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**BOARD OF SUPERVISORS
LOWER SALFORD TOWNSHIP**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2021- XX

Accessory Uses to a Dwelling – Keeping of Animals

SECTION I. - Amendment to Code

The Code of the Township of Lower Salford, Chapter 164 (Zoning), Article V (General Provisions), Section 164-15 (Accessory Uses), Subsection (B) (Uses Accessory to a Dwelling) is hereby amended to repeal existing Paragraph (5) in its entirety and replace it with the following new Paragraph (5):

(5) Animals.

(a) The keeping of dogs and cats and other small, confined animals in such quantities as shall not constitute a nuisance to adjacent property owners.

(b) The keeping of livestock, poultry or fowl, other than pigs, whether as pets or for agricultural purposes, provided that for such purposes the premises shall consist of at least three (3) acres, shall provide three (3) acres of land for every five animals and shall have all buildings used therefor situated not less than 100 feet from any road or property line on an adjoining lot.

(c) Notwithstanding Subsection 5(b) above, the keeping of ~~female~~ chickens ~~(hens)~~ is permitted as an accessory use to a dwelling, subject to the following requirements:

[1] Type and Number of Chickens.

a. No roosters may be kept on a property, unless the property is at least three (3) acres in size and is located in the R-1A Residence Zoning District.

b. A minimum net lot area of 15,000 square feet is required to keep chickens.

- c. No more than ~~three (3)~~five (5) chickens shall be permitted on properties with a net lot area of less than 45,000 square feet.
- d. No more than ten (10) chickens shall be permitted ~~On~~ properties with a net lot area between 45,000 square feet and three (3) acres, ~~five (5) chickens shall be permitted.~~
- e. No more than twenty-five (25) chickens shall be permitted on ~~P~~properties greater than 3 acres, ~~shall be subject to the requirements of Subsection 5(b) above.~~

[2] Permitting and Inspection.

- a. Chicken coops, ~~and~~ chicken runs, and fences are not permitted to be installed before submitting a complete permit application to the Township and receiving approval from the Township Zoning Officer.
- b. If a tenant should wish to keep chickens on rented property, then the tenant must secure written authorization from the owner as well as conform to all other requirements as enumerated in this section, and both tenant and landowner shall be liable for compliance with the provisions of this section.
- c. The Zoning Officer shall have the right to inspect any chicken coop, ~~and~~ chicken run, and fencing between 8 a.m. and 5 p.m (M-F). The inspector shall issue any order deemed necessary to comply with any and all federal, state, county, and municipal codes. Twenty-four hours' notice shall be given to the property owner where practicable.

[3] Chicken Coop, Chicken Run, and Fencing.

- a. All chickens shall be housed within a secure, fully enclosed, chicken coop which is contained within a fenced chicken run.
- b. There shall be at least four (4) square feet of space for each chicken within the coop and an additional ten (10) square feet of space per chicken within the chicken run.

- c. The chicken run fence shall be made of durable materials, such as wood and wire mesh, extending underground for at least one (1) foot and have an above ground height of at least four (4) feet. The chicken run shall also have a roof made of wire mesh or aviary netting to protect against predators. The height of the chicken coop and chicken run shall not exceed the maximum height for accessory structures applicable to the property.

d. It shall be unlawful to let any chicken roam freely outside of the areas of the chicken coop and chicken run, unless the chickens are kept in a fully enclosed area at least six (6) feet in height. Any fencing shall be extended underground for at least one (1) foot and have an above ground height of at least six (6) feet.

- ~~d.e.~~ Chicken coops, ~~and~~ chicken runs, ~~and~~ fencing shall be located in the rear yard and shall be no closer than fifteen (15) feet to any property line and no closer than twenty-five (25) feet to any residential structure.

~~[4] It shall be unlawful to let any chicken roam freely outside of the areas of the chicken coop and chicken run.~~

~~[54]~~ Slaughter.

- a. Public slaughter is prohibited.
- b. Commercial slaughter is prohibited.
- c. Slaughter shall be conducted in a fully enclosed structure with all excess viscera disposed of in a sanitary way.

~~[65]~~ The sale of chickens or chicken eggs for commercial purposes is prohibited.

~~[76]~~ All chicken related materials and feed must be kept in a secure enclosed structure on the premises so as to prevent vermin and any nuisance to surrounding neighbors.

~~[87]~~ All chicken waste must be disposed of regularly in a sanitary way acceptable to the Township.

[98] It shall be unlawful and shall constitute a nuisance if any chicken, ~~or~~ chicken coop/run, or fenced area produces odors, excessive noise, attracts vermin, is kept in an unsanitary condition and/or is otherwise a concern to public health in the discretion of the Zoning Officer.

[109] The keeping of chickens shall not be permitted as an accessory use on a property where such use is prohibited by a covenant, restriction, rule or regulation of a homeowners' or other association which includes the property.