NEW BEAVER BOROUGH, LAWRENCE COUNTY, PENNSYLVANIA
ORDINANCE NO. 1 of 2023
AN ORDINANCE OF THE BOROUGH OF NEW BEAVER, LAWRENCE COUNTY, PENNSYLVANIA, RESTRICTING THE HARBORING OF ANIMALS IN A RESIDENTIAL DISTRICT

BE IT ENACTED AND ORDAINED by the Borough Council of New Beaver Borough, Lawrence County, Pennsylvania, amending Zoning Ordinance 2-2011 as follows:

206.35 Restricting the harboring of animals in a residential district.

A. The raising of the following animals in a Residential District is a conditional use. The restricted animals are: horses, cattle, swine, sheep, camelidae, goats, and any animals raised for breeding or sale. Also restricted are ostrich, emu, peafowl, game birds, chickens and ducks. Roosters are prohibited. Dogs and cats which are raised as pets are permitted. Rabbits raised as 4-H projects are not restricted.

B. If permitted by action of Council as a conditional use:

a. Animals or fowl shall be raised in a manner that does not create a danger to public health, comfort or safety.

b. Animals or fowl shall be raised in a healthy, clean and sanitary environment. Sufficient space must be provided for such animals or fowl to move about and exercise.

c. Fencing must be provided that is appropriately designed for the type of animals or fowl housed on the property. A ten-foot setback from the adjacent property applies to fencing.

d. Animals or fowl must be provided with food and liquid water daily. Manure must not be allowed to accumulate to the point of causing odors across property lines.

e. The number of animals permitted may be restricted according to the space available. Additional restrictions may be required if the area available is in close proximity to an adjacent dwelling. Consideration will be made concerning the possibility of attracting vermin.

C. Special consideration will be given to requests for conditional use where the Residential District is surrounded by an Agricultural District. Consideration will be given to the type of animal or fowl to be raised.

D. The raising of animals or fowl in a residential district must not violate any Federal, State or County law.

E. This ordinance may be enforced by the New Beaver Borough Code Enforcement Officer or a person designed by said Officer.

F. The Borough's Zoning Ordinance, Section 403.3, defines the penalties for violations of these zoning rules.

Severability The provisions of this Ordinance are severable and in the event that any provision is held invalid, void, illegal, or unconstitutional by any court, it is the intent of the Borough Council that such determination shall not affect or render void the remaining provisions of this Ordinance. It is the declared intent of the Borough Council that this Ordinance would have been enacted if any provision subsequently declared to be void, invalid, illegal or unconstitutional had not been included at the time of enactment.

Repealer Any and all prior Ordinances or portions of prior Ordinances that are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Effective Date. This Ordinance shall take effect thirty (30) days after the date of adoption by the New Beaver Borough Council, Lawrence County, Pennsylvania.

DULY presented and adopted at a meeting of the Borough Council of New Beaver Borough, Lawrence County, Commonwealth of Pennsylvania, this 10th day of July, 2023.

ATTEST:

Drita L. Crawford
Borough Secretary

NEW BEAVER BOROUGH

David Hairhoger
President of Council

EXAMINED AND APPROVED by me this 10th day of July, 2023.

NEW BEAVER BOROUGH

Robert M. Crawford
Mayor