

**ORDINANCE 2023-01**

**AN ORDINANCE OF THE TOWNSHIP OF MANHEIM, LANCASTER COUNTY,  
PENNSYLVANIA, TO AMEND THE ZONING ORDINANCE OF MANHEIM TOWNSHIP –  
2014, AS AMENDED, TO REVISE ARTICLE V, SECTION 503 (DEFINITIONS) AND ARTICLE  
XXI, SECTION 2101 (ANIMALS AND ANIMAL SHELTERS)**

**WHEREAS**, Manheim Township has conducted a public hearing to consider an amendment to the Zoning Ordinance of Manheim Township 2014, as amended (the “Zoning Ordinance”); and

**WHEREAS**, prior to the public hearing, the proposed amendment was provided to the Manheim Township Planning Commission and to the Lancaster County Planning Commission for comments as provided by law; and

**WHEREAS**, after a public hearing and after consideration of all information, comments and questions, members of the Board of Commissioners of Manheim Township have deemed it beneficial to the residents of Manheim Township and to the promotion of health, safety, morals, convenience, order, and welfare of present and future inhabitants of Manheim Township to amend the Zoning Ordinance as hereinafter set forth.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Board of Commissioners of Manheim Township as follows:

**SECTION 1.** The Zoning Ordinance of Manheim Township 2014, as amended, specifically Article V (Entitled Terminology), Section 503 (Entitled Definitions) is hereby amended to delete the term “Domestic Animals” and replace the term with “Domestic Pets” as follows:

**DOMESTIC PETS** – The keeping of non-farm animals that are normally considered to be kept in conjunction with a dwelling for the pleasure of the resident family, as an accessory use on a non-commercial basis. This shall include dogs, cats, small birds, pigeons, chicken, gerbils, rabbits, lizards, and other nonpoisonous animals commonly sold in retail pet shops. Any animal or bird that requires issuance of a permit by the Pennsylvania Game Commission shall not be considered a domestic pet.

**SECTION 2.** The Zoning Ordinance of Manheim Township 2014, as amended, specifically Article XXI (Entitled Accessory Uses), Section 2101 (Entitled Animals and Animal Shelters), Subsection 2101.1 is hereby amended to replace the term “domestic animals” with the term “domestic pets”.

**SECTION 3.** The Zoning Ordinance of Manheim Township 2014, as amended, specifically Article XXI (Entitled Accessory Uses), Section 2101 (Entitled Animals and Animal Shelters), Subsection 2101.2 is hereby amended to delete the entire subsection and replace it as follows:

2. In any zoning district, it is permitted on any single family detached dwelling lot to maintain pigeons and chickens, on a noncommercial basis provided the following conditions are met:
  - A. For lots containing between 15,000 square feet and 20,000 square feet, a maximum of six (6) pigeons or chickens or combination of pigeons and chicken not to exceed six (6) shall be permitted.

- B. For lots greater than 20,000 square feet, a maximum of twelve (12) pigeons or chickens or a combination of pigeons and chickens shall be permitted.
- C. Pigeons and chickens and any shelter, coop or exercise pen including fencing, shall be located in the rear yard, shall be at least twenty-five (25) feet from any lot line and shall be no closer than fifty (50) feet to the nearest dwelling other than that of the owner.
- D. Pigeons and chickens shall be contained on the property and shall not be permitted to roam free.
- E. The owner shall be responsible for ensuring the pigeons or chickens are healthy and properly maintained. This shall include visual checks to ensure the pigeons are alert, active, eating and have clean eyes and nostrils.
- F. Any pigeon or chicken that becomes deceased will be properly disposed.
- G. Any outdoor exercise pen or grazing area shall be securely fenced to contain the pigeons and chickens and to prevent escape. Fences shall comply with Section 2108 of this Ordinance.
- H. Hens are permitted. Roosters are not permitted.
- I. Pigeons or chickens shall be kept for personal use only.
- J. The incidental sale of eggs is prohibited except as authorized by Section 2503.1. of this Ordinance.
- K. All waste shall be properly stored and disposed of, shall comply with Chapter 91, Manure Management and shall not be objectionable at the property line. Any waste that enters the Township's stormwater system is considered an illicit discharge as set forth in Section 701 of the Stormwater Management Ordinance, as amended
- L. Slaughtering shall not be permissible.
- M. A zoning permit demonstrating compliance with the criteria shall be obtained. In obtaining a zoning permit, it ensures the small flock is registered with the Township.
- N. A detailed narrative shall be submitted with the zoning permit including the following:
  - (1) Description of how the pigeons or chickens will be contained.
  - (2) Description of how waste will be managed and disposed and describe how any deceased pigeon or chicken will be disposed.
  - (3) Description of how pigeon or chicken feed will be stored. Feed shall not be stored outside the associated residential dwelling, unless it is stored in a metal latched container designed to prevent entry by wildlife or animals.
  - (4) Photos of the proposed containment structure including construction specifications.
- O. The regulations of this Section do not apply to normal agricultural, or farming operations permitted by this Ordinance.

**SECTION 4.** The Zoning Ordinance of Manheim Township 2014, as amended, specifically Article XXI (Entitled Accessory Uses), Section 2101 (Entitled Animals and Animal Shelter, is hereby amended to add a new subsection as follows:

- 5. Domestic pets referred to in this Section shall not be kept for breeding purposes.

**SECTION 5.** All other provisions of the Zoning Ordinance of Manheim Township 2014, as amended, that are not amended or changed by this Ordinance, shall remain in force and effect.

**SECTION 6.** In the event of any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Board of Commissioners that the remainder of the Ordinance shall be and shall remain in full force and effect.

**SECTION 7.** This Ordinance shall take effect and be in force from and after its enactment as provided by law.

**DULY ENACTED AND ORDAINED** this 9th day of January 2023, by the Board of Commissioners of Manheim Township, Lancaster County, Pennsylvania, in lawful session duly assembled.

**TOWNSHIP OF MANHEIM  
Lancaster County, Pennsylvania**

Attest: R. Kane  
(Assistant) Secretary

By: Dave Edging  
~~Vice~~ (President),  
Board of Commissioners