

ORDINANCE 2017-1

**AN ORDINANCE OF THE TOWNSHIP OF WEST MAHANAY,
SCHUYLKILL COUNTY AND COMMONWEALTH OF PENNSYLVANIA,
AMENDING ZONING ORDINANCE, ARTICLE IV, SECTION 403
ADOPTED JULY 2, 1996 RELATED TO PROHIBITED USES.**

**Section 403. 2 Household Pet and Livestock Regulations in
Residential Zoning Districts in the Township
Of West Mahanoy.**

Household Pet and Livestock Regulations in Residential Zoning Districts:

The West Mahanoy Township Ordinance governs the definitions and zoning requirements for the keeping in captivity of Household Pets, Livestock and certain Wild Animals. The WMTTO defines and regulates the raising and keeping of each class of animals as follows:

Pet (Allowed Household Pet Zoned R-1, R-2 & R-3)

Definition:

A domesticated animal such as a dog, cat, common cage bird, rodent, rabbit, ferret, or aquarium-kept fish, reptile, amphibian or turtle, which is traditionally kept in the home for companionship or pleasure rather than for utility or commercial purposes. This term specifically excludes livestock and wild animals.

Zoning Requirements:

Household pets may be kept by their owner in any residential zoning district, and are not specifically limited in their number so long as the residence is kept safe and sanitary. Kennels and Pet Boarding (boarding, breeding and training) are considered commercial activities and are restricted to Agricultural, Commercial and Industrial zoning categories.

Livestock (Zoned Class 9, Under Land Uses)

Definition: Cattle, horses, donkeys, mules, goats, sheep, swine and other hoofed animals; poultry, ducks, geese, pigeons, peacocks and other live fowl; and fur or hide-bearing animals; whether owned or kept for pleasure, utility or sale. The term livestock shall not include small species of pigs, cage birds or rabbits kept within a dwelling as a household pet.

Zoning Requirements: Livestock and honeybees may be kept for commercial purposes or for personal pleasure or utility in the agricultural (Class 9) zoning district. Livestock may also be kept for non-commercial purposes in certain single-family residential zoning districts (R-1 [Class 1], R-2 [Class 2], and R-3 [Class 3]), provided the lot or parcel is at least five-acres in size, is the livestock owner's residence, and all animal quarters must be located no closer than 300 feet to any property line.

Wild Animal Definition: Any living member of the animal kingdom, excluding livestock and household pets.

Zoning Requirements: The raising and keeping of wild animals is restricted to the agricultural (Class 9) zoning district. Anyone who keeps a wild or exotic animal must obtain any and all necessary permits and meet all requirements of the Commonwealth of Pennsylvania for such activity, and all animal quarters must be located no closer than 200 feet to any property line.

Penalty: Enforcement thereof shall be by action before a District Justice in the same manner provided for enforcement of summary offense under the Pennsylvania Rules of Criminal Procedure. The Board of Supervisors hereby set a criminal fine in the amount of One Thousand Dollars (\$1,000.00) per violation, and costs of prosecution, including but not limited to attorney's fees and court costs, and in default of payment of such fine and costs of prosecution, to undergo imprisonment of not more than Ten (10) days. It is further ordained that each day's continuance of violation shall constitute a separate event and violation.

This Ordinance shall become effective five (5) days after its enactment.

ORDAINED and ENACTED THIS 20 DAY OF June, 2017.

ATTEST:

BOARD OF SUPERVISORS:

