

**ARTICLE XXI. ACCESSORY USES** (Amended by Ordinance 2016-06, dated 3/28/2016; Ordinance 2016-18, dated 9/26/2016, and Ordinance 2021-01, dated 01/10/2023)

**SECTION 2101. ANIMALS AND ANIMAL SHELTERS**

1. In any zoning district, it is permitted to maintain as domestic pets five (5) dogs or five (5) cats, or a combination thereof, not to exceed a total of five (5) domestic pets, each over six (6) months of age, provided it is on a noncommercial basis. Where a shelter and/or exercise pen is maintained, it shall be located in the rear yard at least ten (10) feet from any lot line, and no closer than fifty (50) feet to the nearest dwelling other than that of the owner.
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 chickens 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 or chickens 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 chicken 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.
- 3. In any zoning district, unless regulated by other provisions in this ordinance, it is permitted to maintain up to two (2) saddle horses, provided no building, corral, or stable is less than one hundred (100) feet from any lot line and is not closer than two hundred (200) feet to the nearest existing dwelling other than that of the owner. A pasture fence shall be located at a minimum distance of ten (10) feet from the property line.
  - 4. No manure storage facility or area shall be established closer than one hundred (100) feet to any property line.
  - 5. Domestic pets referred to in this Section shall not be kept for breeding purposes.

#### **SECTION 2102. DETACHED PRIVATE GARAGES**

- 1. Maximum capacity:
  - A. For a single-family detached or semidetached dwelling unit: three (3) vehicles.
  - B. For a garage associated with a townhouse or apartment development: Garage spaces may be grouped into detached structures with a maximum of eight (8) vehicles.
- 2. Maximum height: Twenty (20) feet.
- 3. No temporary structures shall be permitted.
- 4. No structure shall be permitted between the required building setback line and the street line, except that where the street line is a principal arterial roadway, the setback shall be five (5) feet.

5. No structure shall be located within the minimum required side yard of the prevailing district.
6. No structure shall be located within ten (10) feet of the rear property line.
7. Direct driveway access is required for each space within a garage.
8. A detached, front-loaded garage shall be set back a minimum of forty (40) feet from the street right-of-way from which it takes access.

#### **SECTION 2103. OTHER OUTBUILDINGS/STRUCTURES**

1. Maximum height: ten (10) feet.
2. No structure shall be within five (5) feet of any property line.
3. No structure shall be permitted between the required building setback line and the street line, except that where the street line is a limited access legislative route to which the lot has no access, the setback shall be five (5) feet.
4. Accessory buildings associated with elementary and secondary schools shall have a maximum height of thirty-five (35) feet.

#### **SECTION 2104. SWIMMING POOLS**

1. No permanent structure shall be permitted without an operable, maintained filtering system utilizing an approved method of treated water.
2. All swimming pools which have the capability to contain more than twenty-four (24) inches of water shall be enclosed by a permanent fence which is at least four (4) feet in height. No fence will be required for aboveground permanent pools which have sides which are at least four (4) feet above grade and access to the pools can be secured, unless the Zoning Officer determines that conditions warrant greater safety measures. However, all aboveground permanent pools shall be screened by a landscape screen, which shall be composed of shrubs that have a minimum height of at least four (4) feet, measured from ground level, at the time of planting.
3. No structure shall be within ten (10) feet of any property line which shall be measured from the nearest water surface.
4. No structure shall be permitted between the building setback line and the street line.
5. An approved temporary construction fence shall be erected around the excavation site during the construction of the pool and shall remain in place until the permanent fence is erected.
6. Water shall not be placed into a swimming pool until a permanent, approved fence has been erected and a certificate of use and occupancy has been issued.

#### **SECTION 2105. TENNIS COURTS**

1. No facility shall be permitted unless it is protected by an open mesh permanent fence ten (10) feet in height behind each baseline extending ten (10) feet beyond the playing area in

each direction.

2. No facility shall be permitted within ten (10) feet of any property line.
3. No facility shall be located between the building setback line and the street line.

4. If lighting is provided, it shall be so arranged so that there is no objectionable glare on adjoining properties.

#### **SECTION 2106. PATIOS AND PAVED TERRACES**

No patio, paved terrace, or deck shall be located within any required setback, or between the required building setback line and the street line or public right-of-way, except:

1. Where otherwise specified for single-family semidetached, townhouse, or zero lot line dwellings: or
2. Where the street line is a limited access highway to which the site has no access, the setback shall be five (5) feet.

#### **SECTION 2107. PUBLIC NUISANCES**

1. No activities shall be permitted which create a public nuisance and/or interfere with the use of adjacent residential lots.
2. Nothing in this section shall limit other uses not mentioned so long as, in the opinion of the Zoning Officer, they are accessory to the residential use of the land, are temporary in nature, and do not create a threat to the public health, safety, and/or welfare of the community.

