

TOWNSHIP OF KILBUCK
ORDINANCE NO. 0-24-02

AN ORDINANCE OF THE TOWNSHIP OF KILBUCK, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE TOWNSHIP OF KILBUCK CODE OF ORDINANCES, CHAPTER 215, ZONING, ADDING DEFINITIONS TO SECTION 215-6, AMENDING SECTION 215-27, ANIMALS AND POULTRY, TO ALLOW RESIDENTIAL AGRICULTURE AS AN ACCESSORY USE IN THE R-1, R-2, AND R-3 ZONING DISTRICTS, AND ESTABLISHING CERTAIN OTHER REQUIREMENTS PERTAINING TO SUCH USE.

I. NOW, THEREFORE, the Board of Supervisors of the Township of Kilbuck, Allegheny County, Commonwealth of Pennsylvania hereby ordains that the Kilbuck Township Zoning Ordinance, Chapter 215 of the Kilbuck Township Code of Ordinances, be amended as follows:

A. Article II, Definitions, § 215-6, is revised by adding the following terms:

CHICKEN

Poultry or fowl of the species *Gallus gallus domesticus*, often kept for its eggs or meat. The species includes many different breeds of chicken. Only female (pullets or hens) chickens are permitted. Roosters are expressly prohibited from being kept in the Township as the early morning noises roosters make are hereby recognized to be a nuisance.

CHICKEN RUN

An outdoor enclosure attached to a coop and used exclusively for the roaming of domestic fowl.

COOP

A structure with a top and sides that is designed to provide protection for domestic fowl from outdoor elements and predators.

DOMESTIC FOWL

A domesticated female chicken, any breed of non-flying domestic duck of the Anatidae family, and any breed of non-flying domestic turkey. This does not include roosters, swans or geese.

DUCK

Any of numerous wild or domesticated web-footed swimming birds of the family Anatidae, especially of the genus *Anas*, characterized by broad, flat bill, short legs, and depressed body.

MINIATURE SHEEP

Domesticated, ruminant mammals of the Babydoll or miniature variety.

MINIATURE GOAT

Domesticated, ruminant mammals of the dwarf pygmy breed or miniature variety.

MINIATURE POT-BELLIED PIG

A pig or hog and commonly referred to as a pygmy pig or mini pig, which stands no higher than twenty (20) inches at the shoulder, and is no longer than forty (40) inches from the tip of the snout to the end of the buttocks, and weighs no more than one hundred twenty (120) pounds.

RESIDENTIAL AGRICULTURE

The keeping of domestic fowl, miniature pot-bellied pigs, miniature sheep and miniature goats, as a use accessory to a dwelling.

SHELTER

A structure with a top and sides that is designed to provide protection for small animals from outdoor elements and predators.

TURKEY

A large, gallinaceous bird of the family Meleagrididae, especially *Meleagris gallopavo*, of America, that typically has green, reddish-brown, and yellowish-brown plumage of a metallic luster.

- B. Article IV, Supplementary Regulations, Section 215-27, Animals and Poultry, is amended, in part, to revise the first paragraph and add new Paragraph G, to read as follows:

§ 215-27. Animals and Poultry.

No citizen of the Township of Kilbuck may house and/or pasture any animals of the equine, bovine, sheep or goat family, hereafter referred to generally as "animal," or poultry, unless they comply with the following provisions:

- A. The citizen must own or lease a minimum of five contiguous acres, at which his present residence is located, for the first and/or second adult animal, and two additional acres for each additional adult animal. Adult animals shall be all those other than the juvenile issue of adult animals counted as part of the total number of animals allowed. Such acreage must be unimproved and suitable for grazing. For the keeping of poultry, subject to the requirements of Section 215-27.G below, the citizen must own or lease a minimum of one contiguous acre and a maximum number of 50 poultry may be kept.

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G. For lots smaller than five contiguous acres, Residential Agriculture is permitted as an accessory use in the R-1, R-2, and R-3 Zoning Districts, subject to the following criteria:

1) General Requirements for Residential Agriculture.

- a) No person shall use any property for Residential Agriculture, until a zoning certificate applicable thereto has been issued by the Zoning Officer.
- b) A zoning certificate applicant seeking to conduct Residential Agriculture on property must first obtain the property owner's consent, if the applicant is not the owner of the property. If a single lot has more than one dwelling unit, the applicant must obtain consent from the owner of every other unit on the property.
- c) An approved zoning certificate for Residential Agriculture is valid only for the property specified on the letter of approval.
- d) In addition to this ordinance, Residential Agriculture shall be governed by the applicable provisions and standards of the Pennsylvania Department of Agriculture.
- e) All animal feed and supplies shall be stored in a secured, rodent-proof container and housed within an enclosed structure.
- f) Animal waste must be disposed of properly, either through composting or in an enclosed container.

2) Specific Regulations for Domestic Fowl:

- a) Domestic Fowl are not permitted on a lot that is less than 10,000 square feet. The maximum number of Domestic Fowl permitted on a property is based on the property's lot size, as described below:
 - (i) 10,000 – 20,000 square feet: maximum of eight (8) Domestic Fowl are permitted.
 - (ii) 20,001 – 40,000 square feet: maximum of 12 (twelve) Domestic Fowl are permitted.

