

outside agency approvals for such (e.g., approval from the Pennsylvania Liquor Control Board to serve alcoholic beverages).

- h. The Applicant shall provide a description of the security and/or other crowd control measures that will be employed at the event, as required by the Board of Supervisors in its reasonable discretion.
- i. The Applicant shall bear the burden of establishing that all of the above-referenced provisions have been established, such that the special event will not cause any threat to the public health, safety and welfare.

C. In the PC/LI Planned Commercial/Limited Industrial District and the LVCC Ludwigs Village Center Commercial District, the outdoor display and sale of merchandise shall be permitted as an accessory use provided that such display does not extend more than fifteen (15) feet from the building front and does not interfere with the safe and efficient flow of pedestrian or vehicular traffic. The sale of merchandise shall include, but is not limited to, the sale of used automobiles, motorcycles, vehicles, boats, machinery, equipment and other commercial goods. However, the sale of more than one (1) used automobile, used motorcycle, used vehicle, used boat, used piece of machinery or used piece of equipment will not be considered as an accessory use, and is instead only permitted as a conditional use under Section 1102 of this Ordinance.

## **SECTION 2220     STANDARDS FOR RAISING ANIMALS**

The raising, breeding or boarding of animals for commercial purposes or as a residential accessory use shall, where permitted, comply with the following standards:

### **A.     Commercial Boarding Stables**

In districts where commercial stables are permitted as a conditional use, the following minimum space requirements for horses shall apply:

Pasture - 1 acre per horse, 2 acres per horse if pasture is located within woodlands

Stalls (inside dimensions)

Tie stall - 9 ft. x 4 1/2 ft.

Standard box stall - 12 ft. x 12 ft.

Stallion and brood mare stalls - 14 ft. x 14 ft.

Loose housing (shed area in square feet)

Foal                                   100

Yearling                               120

Mature horse                       150

**B. Residential Accessory Uses**

The raising, breeding, or boarding of animals as a residential accessory use shall be permitted only under the following conditions:

1. Dogs and/or cats under six (6) months old may be kept as pets.
2. Dogs and/or cats over six (6) months old may be kept as pets, provided that any outside shelter or exercise area is enclosed and located in the rear yard area. For lots under two (2) acres in size, a maximum of four (4) dogs and/or four (4) cats (in the aggregate) are allowed, with one (1) additional dog or cat allowed for each full acre up to a maximum of twelve, up to a maximum of twelve (12) dogs or twelve (12) cats.
3. Maintaining a horse or horses for private, noncommercial recreational use only for the residents of a single-family home with a minimum lot size of two (2) acres for the first horse and one (1) acre for each additional horse.
43. Poultry or fowl may be kept, provided that any outside shelter or fenced-in area must be located behind the front façade of the principal dwelling.

**C. Setback Requirements**

Unless otherwise specifically preempted by State law: Buildings or structures used for the housing of animals or for the storage of animal wastes or other odor- or dust-producing substances, excluding exercise/training rings and turn-out sheds/shelters involving no storage of animal wastes, shall be located a minimum of one hundred (100) feet from any property line and two hundred (200) feet from any dwelling other than that of the owner. Permanent animal waste piles shall be located a minimum of two hundred (200) feet from any property line. Temporary animal waste piles may be stored within this setback for the purpose of land application, provided that they are removed within fifteen (15) days. These setback requirements may be reduced for buildings or structures used for the housing of animals, but not for those for the storage of animal wastes or other odor- or dust-producing substances, at the discretion of the Board of Supervisors if it can be proven by the applicant that topography, screening, or other features will reduce the affect of odors, visual intrusions, or other impacts on adjoining property owners.

- D. Lots shall be graded so that animal wastes are confined to the lots on which they originate or are stored.
- E. The design and construction of animal waste storage facilities shall be in accordance with Soil Conservation Service standards and approved by the County Conservation District.
- F. All grazing and pasture areas shall be fenced.

**SECTION 2221      STRIPPING OF TOPSOIL OR SOD: EXCAVATION OF CLAY, SAND, GRAVEL, OR ROCK**

The stripping of topsoil or sod and the excavation of clay, sand, gravel, rock or other minerals shall be permitted only if conducted in accordance with applicable regulations set forth by the Pennsylvania Department of Environmental Protection and/or any other governmental agency, the provisions of the Township Subdivision and Land Development Ordinance, and the following additional conditions:

**A.      Stripping Topsoil or Sod**

Topsoil or sod may be removed only under the following conditions:

1.      As part of the construction, alteration, or grading of a street, building, parking area, or utility improvements, provided the least amount of disturbance occurs.
2.      In connection with normal lawn preparation and maintenance on the lot from which topsoil or sod is removed.
3.      In connection with agricultural operations, provided that a minimum of six (6) inches of topsoil remains and that areas where topsoil is removed are reseeded with an appropriate ground cover within six (6) months. Topsoil shall refer to the "A" horizon of a soil profile.
4.      Conservation measures shall be incorporated to prevent any increase in erosion or stormwater run-off during or after stripping operations than occurred prior to the commencement of the activity.

**B.      Excavation of Clay, Sand, Gravel, Rock or Other Minerals**

The excavation or extraction of clay, sand, gravel, rock or other minerals shall be permitted only under the following conditions:

1.      As part of the construction of a building or the construction or alteration of a street.
2.      The surface of the lot shall not be graded to a level below that of adjoining streets.
3.      Excavation shall not be conducted in a way which will leave loose boulders exposed.
4.      A minimum of three (3) inches of topsoil shall cover disturbed areas and be reseeded with an appropriate groundcover within one (1) year.
5.      Provision is made by the applicant for restoration of natural groundcover and control of erosion.

6. A final grading plan be submitted to the Township.

## **SECTION 2222 SWIMMING POOLS AND SWIMMING CLUBS**

### **A. Private Swimming Pools**

Private swimming pools where permitted by this Ordinance shall comply with the following conditions and requirements:

1. Every swimming pool area or the entire property on which it is located shall be completely enclosed by a fence or wall so as to prevent uncontrolled access. Said barrier shall not be less than four (4) feet in height; constructed with no openings, holes, or gaps, except gates, larger than four (4) inches in any dimension; and shall be maintained in good condition. A dwelling, accessory building, or other structure may be used as part of such enclosure.
2. All gates and doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping such gate or door securely closed and latched at all times when not in use.
3. A swimming pool and its accessory structures, including any walks or paved areas adjacent thereto, shall not be located in any required setback areas.
4. Swimming pools shall be located so as to provide a minimum vertical clearance from overhead utility or electrical lines of twenty (20) feet.

### **B. Private Swimming Clubs**

Private swimming clubs where permitted in this Ordinance shall comply with the applicable standards of the Pennsylvania Department of Environmental Protection (Chapter 193, Rules and Regulations) and the Chester County Health Department.

## **SECTION 2223 TIMBER HARVESTING/LOGGING**

Timber harvesting or logging on any lot or parcel within the Township shall be by selective cut method and in accordance with Pennsylvania Department of Forestry standards and applicable permit requirements. Clear-cutting and/or the utilization of logging roads or skid trails on slopes of fifteen percent (15%) and above shall be prohibited. On slopes of less than fifteen percent (15%) clear-cutting may be permitted for wildlife management, reforestation to a more desirable commercial tree type, removal of diseased trees, or clearing land for agricultural purposes. Clear-cutting shall be prohibited within one hundred (100) feet of any stream or as determined by Section 2307 of this Ordinance, whichever distance is greater, except for safety or access purposes.