

ORDINANCE 05-02

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF PENN FOREST TOWNSHIP, CARBON COUNTY, PENNSYLVANIA ENTITLED, "PENN FOREST TOWNSHIP ZONING ORDINANCE OF 1991" ("ZONING ORDINANCE").

BE IT ENACTED AND ORDAINED by Penn Forest Township, Carbon County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same, that the following additions, deletions and amendments be made to the Zoning Ordinance:

1. The following definition of "kennel" shall be added as Section 2.140.5:

Five adult dogs, at least six (6) months or older, kept, housed, or otherwise maintained on the same property constitutes a kennel. This includes personal "pets", boarded dogs, and dogs being bred for resale purposes.

2. Section 4.300(Use Classes In Zoning Districts) shall be amended to provide that there are twenty-one "Use Classes" shown in Schedule I; and, "kennel" shall be added as the twenty-first Use Class, which shall be permitted as a conditional use in the C-1 Highway Commercial, C-2 General Commercial and I-1 General Industrial zoning districts.

3. Section 4.303 shall be amended by adding use class 21 (Kennel) which shall be permitted in the C-1 Highway Commercial, C-2 General Commercial and I-1 General Industrial zoning districts as a Conditional Use, subject to the general conditions stated in Section 11.400 of the Zoning Ordinance and the following specific conditions:

- (a) The minimum lot size shall be five (5) acres.
- (b) All buildings, structures, enclosures, runs, or other areas where the dogs will be physically present for any period of time must be set back a minimum of two hundred (200') feet from any property line.
- (c) The kennel shall be operated and maintained in such a manner as to meet or exceed the requirements of Chapter 21 of the Dog Law Enforcement Bureau regulations (General Provisions; Kennels; Licensure; Dog-Caused Damages), as amended, 7 Pa. Code

Chapter 21. If the provisions of the Dog Law Enforcement Bureau regulations require a higher or stricter standard than is required by these specific conditions, the provisions of the Dog Law Enforcement Bureau regulations shall govern.

- (d) No buildings, structures, enclosures, runs, or other areas where dogs will be kept for any period of time, including any expansions, extensions or enlargements thereof, shall be erected, constructed, reconstructed, maintained, or used without first applying for and obtaining a zoning permit.
- (e) All set-backs shall be landscaped to provide appropriate visual screening and/or buffering in accordance with Section 5.600(f) of this Ordinance.
- (f) A solid barrier shall be provided around the perimeter of the kennel so as to encompass and enclose all buildings, structures, enclosures, runs, or other areas where the dogs will be for any period of time.
  - (i) Said barrier shall be at least six (6) feet in height and shall consist of either the solid facades of the kennel buildings and/or structures or a fence.
  - (ii) If the barrier is to be provided by a fence, said fence shall be constructed of brick, stone, architectural tile, masonry units, wood, chain link (provided stripping is kept and maintained within the chain link), or similar materials.
  - (iii) Signs or other advertising mediums shall not be placed upon, attached to, or painted on said barrier.
- (g) On each day, at or before 8:00 P.M., prevailing time, all dogs shall be brought into a building (having a roof and walls on all sides) and kept and maintained in that building until 7:00 A.M., prevailing time, the next day.
- (h) All animal excrement and other waste shall be disposed of in such a manner as to meet or exceed regulations and/or requirements of the Pennsylvania Department of Health, the Pennsylvania Department of Environmental Protection, and any other governmental agency having jurisdiction thereover, including the Township. If it is necessary for the animal excrement and other waste to be temporarily "stored" at the site while it is awaiting removal and disposal, it must be kept in an enclosed container located not less than two hundred (200') feet from any property

line, and at least one hundred (100') feet upgrade from any watercourse, drainage ditch, or other natural drainage area or body of water.

- (i) Except when inconsistent with the provisions herein set forth, kennels shall comply with all other requirements of this Ordinance, the Penn Forest Township Subdivision and Land Development Ordinance, the Uniform Construction Code as enacted in the Township, and any and all other Township ordinances.

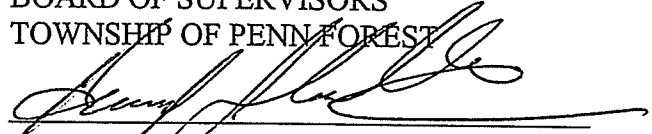
4. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed.

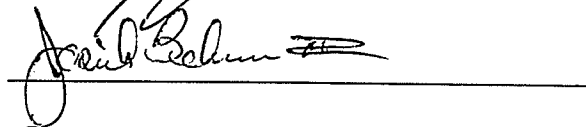
5. The Penn Forest Zoning Ordinance is amended in no other way.

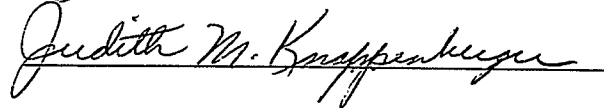
6. This Ordinance shall become effective five (5) days after its enactment.

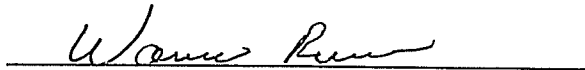
THIS ORDINANCE IS ENACTED AND ORDAINED this 7<sup>th</sup> day of March, 2005.

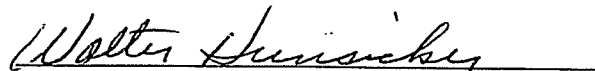
BOARD OF SUPERVISORS  
TOWNSHIP OF PENN FOREST

  
\_\_\_\_\_

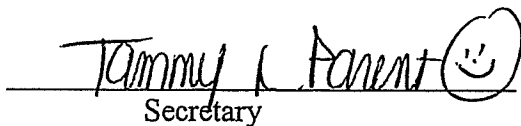
  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_

ATTEST:

  
Secretary