(iii) 40,001 square feet – 217,800 square feet: one (1) additional Domestic Fowl for every additional 5,000 square feet.

- b) Domestic Fowl must be located in a rear yard. A Coop and Chicken Run must be located in the rear yard, at least twenty (20) feet from all property lines.
- c) A maximum of one (1) Coop is permitted per lot.
- d) Domestic Fowl must be housed in a predator and vermin-resistant Coop and Chicken Run that is properly ventilated and designed to be easily accessed, cleaned, and maintained. The Coop and Chicken Run are subject to the applicable provisions of the Township's Property Maintenance Code, as amended from time to time.
- e) The interior of the Coop must be at least three (3) square feet per Domestic Fowl.
- f) Domestic Fowl must be secured in a Coop from dusk until dawn. During daylight hours, Domestic Fowl may have access to the exterior of the Coop via a Chicken Run. The barrier that comprises the Chicken Run must be attached and adjacent to the Coop. Domestic Fowl may not roam outside of the Coop or Chicken Run at any time, nor can they stray beyond the premises on which they are secured.

3) Specific Regulations for Miniature Goats and Miniature Sheep:

- a) Miniature Goats and Miniature Sheep are not permitted on a lot that is less than 10,000 square feet.
- b) Exactly two (2) Miniature Goats or Miniature Sheep, plus any number of their offspring younger than twelve (12) weeks may be kept on a lot meeting the minimum lot size requirement. Only female and sterile male Miniature Goats and Miniature Sheep are permitted.
- c) Miniature Goats and Miniature Sheep must be located in a rear yard. Shelter and any other dedicated outdoor enclosure must be located at least twenty (20) feet from all property lines.
- d) Miniature Goats and Miniature Sheep must be provided with a covered, predator-resistant Shelter and dedicated outdoor enclosure that is properly ventilated and designed to be easily accessed, cleaned, and maintained. The interior of the Shelter must be at least ten (10)

square feet per Miniature Goat or Miniature Sheep. The dedicated outdoor enclosure must be at least 150 square feet per Miniature Goat or Miniature Sheep and must be adequately fenced to protect from predators and prevent roaming. The Shelter and dedicated outdoor enclosure are subject to the applicable provisions of the Township's Property Maintenance Code.

e) Miniature Goats and Miniature Sheep must be located in a Shelter from dusk until dawn. During daylight hours, they may have access to the exterior of the Shelter via their dedicated outdoor enclosure. The dedicated outdoor enclosure must be attached and adjacent to the Shelter. The Miniature Goats and/or Miniature Sheep may not roam outside of their dedicated outdoor enclosure at any time, nor can they stray beyond the premises on which they are secured.

4) Specific Regulations for Miniature Pot-Bellied Pigs:

a) Only one (1) miniature pot-bellied pig shall be permitted per residential lot.

b) In no case shall the height of any pig exceed twenty (20) inches, as measured at the shoulder, nor shall the weight of any pig exceed one hundred twenty (120) pounds, nor shall the length of any pig exceed forty (40) inches as measured from the tip of the snout to the end of the buttocks.

c) If kept outdoors, the pot-belly pig must be maintained at least twenty (20) feet from any habitable dwellings (other than the permittees). In addition, pigs must be provided a covered, predator-resistant Shelter and dedicated outdoor enclosure that is properly ventilated and designed to be easily accessed, cleaned and maintained. Said structure must measure at least two hundred (200) square feet. The structure must be maintained in an orderly and odor-free manner. The shelter and dedicated outdoor enclosure are subject to the applicable provisions of the Township's Property Maintenance Code.

d) Breeding of the pot-bellied pig is prohibited. Each pig shall be surgically altered to prevent reproduction. Evidence of such surgery shall be submitted to the Township prior to the approval of a miniature pot-bellied pig permit.

e) The keeping of dogs and cats in conjunction with a miniature pot-bellied pig shall be limited such that the total number of household pets,

including the one (1) miniature pot-bellied pig, shall not exceed three (3) for a residential property.

II. Any keeper of animals provided for in this Ordinance shall maintain and operate the housing and keeping of such animals in such a manner so as not to create a nuisance, as determined by a court of competent jurisdiction.

III. Any ordinance or part of any ordinance conflicting with this Ordinance is repealed to the extent of such conflict.

IV. It is intended that the provisions in this Ordinance are severable and if any provisions are held or declared illegal, invalid or unconstitutional by a court of competent jurisdiction, the decision shall not affect or impair any of the remaining sections.

ORDAINED and ENACTED this 28th day of May, 2024 by the Board of Supervisors of the Township of Kilbuck in lawful session duly assembled.

ATTEST:

TOWNSHIP OF KILBUCK



Township Secretary



Chair, Board of Supervisors

Certification of Recording. This Ordinance recorded in the Township Ordinance book on June 25th, 2024 by the undersigned.



Township Secretary