

**ORDINANCE NO. \_\_\_\_\_ OF 2023**

**AN ORDINANCE OF THE TOWNSHIP OF BERWICK, ADAMS COUNTY,  
PENNSYLVANIA, AMENDING AND SUPPLEMENTING THE BERWICK TOWNSHIP  
ZONING ORDINANCE**

**BE IT ENACTED, ADOPTED, AND ORDAINED** by the Township of Berwick, Adams County, Pennsylvania, by the Berwick Township Board of Supervisors, and it is hereby **ENACTED, ADOPTED, AND ORDAINED** by the authority of the same as follows:

**SECTION 1: ADD DEFINITIONS TO SECTION 201**

Section 201 shall be amended by adding the following definitions to read as follows.

Exotic Animals – Any animal controlled by the Game and Wildlife Code, 34 Pa.C.S.A. Section 101, et seq., including but not limited to all bears, coyotes, lions, tigers, leopards, jaguars, cheetahs, cougars, wolves, and any crossbreed of these animals which have similar characteristics in appearance or features.

Large Livestock – For the purposes of this Ordinance, domesticated animals including horses and cattle, and other domesticated animals of comparable size.

Livestock – Domestic animals raised for home use or for profit, especially on a farm.

Pasture – A fenced-in area, with continuous vegetation growth, located on a plot of land that is used for the grazing of livestock.

**SECTION 2: ADD ANIMAL USES AS ACCESSORY USES IN THE RURAL  
CONSERVATION (RC) DISTRICT**

Section 301.B(1) shall be amended by adding the following uses as Accessory Uses to the permitted uses table.

Keeping of Large Livestock for Personal Use and/or Recreation	P	Section 407A
Riding Schools and/or Horse Boarding Stables	P	Section 407
Exotic Animals	P	Section 407B

**SECTION 3: ADD ANIMAL USES AS ACCESSORY USES IN THE RURAL  
RESIDENTIAL (RR) DISTRICT**

Section 302.B(1) shall be amended by adding the following uses as Accessory Uses to the permitted uses table.

Keeping of Large Livestock for Personal Use and/or Recreation	P	Section 407A
---	---	--------------

Riding Schools and/or Horse Boarding Stables	P	Section 407
Exotic Animals	P	Section 407B

**SECTION 4: ADD ANIMAL USES AS ACCESSORY USES IN THE LIMITED MIXED USE (LMU) DISTRICT**

Section 306.B(1) shall be amended by adding the following uses as Accessory Uses to the permitted uses table.

Keeping of Large Livestock for Personal Use and/or Recreation	P	Section 407A
Riding Schools and/or Horse Boarding Stables	P	Section 407

**SECTION 5: REVISE SECTION 407 TO UPDATE RIDING SCHOOLS AND BOARDING STABLES STANDARDS**

Section 407 shall be amended in its entirety to read as follows.

§ 407. Riding schools and/or horse boarding stables

- A. The minimum lot size shall be five (5) acres.
- B. The minimum Pasture area shall be two (2) acres for the first (1<sup>st</sup>) horse and an additional one (1) acre for every additional horse.
  - 1. The Pasture is not permitted in the front yard area.
  - 2. The Pasture must be enclosed by a minimum four foot (4') high fence.
  - 3. The Pasture must be setback a minimum of ten feet (10') from all lot lines.
  - 4. The Pasture must be setback a minimum of one hundred feet (100') from any well.
  - 5. Calculating the required Pasture area:
    - a. Structures, Septic Systems, Stormwater Management Systems, Streams, Ponds, Waterways or any impervious areas are not considered acceptable Pasture Area and shall not be considered as part of the required Pasture. However, these areas may be located within the fenced portion of the Pasture area.
    - b. Outdoor areas primarily dedicated to training, riding and show shall not be considered as part of the required Pasture. However, these areas may be located within the fenced portion of the Pasture Area.

C. Stables (and/or any structures devoted to the horses) must be setback a minimum of one hundred feet (100') from any property line.

