

EAST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 129-G-2015

AN ORDINANCE AMENDING THE EAST GOSHEN TOWNSHIP ZONING ORDINANCE OF 1997, AS AMENDED, SECTION 240-6 TO ADD A DEFINITION FOR "DOGS" AND SECTION 240-32.A(1) CONCERNING KEEPING OF ANIMALS AND HOUSEHOLD PETS AS AN ACCESSORY USE.

WHEREAS, the Board makes the following findings:

1. Pursuant to Section 1506 of the Second Class Township Code, 53 P.S. § 66506, the Board of Supervisors may adopt any ordinance not inconsistent with or restrained by the Constitution and laws of the Commonwealth necessary for the proper management, care and control of the Township and the protection of the public health, safety and welfare of the Township and its citizens.
2. Pursuant to the Authority in Section 1527 of the Second Class Township Code, 53 P.S. § 66527, the Board may adopt ordinances to secure the safety of persons or property within the Township.
3. Pursuant to the Authority in Section 1529 of the Second Class Township Code, 53 P.S. § 66529, the Board may adopt ordinances to prohibit nuisances.
4. Allowing an unrestricted number of household pets as an accessory use to a dwelling could lead to public nuisances, including malodors, destruction and damage of private and public property, accumulation of waste, excessive noise and could interfere with the quiet and peaceful enjoyment of neighboring residential properties.
5. Keeping household pets as an accessory use to a residential dwelling can be conducted in a manner which protects the public health, safety and welfare provided that the number and kind of household pets is limited based on the type of dwelling and the size of the lot.
6. The keeping of household pets as an accessory use to a residential dwelling must be incidental and subordinate to the principal use of the lot as a residential dwelling.

7. Sixty-one percent (61%) of the dwellings in East Goshen Township are apartments, townhouses, or independent living units in a life care development.
8. Fifty-nine percent (59%) of the single family detached and semidetached dwellings in East Goshen Township are constructed on lots with less than one acre.

WHEREAS, the Board desires to impose restrictions on the number of household pets that may be kept as an accessory use to a residential dwelling in order to accomplish the following purposes:

1. To protect the public health, safety and welfare; and
2. To secure the safety of persons and property in the Township; and
3. To prevent nuisances, such as odors from animals and their waste, excessive noise, destruction or damage to property and accumulation of waste; and
4. To preserve the quiet and peaceful enjoyment of the residential neighborhoods within the Township; and
5. To protect property damage caused by overuse by household pets.

NOW THEREFORE pursuant to the authority cited in the statutes above and in order to achieve the purposes outlined above, the Board hereby adopts the following:

SECTION 1. Section 240-6 shall be amended by adding the following definition:

“**DOG-** a highly variable domestic mammal (*Canis familiaris*) closely related to the gray wolf.”

SECTION 2. Section 240-32.A(1) of the East Goshen Township Zoning Ordinance of 1997, as amended, shall be amended as follows:

“(1) Number of Household Pets. Household pets, as defined in Section 240-6, may be kept as an accessory use to a residential dwelling, provided their keeping is clearly incidental and subordinate to the principal use of the residential dwelling, and subject to the restrictions set forth in the chart below for dogs:

Dwelling Type	Maximum number of dogs 3 months or older
Apartment, Townhouse, Semidetached or Single Family Detached	4
Single Family Detached on 3 or more acres	4 plus one additional dog for each acre of lot area in excess of two acres

SECTION 3. Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 4. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 5. Effective Date. This Ordinance shall become effective in five (5) days from the date of adoption.

ENACTED AND ORDAINED this 11th day of AUGUST, 2015.

ATTEST:



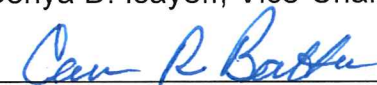
 Louis F. Smith, Secretary

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