

WEST BRADFORD TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 23-02

AN ORDINANCE OF THE TOWNSHIP OF WEST BRADFORD, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF WEST BRADFORD TOWNSHIP AT CHAPTER 112, ANIMALS, ARTICLE II IN ORDER TO CLARIFY AND UPDATE REGULATIONS RELATED TO DOMESTICATED CHICKENS, AT CHAPTER 380, STREETS AND SIDEWALKS IN ORDER TO CLARIFY PROVISIONS RELATED TO STORAGE OF RECREATIONAL VEHICLES ON STREETS, AND AT CHAPTER 385, SUBDIVISION AND LAND DEVELOPMENT IN ORDER TO UPDATE SUBMITTAL AND NOTICE PROCEDURES

NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the Board of Supervisors of West Bradford Township, that the Code of West Bradford Township shall be further amended as follows:

SECTION 1. ANIMALS. Chapter 112, Article II Domestic Chickens is amended as follows:

a) Section 112-5 shall be removed and replaced to read as follows:

"§ 112-5. Zoning and Building Permits required.

A. A zoning permit shall be required for the construction of any chicken pen and/or any henhouse or chicken coop regardless of size. In addition to a required zoning permit, a building permit shall be required for the construction of a henhouse or chicken coop consisting of 500 square feet or greater.

B. Failure to comply with the standards set forth in this article for the keeping of domesticated chickens may result in the revocation of the zoning permit as issued in addition to other enforcement actions allowed by law and set forth in this article."

b) Section 112-6 shall be removed and replaced to read as follows:

"§ 112-6. Fees.

The applicable zoning permit fee and building permit fee shall be as set forth in the annual fee schedule adopted by resolution by the Township."

c) Section 112-8 shall be removed and replaced to read as follows:

"§ 112-8 Noncommercial use only.

Chickens shall be kept for personal use only; no person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes. The slaughtering of chickens on a domesticated chicken-keeping property is prohibited."

d) Section 112-9.D shall be retitled "Henhouse/Chicken Coops".

e) Section 112-12 shall be removed and replaced to read as follows:

"§ 112-12. **Waste storage and removal.** A written waste storage and removal plan must be submitted with each zoning permit application. Provisions must be made for the storage and removal of chicken manure. Manure and waste from chickens shall not be disposed of in the municipal waste system. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than three cubic feet of manure shall be stored. All other manure not used for composting or fertilizing shall be removed. In addition, the henhouse, chicken pen and surrounding area must be kept free from trash and accumulated droppings."

f) Section 112-13 shall be removed in its entirety.

g) Section 112-14 shall be renumbered as Section 112-13 and replaced to read as follows:

"§ 112-13. **Denial, suspension or revocation of zoning permit.**

A. The Township shall deny a zoning permit if the applicant has not demonstrated a plan to comply or compliance with all provisions of this article.

B. A zoning permit associated with the keeping of domesticated chickens may be suspended or revoked by the Township where the Township finds that the keeping of the chickens creates a public nuisance as defined herein or where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of this article or with the provisions of any other applicable ordinance or law.

C. Any denial, revocation or suspension of a zoning permit shall be in writing and shall include notification of the right to and procedure for appeal."

h) Section 112-15 shall be renumbered as Section 112-14 and replaced to read as follows:

"§ 112-14. **Right to appeal.**

A person may appeal the issuance, denial, suspension or revocation of a zoning permit in the manner set forth in Chapter 450. Zoning."

- i) Section 112-16 shall be renumbered as Section 112-15 and replaced to read as follows:

"§ 112-15. Violations and penalties.

In addition to any other enforcement action which the Township may take pursuant to Chapter 450. Zoning, violation of any provision of this article may be treated as a summary offense, and a fine not exceeding \$1,000 may be imposed. Each day that a violation continues will be treated as a separate offense."

- j) Section 112-17 shall be renumbered as Section 112-16 and subsection A shall be replaced to read as follows:

"A. In addition to the penalty stated in § 112-15, any violation of the provisions of this article shall be grounds for an order from the Township to remove the chickens and the chicken-related structures. If the homeowner fails to remove the chickens and their related structures, the Township may enter the property and take whatever steps are necessary to remove the chickens and related structures at the homeowner's expense, and file a municipal lien against the property to recoup any costs incurred by the Township for such removal."

- k) Section 112-18 shall be removed in its entirety and Section 112-19 renumbered accordingly.

SECTION 2. STREETS AND SIDEWALKS. Chapter 380 shall be amended by entirely removing and deleting Section 380-4. Storage and parking on operating lanes. and renumbering the remaining sections accordingly.

SECTION 3. SUBDIVISION AND LAND DEVELOPMENT ORDINANCE. Chapter 385 shall be amended as follows:

- a) Section 385-14.B shall be removed and replaced to read as follows:

"B. Submittal procedure. The sketch plan may be submitted by the applicant as a basis for discussion with the Planning Commission as to the intended use and arrangement of a proposed subdivision or land development. Sketch plan information recommendations are included in § 385-20. The applicant shall furnish nine (9) copies of the sketch plan to the Township office for transmittal to the Planning Commission, which copies shall include an address and telephone number of the applicant who may be contacted regarding the sketch plan in

accordance with the provisions of § 385-20. Applicant shall also furnish the Township with the plans in a digital format deemed acceptable by Township Staff."

- b) Section 385-15.A(2) addressing preliminary plan submissions shall be removed and replaced to read as follows:

"(2) Accompanied by 15 copies of the preliminary plan and profiles and six copies of the required accompanying material as described in these regulations, including proof of notice of the proposed subdivision/land development to each property owner of record within 250 feet of the property which is the subject of the proposed subdivision/land development. This proof of notice may be a copy of the first class notification letter mailed to each property owner of record within 250 feet; registered/certified mail is not required."

- c) Section 385-16.A(2) addressing final plan submissions shall be removed and replaced to read as follows:

"(2) Be accompanied by 15 copies of the final plan and profiles and six copies of the required accompanying material as described in these regulations. Including proof of notice of the proposed subdivision/land development to each property owner of record within 250 feet of the property which is the subject of the proposed subdivision/land development. This proof of notice may be a copy of the first-class notification letter mailed to each property owner of record within 250 feet; registered/certified mail is not required."

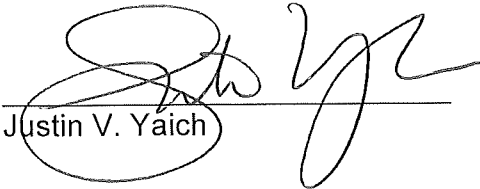
SECTION 4. SEVERABILITY. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts 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 5. 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 6. EFFECTIVE DATE. This Ordinance shall become effective as provided by law and shall remain in force and effect unless otherwise amended by the Township.


ENACTED AND ADOPTED by the Board of Supervisors this 19th day of May, 2023.

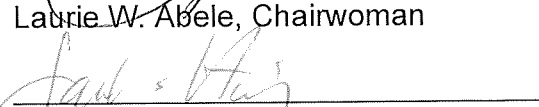
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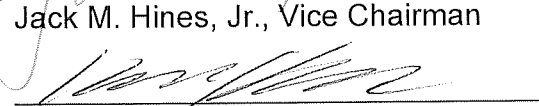

Justin V. Yaich

**WEST BRADFORD TOWNSHIP
BOARD OF SUPERVISORS**

BY:


Laurie W. Abele, Chairwoman


Jack M. Hines, Jr., Vice Chairman


Kevin Houghton, Member

