

ORDINANCE NO. 2018-03

**AN ORDINANCE OF WASHINGTON TOWNSHIP, LEHIGH COUNTY,  
PENNSYLVANIA, AMENDING THE 2009 ZONING ORDINANCE, SETTING FORTH  
THE DEFINITION OF THE "KEEPING OF POULTRY", SETTING FORTH VARIOUS  
REGULATIONS WITH REGARD TO THE KEEPING OF THE SAME, AND,  
REPEALING ANY ORDINANCES INCONSISTENT THEREWITH.**

SECTION 1. TITLE

This Ordinance shall be known as an amendment to the Washington Township Zoning Ordinance of 2009 dealing with the keeping of poultry.

SECTION 2. DECLARATION OF PURPOSES

It is hereby declared the Policy of Washington Township, Lehigh County, as to matters of public health, safety and welfare, and to set forth regulations for the keeping of said poultry and to determine where within Washington Township the same would be permitted, so as to protect the public health, safety and welfare of its citizens.

SECTION 3.

A. THE KEEPING OF POULTRY

The Zoning Ordinance shall be amended, with Section 428 being added concerning the keeping of poultry and shall read as follows:

"The keeping of poultry as pets or for personal use is permitted in all districts, on a lot with a lot size of not less than 0.5 acres. No more than three (3) poultry may be kept on lots between 0.5 and 1 acres. Three (3) additional poultry are permitted for each half (0.5) acres in lot size. The maximum number of poultry that may be kept on any lot is thirty (30). The keeping of said poultry must be contained in an appropriate enclosure and must be in the rear yard of the lot. Sanitary conditions must be maintained.

Roosters as pets or for personal use are only permitted in the Rural and Blue Mountain District of Washington Township on lots larger than 5.0 acres. Any person keeping poultry as pets or for personal use shall remain subject to other associated codes and ordinances, including, but not limited to, the nuisance, noise and blight ordinances of the Township and all provisions of the property maintenance code."

SECTION 4. SEVERABILITY

The provisions of this Ordinance are severable and, if any of its provisions shall be held invalid or unconstitutional, the decision of the Court shall not affect or invalidate any of the remaining provisions. It is hereby declared to be the legislative intent that this Ordinance would have been adopted with such illegal, invalid or unconstitutional provision had not been included herein.

SECTION 5. REPEALER

All Ordinances or parts of Ordinances, which are inconsistent herewith are hereby repealed.

SECTION 6. EFFECTIVE DATE


This Ordinance shall become effective five (5) days from the date of enactment.


APPROVED BY the Board of Supervisors of Washington Township, Lehigh County, Pennsylvania, and ENACTED this 8 day of January, 2019.

**TOWNSHIP OF WASHINGTON** (Lehigh County, Pennsylvania)

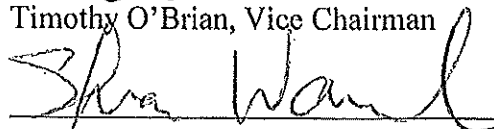
ATTEST:

BOARD OF SUPERVISORS:

  
Erin Stenger-Guth, Secretary

  
Josh Friebohn, Chairman of the Board

  
Timothy O'Brian, Vice Chairman

  
Shawn Wanmaker, Member

## ARTICLE 4

### SUPPLEMENTARY REGULATIONS

#### 410 GENERAL REGULATIONS APPLYING TO ALL DISTRICTS AND USES

The following sets forth conditions and procedures, which must be met before permitted uses, accessory uses, special exception uses and other selected uses can receive approval and be granted a zoning and/or building permit.

##### 411 Placement of Accessory Uses and Structures

The placement of a private garage, accessory parking area, or other accessory building or use, shall be subject to the following requirements.

- 411.1 No accessory building shall be constructed within the front yard or within less distance to the side and rear lot lines than the minimum side yard requirement of the District.
- 411.2 No accessory structure or combination of accessory structures shall be larger than 1600 square feet and no single accessory structure shall be larger than 1200 square feet not to include agricultural structures.
- 411.3 Nothing contained herein shall prevent the construction of a private garage as a structural part of a main dwelling, provided that when so constructed, the exterior garage walls shall be regarded as the walls of the main dwelling in applying the front, rear and side yard regulations of this Ordinance.
- 411.4 No private garage or other accessory building shall be within a required front yard or side yard in any District. In Village Center, General Commercial and General Industrial Districts, unroofed parking areas are permissible in required front yards and in the portions of side yards not otherwise required for a planting screen, provided that the parking area is of sufficient size for vehicle storage and maneuvering and provided that ingress and egress points are clearly established for the safe channeling of traffic to and from the adjacent streets.
- 411.5 Accessory buildings and uses shall be on the same lot with the main building or buildings.
- 411.6 Required accessory parking areas and truck loading spaces shall have safe and adequate access to a public street either by a driveway on the same lot.
- 411.7 No required accessory parking or off-street truck loading space shall be encroached upon by buildings, open storage or any other use.