#### **SECTION 2108. FENCES AND FREESTANDING WALLS**

1. Upon property devoted to residential use, no fence or freestanding wall shall be erected to a height of more than forty-two (42) inches in any front yard, nor more than six (6) feet in any other yard, unless otherwise specified in this Ordinance.
2. Upon property devoted to municipal, commercial or industrial use, no fence or freestanding wall shall be erected to a height of more than forty-two (42) inches in any front yard, nor more than eight (8) feet, including any barbed wire atop the fence or freestanding wall, in any other yard unless otherwise specified in this Ordinance. Where such municipal, commercial or industrial use abuts a residential use, such fence or freestanding wall shall not exceed six (6) feet.
3. Where any lot abuts a limited access legislative highway to which the lot has no access, the fence or freestanding wall may be a maximum of eight (8) feet in height along the property boundary which abuts such limited access legislative highway.
4. Fence height exceptions. All portions of fencing shall be subject to the maximum fence height regulations specified in this Ordinance, except for fence posts and decorative finials on the fence post. The height of any such projection on the fence post shall not exceed the height of the fence by more than six (6) inches.
5. Fences alongside or rear lot lines are not subject to yard or setback requirements. Freestanding walls shall be setback five (5) feet from side and rear lot lines. Fences or freestanding walls within the front yard shall be a minimum of two (2) feet behind the required street right-of-way line. All fences shall be located completely within lot boundaries and no fence may coincide with any lot line.

6. No solid fence or freestanding wall shall be erected within the required front yard setback, except where required to maintain the build-to-line of adjacent buildings.
7. No fence or freestanding wall shall be erected which blocks or limits visibility for driveways on adjacent properties.
8. No fence or freestanding wall shall be located within any clear site triangle as required by this Ordinance or the Township Subdivision and Land Development Ordinance.
9. No fence or freestanding wall shall be erected in a public right-of-way or other rights-of-way or easements, including but not limited to public or private drainage, utility or access easements, unless otherwise require by this Ordinance, the Township Subdivision and Land Development Ordinance or the Township Stormwater Management Ordinance.
10. Unless required for security purposes for commercial or industrial use, no fence shall be constructed of barbed wire, razor, or other sharp components capable of causing injury, and only then if the portion of the fence containing barbed wire, razor, or other sharp components capable of causing injury is not lower than six feet above the average surrounding ground level.
11. All fences and freestanding walls shall comply with the Pennsylvania Uniform Construction Code (PA UCC) as enforced by the Township.

#### **SECTION 2109. SATELLITE ANTENNAS**

1. The diameter of ground-mounted antennas shall not exceed twelve (12) feet.
2. Ground-mounted antennas, including supports, shall not exceed fifteen (15) feet in height.
3. Ground-mounted antennas shall be located in rear yards only and be located no closer than ten (10) feet to any property line.
4. Roof-mounted antennas shall not project more than five (5) feet above the roofline.

#### **SECTION 2110. HOME OCCUPATIONS**

1. Purpose. The purpose of this section is to allow for home occupations which are compatible with the neighborhood in which they are located. It is the intent of this section to:
  - A. Ensure the compatibility of home occupations with other uses permitted in the residential districts.
  - B. Insure that permitted home occupations are incidental and secondary to the use of a dwelling as a residence.
  - C. Maintain and preserve the character of residential neighborhoods.
  - D. Promote the efficient use of public services and facilities by assuring these services are provided to the residential population for which they are planned and constructed, rather than commercial uses.

2. Approval. Home occupations complying with the criteria established in Section 2110.3 shall be considered minor in character and permitted by right. Major home occupations shall commence only after the receipt of a special exception as outlined in Section 2805.2 of this ordinance.
3. Criteria: minor occupations. Uses classified as minor shall be permitted in all residential districts. The following regulations shall apply to all minor home occupations:
  - A. Such use shall be conducted entirely within a dwelling or within a detached garage located on a single-family detached or single-family semidetached residential lot and in existence on the effective date of this ordinance and operated by one or more persons, all family members, and all of whom reside within the dwelling. Persons in building trades and similar fields, using their dwelling as an office for business activity carried on off site, may have other employees, provided they are not employed on site, they do not park on or near the dwelling site, and they do not visit the dwelling during the course of business.
  - B. Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the structure in which the occupation is conducted shall not be altered or the occupation within the residence shall not be conducted in a manner which would cause the premises to differ from its residential character.
  - C. No more than twenty-five (25) of the gross floor area of the dwelling, including attached garage area, or four hundred (400) square feet, whichever is smaller, shall be used for the home occupation. The attached garage or detached garage area may be used for home occupation purposes, provided that such use does not cause the elimination of the required off-street parking spaces for the dwelling.
  - D. The business of selling stocks of merchandise, supplies, or products shall not be conducted on the premises, except those orders previously made by telephone, by

appointment or at a sales party may be filled on the premises, e.g., direct sales of products off display shelves or racks is not allowed, but a person may pick up an order placed earlier as described above.

