeping of animals in order to protect human and animal health, prevent unsightly and erosion-prone land use conditions, prevent the contamination of groundwater and surface water and reduce the safety hazards of straying animals. Nothing in this section shall be construed or enforced in such a way as to conflict with Pennsylvania's Right to Farm Act (RTFA), 3 P.S. § 951 et seq., the Agricultural Area Security Law (AASL), 3 P. S. § 901 et seq., the Agriculture Communities and Rural Environment (ACRE) Law, 3 P.S. § 311 et seq., or other state law or statute which prohibits inconsistent regulation by a local municipality.
- B.** Use regulations. In any district, animals shall be kept only according to the following standards:
- (1)** General standards for keeping of all animals.
    - (a)** Exotic wildlife shall not be permitted in any zoning district unless authorized by the Exotic Wildlife Possession Permits section of the Game and Wildlife Code, Act 93 of 1986,<sup>[1]</sup> or amendments thereto. In the event of such authorization, the permit holder shall comply with all requirements of the Pennsylvania Game Commission. The permit holder shall produce the permit upon request of the Township.  
*[1] Editor's Note: See Pa.C.S.A. § 101 et seq.*
    - (b)** In the event a homeowners' association document, real property covenant or restriction, or other similar document is in place and applicable to a property, whichever contains the most restrictive standard, be it this section or the document, shall prevail.
    - (c)** Owners shall comply with Chapter **74**, Noise Disturbance.
  - (2)** Standards for keeping of animals in the course of normal farming operations.
    - (a)** Buildings for livestock shall be designed for ease of manure removal and handling. Manure storage shall be designed,

constructed, maintained and operated in accordance with the applicable laws and regulations. Permits shall be secured from all governmental agencies having jurisdiction over this activity.

- (b) Setback requirements for the zoning district shall be complied with for all structures.
  - (c) A fenced or otherwise enclosed outside area shall be provided which is capable of containing the livestock and is of sufficient size and properly located for good sanitation practices. Materials used for fencing shall be of sufficient sturdiness and properly designed, installed and maintained so as to prevent straying.
  - (d) The owner shall provide proof of a written manure management plan or certified nutrient management plan, as applicable, that identifies any animal concentration areas and best management practices as required by the Department of Environmental Protection ("DEP") and DEP's Manure Management Manual, or successor publication.
  - (e) The owner shall provide proof of a written agricultural erosion and sediment control plan to the Township, if such a plan is required by DEP.
  - (f) The owner shall provide proof of a written odor management plan to the Township, if such a plan is required by DEP.
  - (g) The owner shall comply with applicable federal, state and county laws and regulations regarding animal density.
- (3) Standards for keeping of pet animals and other animals, including livestock, which are not part of normal farming operations.
- (a) Buildings for shelter shall be provided for all animals housed outside. Livestock shall have loafing sheds, covered feeding areas or other appropriate facilities.
  - (b) All buildings on the property for animals shall be designed to serve only the number of animals permitted on the property.
  - (c) All buildings shall be designed for ease of manure removal and handling.
  - (d) No more than one dog may be left outside the home or a soundproof canine building at night.
  - (e) Unless otherwise specified in this section, setback requirements for the zoning district shall be complied with for all structures.

    - [1] In zoning districts where the setback requirement is less than 100 feet from the property line, buildings for more than

two or more livestock animals, excluding fowl, shall be located at least 100 feet from any property line.

**[2]** Buildings for fowl shall be located at least 25 feet from any property line.

- (f)** A fenced or otherwise enclosed outside area shall be provided which is capable of containing the animals and is of sufficient size and properly located for good sanitation practices. Materials used for fencing shall be of sufficient sturdiness and properly designed, installed and maintained so as to prevent straying.
- (g)** Manure storage shall be set back a minimum of 100 feet from the property line. No uncovered manure storage shall be permitted 100 feet uphill of any stream. No manure may be stored within a swale, drainageway or storm water management feature. Manure storage shall be designed, constructed, maintained and operated in accordance with the applicable laws and regulations. Permits shall be secured from all governmental agencies having jurisdiction over this activity.
- (h)** Muddy or dusty ungrassed pasturage areas shall be stabilized to prevent erosion.
- (i)** The following are limitations on adult animals:
  - [1]** Fenced acreage shall exclude slopes in excess of 20% as calculated per the requirements of the subdivision and land development chapter,<sup>[2]</sup> unless the fenced area is intended solely for use by fowl.

**[2] Editor's Note: See Ch. 95, Subdivision and Land Development.**
  - [2]** Adult animals already living on a property as of June 12, 2018, that are in excess of the number permitted by this section may be kept by the owner for the adult animal's lifetime, provided that the general standards of this chapter are met. After the animal's death, the owner shall not replace the animal and shall come into compliance with this section. If the general standards are violated, the property owner will have a maximum of one year from the time of citation in which to eliminate the violation(s) or dispose of the animals.

[3] Animal Density Table.

Type of Animal	Minimum Acreage Required	Ratio (Animal Unit: Acre)	Maximum Number of Animals
Fowl	1 Acre	1 animal: 1/6 fenced acre	30
Small livestock, such as goat and sheep	2 Acres	1 animal: 1/2 fenced acre	N/A
Large livestock, such as horses, cows and pigs	5 Acres	1 animal: 1 fenced acre	N/A
Pet animals	N/A	N/A	5

### Chapter 74, Noise Disturbance

We separately adopted in § 74-3, Noise prohibitions, the following subsection 74-3.C, dealing with barking dogs (and other animal noise):

- C. It shall be unlawful for any person to own, possess, control or harbor any animal which makes noise continuously or repeatedly for a period of at least 15 minutes or makes noise intermittently for 1/2 hour or more to the disturbance of any person any time of the day or night, regardless of whether the animal is physically situated in or upon private property. Notwithstanding the foregoing, animal noise shall not be considered a violation of this chapter if one of the following exceptions apply:

[Added 6-12-2018 by Ord. No. 01-2018]

- (1) Noise made by animals kept as part of a normal farming operation as defined pursuant to the Pennsylvania Right to Farm Act, 3 P.S. § 951 et seq., or any similar legislation to protect normal farming operations from legal actions, including nuisance actions, which may have the effect of restricting lawful agricultural operations.

### Leash Law:

Pennsylvania state law requires that a dog must always be confined within the premises of the owner, firmly secured by a collar and chain (leash), or must always be under the reasonable control of some person. Google PA dog laws (or leash laws) for details. We rely on this in East Bradford. In our parks, we require all dogs to be under the control of the owner and in some parks and on some trails, we require that they be leashed and on one Township trail via easement on private property, we prohibit dogs due to problems to date with dogs.