

**LOWER OXFORD TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2-2016

**AN ORDINANCE AMENDING THE LOWER OXFORD
TOWNSHIP ZONING ORDINANCE OF 1970 AS AMENDED**

BE IT AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Lower Oxford, Chester County, Pennsylvania that the Lower Oxford Township Zoning Ordinance of 1970 as amended shall be and hereby is amended as follows:

ADD NEW SECTION:

§1425. Poultry.

The keeping of female only poultry including chickens and ducks and no other for nonagricultural purposes as an accessory residential use only shall be permitted in all districts subject to the following conditions:

- A. The provision for the keeping of poultry shall refer to hens or females only. Any reference to poultry means only hens or females and specifically not males or roosters.
- B. No roosters nor any other male gendered poultry are permitted.**
- C. Minimum Lot Size = two acres.
- D. A maximum of 12 hens or female poultry may be kept on a minimum two acre lot as an accessory residential use. For each additional acre, six hens or female poultry may be kept.

E. All hens or female poultry must be kept in a structure that is fully enclosed.

- 1) Each structure must have a fenced enclosure around the structure.
- 2) The poultry structure and fenced enclosure must be located only in the rear yard.
- 3) The structure must provide a minimum of two square feet per hen.
- 4) The structure must meet applicable setback requirements for the zone in which the lot is located.
- 5) Notwithstanding any other setback requirements such poultry structure must be set a minimum of 25 feet from all dwellings and all property lines.
- 6) The fenced enclosure must have a minimum of four square feet per hen/female poultry and must be set back a minimum of ten feet from all property lines.

F. Poultry are not permitted to run at large at any time.

- 1) Permitting poultry to run at large on any public land including but not limited to sidewalks, streets, roads, alleys, and parks shall be a violation of the Lower Oxford Township Zoning Ordinance and shall be enforced as such.
- 2) Permitting poultry to run at large on any private property belonging to another shall be a violation of the Lower Oxford Township Zoning Ordinance and shall be enforced as such.
- 3) It is unlawful for poultry to run loose on the property of the person owning the poultry and is in violation of the Zoning Ordinance and shall be enforced as such.

G. Living environment for the poultry must be kept free of manure and other waste.

- 1) Upon a complaint by neighboring property owners or occupiers that the facility has accumulated poultry manure and/or deceased poultry or rotten eggs creating a health hazard in the form of accumulation of flies and other vermin including rats and mice, then in that event such condition is hereby determined to be a violation of the zoning ordinance and shall be enforced as such.
- 2) All feed for said poultry must be kept in rodent proof closed containers.
- 3) The accumulation of feed outside of closed containers shall be a violation of the zoning ordinance and shall be enforced as such.

Severability.

The provisions of this Ordinance are severable and if any of its provisions are ruled by court invalid or unconstitutional, such decision shall not affect or impair any of the remaining provisions of this Ordinance. It is declared to be the intention of Lower Oxford Township that this Ordinance would have been adopted if such invalid or unconstitutional provision had not been included.

ENACTED AND ORDAINED this 13 day of July, 2016 by the Board of Supervisors of the Township of Lower Oxford.

Effective within five (5) days of adoption.

ATTEST:

LOWER OXFORD TOWNSHIP
BOARD OF SUPERVIORS

Sara B. Laganelli
Township Secretary

Kenneth L. Hershey
Kenneth L. Hershey

W. Ronald Kepler
W. Ronald Kepler

Joel Brown
Joel Brown

This is a true and correct copy of the proposed ordinance.

Attest:

Sara B. Laganelli
Sara Laganelli, Secretary

6-28-16
Date