- E. No storage or display of goods shall be visible from outside the structure.
- F. No explosive or highly combustible material shall be used or stored on the premises.

No activity shall be allowed which would interfere with radio or television transmission in the area, nor shall there be any offensive noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property line.

- G. A home occupation shall not create significantly greater vehicle or pedestrian traffic than normal for the district in which it is located.
- H. Parties for the purpose of selling merchandise or taking orders shall not be held more than one (1) time each month.
- I. A minor home occupation shall not create a need for off-street parking spaces in excess of those required for a dwelling in 2002.1 of this ordinance.  
Commercial vehicles used for a home occupation must be parked in an off-street parking space. In addition, commercial vehicles for persons in building trades or similar fields must be parked in a garage or screened from the street and adjacent residential uses.
- J. No use of material or equipment not recognized as being part of the normal practices of owning and maintaining a residence shall be allowed.
- K. Deliveries from commercial suppliers shall comply with the Pennsylvania Motor Vehicle Code and shall not restrict traffic circulation.
- L. A home occupation shall not generate waste products or materials of a quality or quantity not normally associated with a residential use.
- M. A home occupation shall not increase water or sewer use so that either is significantly more than the average for residences in the neighborhood.
- N. Passenger drop-off and pickup areas for minor family day-care centers shall be

provided on site and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site.

- O. Permitted minor home occupations are limited to the following:



- (1) Artists, craftsmen and sculptors.
- (2) Authors and composers.
- (3) Office facilities, excluding medical offices and dental offices.
- (4) Individual tutoring.
- (5) Preparation of food or food products to be sold or served off site.

(6) Individual instrument instruction, provided that no instrument may be amplified.

(7) Telephone solicitation work.

(8) Minor family day-care centers (only in a detached or semidetached single-family dwelling).

(9) Dressmaking, sewing and tailoring.

(10) Uses not listed that, in the opinion of the Zoning Officer, are considered to be of the same general character as the minor home occupations permitted.

P. Prohibited minor home occupations. The following uses, by the nature of the investment or operation, have a pronounced tendency once started to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residence purposes.

Therefore, the uses specified below shall not be permitted as minor home occupations:

(1) All uses prohibited as major home occupations.

(2) Hairstylists/Single chair hairstylist.

(3) Private schools with organized classes.

(4) Television and other electrical repairs.

(5) Upholstering.

(6) Other similar uses which may, in the opinion of the Zoning Officer, result in an adverse impact on a residential neighborhood.

- 4. Criteria: major home occupations. Uses classified as major shall be considered uses by special exception according to this ordinance. In granting any special exception, the Zoning Hearing Board may attach certain conditions to its approval which, in addition to the requirements listed within this ordinance; it feels are necessary

requirements in order to preserve and protect the character of residential areas. The following regulations shall apply to all major home occupations:

- A. Such use shall be conducted entirely within a single-family detached or single-family semidetached dwelling or within a detached garage located on a residential lot as a single-family detached dwelling or single-family semidetached dwelling and in existence on the effective date of this ordinance and operated by one or more persons, all family members, and all of whom reside within the dwelling. There may be one full-time equivalent nonresident employee permitted on site. Persons in building trades and similar fields, using their dwelling as an office for business activity carried on off site, may have other employees, provided they are not employed on site, they do not park on or near the dwelling site, and they do not visit the dwelling during the course of business.
- B. Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes, and the appearance of the structure in which the occupation is conducted shall not be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character.
- C. No more than twenty-five (25) of the gross floor area of the dwelling, including attached garage area, or four hundred (400) square feet, whichever is smaller, shall be used for the home occupation. The attached garage or detached garage area may be used for home occupation purposes, provided that such use does not cause the elimination of the required off-street parking spaces for the dwelling.
- D. The business of selling stocks of merchandise, supplies, or products shall not be conducted on the premises, except that incidental retail sales may be made in connection with other permitted home occupations, and orders previously made by telephone, by appointment or at a sales party may be filled on the premises.
- E. There shall be no exterior storage on the premises of material used in the home occupation, nor of any explosive or highly combustible material. No activity shall be allowed which would interfere with radio or television transmission in the area, nor shall there be any offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line.
- F. Deliveries from commercial suppliers shall comply with the Pennsylvania Motor Vehicle Code and shall not restrict traffic circulation.
- G. Parties for the purpose of selling merchandise or taking orders shall not be

held more often than one (1) time each month.