1. All Stables (and/or structures devoted to the horses) shall be maintained so to minimize odors perceptible at the property line.

D. A Manure Management Plan (as required by Local, County, State, or Federal regulations) must be implemented and a copy of the plan needs to be provided to the Township prior to issuance of a Zoning permit.

E. All outdoor training, show, riding or temporary boarding areas shall be setback a minimum of ten feet (10') from all property lines.

### **SECTION 6: AMEND ARTICLE IV BY ADDING SECTION 407A TO ESTABLISH LARGE LIVESTOCK FOR PERSONAL USE STANDARDS**

Article IV shall be amended by adding Section 407A to read as follows.

#### **§ 407A. Keeping of Large Livestock for Personal Use and/or Recreation**

A. The minimum lot size shall be five (5) acres.

B. Minimum Pasture Area: The minimum pasture area shall be two (2) acres for the first horse or cattle, and one (1) acre for each additional horse or cattle.

C. Calculation of Pasture Area: Structures, septic systems, stormwater management areas, streams, ponds, waterways, or any impervious area shall not be included in the calculation of pasture area and shall not be considered to be part of the require pasture. Such features may, however, be located within the fenced pasture area.

D. The pasture shall not be permitted in any front yard within the LMU District.

E. The Pasture must be enclosed by a minimum four foot (4') high pasture fence.

F. The Pasture must be setback a minimum of ten feet (10') from all lot lines.

G. Buildings or any other structure devoted to providing shelter to animals must be setback a minimum of one hundred feet (100') from any property line.

H. All building or any other structure devoted to providing shelter to animals shall be maintained so to minimize odors perceptible at the property line.

I. A Manure Management Plan (as required by Local, County, State, or Federal regulations) must be implemented and a copy of the Plan needs to be provided to the Township prior to issuance of a Zoning permit.

**SECTION 7: AMEND ARTICLE IV BY ADDING SECTION 407B TO ESTABLISH EXOTIC ANIMAL STANDARDS.**

Article IV shall be amended by adding Section 407B to read as follows.

**407B. Keeping of Exotic Animals**

The keeping of Exotic Animals within Berwick Township is permitted, provided that an exotic wildlife possession permit is obtained and maintained from the Pennsylvania Game Commission in accordance with the Game and Wildlife Code, 34 Pa.C.S.A. Section 101, et seq.

**SECTION 8: AMEND ARTICLE VI BY REMOVING SECTION 612 AND RETAINING THE SECTION NUMBER FOR FUTURE USE.**

Article VI shall be amended by revising Section 612 to read as follows.

Section 612. Reserved.

**SECTION 9: REPEALER**

All provisions of the Berwick Township Zoning Ordinance are hereby revised and amended, as necessary and appropriate, in order to insure and confirm consistency thereof with the provisions of the present Ordinance. Any Ordinance or Resolution, or any portion of any Ordinance or Resolution, or any portion of the Berwick Township Zoning Ordinance, which is inconsistent with the contents of the present Ordinance shall be, and the same is hereby, repealed insofar as the same is affected by or inconsistent with the provisions of the present Ordinance.

**SECTION 10: SEVERABILITY**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed to be a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of the present Ordinance.

**SECTION 11: EFFECTIVE DATE**

The Ordinance shall be effective on and as of 12:00 AM, \_\_\_\_\_, 2023.

ENACTED AND ORDAINED into an Ordinance this \_\_ day of \_\_\_\_\_, 2023.

ATTEST:

TOWNSHIP OF BERWICK  
ADAMS COUNTY,  
PENNSYLVANIA

BOARD OF SUPERVISORS OF  
BERWICK TOWNSHIP

\_\_\_\_\_  
Jean A. Hawbaker  
Township Secretary

\_\_\_\_\_  
Pete Socks  
Chair

(SEAL)

\_\_\_\_\_  
Tom Danner  
Vice-Chair

\_\_\_\_\_  
Earle Black

\_\_\_\_\_  
Barry Cockley

\_\_\_\_\_  
Scott Kennedy