- 411.8 Accessory private garages may be constructed within or under any portion of a main building.
- 411.9 Special setback requirements that may be prescribed for certain accessory buildings in this Ordinance shall be followed.
- 411.10 The use of truck trailers/bodies or house trailers for accessory structures specifically for storage are not permitted.
- 411.11 Temporary structures for the use of selling fireworks, flowers, etc. are prohibited.

## 412 Lots

- 412.1 Small Lots. Notwithstanding the Lot Area, Lot Width and Lot Coverage requirements of any District listed in Section 300, a dwelling, where it is a permitted or special exception use, may be erected on any lot with less than the required lot width or lot area if separately owned and not adjacent to any lot in the same ownership at the effective date of this Ordinance, provided that a variance has been obtained pursuant to Section 750.
- 412.1 Through Lots and Lot Access. Where a lot extends through from street to street, the applicable front yard regulations shall apply on both street frontages. Every building hereafter erected or moved shall be on a lot having direct access to a public street. All structures shall be so located as to provide safe and convenient access for servicing, fire protection and required off-street parking.
- 412.3 Corner Clearance. On a corner lot, within the triangular area (shown in the figure) determined as provided in this Section, nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision between a height of two (2) and ten (10) feet above the centerline grades of the intersecting streets in the area. Such triangular area shall be determined by the intersecting street centerline, each of which points is seventy-five (75) feet from the intersection of such street centerlines.
- 412.4 Measurement of Lot Width for Lots Not Rectangular
  - 412.41 For cul-de-sacs, the width measurement made at the front lot line shall not be less than forty (40) percent of the lot width requirement.

- 415.1 No more than two (2) lane lots will be permitted per original tract of land even if lots are subdivided from the tract at different times.
- 415.2 The access lane will have a minimum width of thirty five (35) feet and be contained entirely within the lot and serve only one lot.
- 415.3 The access lane will be a maximum length of three hundred (300) feet measured from the right-of-way of the public road to the perimeter of the rectangle defining the lot area. The access lane shall not be included in the rectangular area.
- 415.4 Subdivisions having more than two (2) lots shall not include more than one (1) lane lot.
- 415.5 The existing lot width of the land on a public road may not be that remaining after previous subdivision of this land subsequent to the date of enactment of this amendment.
- 415.6 These lanes may not become township public streets unless a separate agreement to that end is concluded with the supervisors.
- 415.7 The access lane must access on a public street.

416 Hydro-Geologic Study And Report

A hydro-geologic study and report shall be provided to determine an adequate water source when the water source is a well, public or private, and is proposed for a residential use of more than 25 dwelling units with a density more than one dwelling unit per acre or a commercial use, or a industrial use equivalent to 25 dwelling units with a density more than one dwelling unit per acre.

417 Waste and Refuse

Provisions are to be made for treatment and/or disposal of all waste.

418 Fence and Walls

- 418.1 For dwellings, man-made fences and walls may be erected, altered and maintained within the yards, provided that any such fence or wall in the front yard shall not exceed four (4) feet in height, and any fence or wall in the side or rear yard shall not exceed six (6) feet in height.
- 418.2 For all other uses, man-made fences and walls may be erected, altered and maintained within the yards, provided that any such fence or wall in the

front yard shall not exceed four (4) feet in height, and any fence or wall in the side or rear yard may be six (6) feet or more in height; provided, that any fence or walls exceeding six (6) feet in height shall contain openings therein equal to fifty (50) percent of the area of that portion of the wall or fence exceeding six (6) feet.

418.3 All yards used for the storage of any material needed for the operation or conduct of a manufacturing or commercial enterprise in the Village Center or Industrial District shall be enclosed by a solid wall, uniformly painted board fence, or live evergreen screen plantings, on all sides which face upon a street or face upon a lot in a residential district.

418.4 Zoning Permits are needed for all man-made fencing in all Districts but not to include agricultural fencing.

#### 419 Clear Sight Triangle

419.1 The clear sight triangle shall be determined by the intersecting street centerlines and a diagonal connecting two points, one at each street centerlines, each of which point is:

419.12 150 feet from the intersection of such street centerlines, if either street is an arterial street.

419.13 100 feet from the intersection of such street centerlines, if both streets are collector streets or if one is a collector street and the other is a local street.

419.14 75 feet from the intersection of such street centerlines, if both streets are local streets.

419.2 On a corner lot, no wall, fence or other structure shall be erected, no vehicle, object of any other obstruction shall be parked or placed, or on hedge, shrub, or other growth shall be planted or maintained which would obscure the driver's vision between two feet and ten feet in height measured from the centerline grades of the intersecting streets.