- H. A major home occupation that employs a nonresident of the dwelling shall provide one off-street parking space for use by the employee. Commercial vehicles used for a home occupation must be parked in an off-street parking space. In addition, commercial vehicles for persons in building trades or similar fields must be parked in a garage or screened from the street and adjacent residential uses. If the nature of the major home occupation may result in more than one (1) customer or client to visit the premises at any one time, the Zoning Hearing Board shall specify the number of parking spaces required and the location of such spaces. Additional off-street parking area shall not be located within the required front yard setback or within three (3) feet of any side or rear property line.
- I. A home occupation shall not generate waste products or materials of a quality or quantity not normally associated with a residential use.
- J. A home occupation shall not increase water or sewer use so that either is significantly more than the average for residences in the neighborhood.
- K. All major family day-care centers shall furnish a valid certificate of compliance for the proposed facility, issued by the Pennsylvania Department of Public Welfare.
- L. Passenger drop-off and pickup areas for family day-care centers shall be provided on site and arranged so that passengers do not have to cross traffic lanes on or adjacent to the site.
- M. Permitted major home occupations are limited to the following:
  - (1) Any use permitted as a minor home occupation.
  - (2) Medical offices and dental offices.
  - (3) Single-chair hairstylists and personal care facility such as single chair nail salon.
  - (4) Organized classes with up to six (6) students at one time.
  - (5) Television and other electrical repairs, excluding major appliances such as refrigerators or stoves.
  - (6) Upholstering.
  - (7) Minor or major family day-care centers.
  - (8) Uses not listed that, in the opinion of the Zoning Officer and upon review and approval by the Zoning Hearing Board, are considered to be of

the same general character as the major home occupations permitted.

N. Prohibited major home occupations. The following uses, by the nature of the investment or operation, have a pronounced tendency once started to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and values of a residentially zoned area for residence purposes and are more suited to professional or business districts. Therefore, the uses specified below, and other similar uses shall not be permitted as home occupations:

- (1) Minor or major motor vehicle repair, painting of vehicles, trailers, or boats.
- (2) Funeral chapel or home.
- (3) Rental businesses.
- (4) Photo studios.
- (5) Photo development.
- (6) Material fabrication shops or machine shops.
- (7) Small engine repair.
- (8) Production woodworking and cabinetmaking.
- (9) Other similar uses which may, in the opinion of the Zoning Officer, result in an adverse impact on a residential neighborhood.

#### 5.Home occupation application requirements.

A. The application for a minor home occupation shall be submitted in such a form as the Zoning Officer may prescribe and shall be accompanied by the required filing fee as adopted by the Board of Commissioners. The form shall include, but not be limited to, the following information:

- (1) Name, mailing address and phone number of applicant.
- (2) Street address of the property.
- (3) Description of all activities involved in the business and how the business will operate.

B. Upon receiving the application, the Zoning Officer shall examine the same within a reasonable time after filing. If the application does not conform to the provisions of all pertinent laws, the Zoning Officer shall notify the applicant in writing. Such notification shall include findings in support of the decision and the applicant's right of appeal to the Zoning Hearing Board.

C. The application for a major home occupation shall be submitted to the Zoning

Hearing Board. The Zoning Hearing Board shall conduct hearings and make decisions regarding such applications in accordance with Article XXVIII, Zoning Hearing Board; Administrative Proceedings, of this ordinance.

6. Home occupation permits.

A. In the event an application is approved, then a home occupation permit shall be issued to the applicant. Said permit shall apply only to the applicant, occupation, and premises stated in the application. The permit is nontransferable and non-assignable. Said permit shall also be deemed to be automatically revoked upon the earliest of the following: the applicant dies; the applicant moves from the premises where the permit was granted; or the applicant otherwise ceases engaging in the home occupation.

B. Home occupation permits shall expire December 31 of each year and, once granted, may be renewed without additional hearings, subject to the provisions of this section, by completing the renewal form prescribed by the Zoning Officer and paying the annual permit fee as adopted by the Board of Commissioners. Failure to apply for renewal and/or failure to pay for the annual permit shall be grounds for revocation of a permit.

C. There may be one (1) annual inspection each year by the Zoning Officer, or designee, of home occupations issued a home occupation permit. In addition, the Zoning Officer, or designee, shall have the right, at any time, upon reasonable request, to enter and inspect the premises covered by said permit for compliance purposes.

7. Existing home occupations. Any person engaged in a home occupation at the time of the passage of this ordinance shall have a period of ninety (90) days from said date to apply for a home occupation permit, subject to the following:

A. The applicant must provide adequate proof that he or she has been engaged in a home occupation prior to the date this ordinance was passed.

B. The applicant must provide adequate proof that the home occupation met the Township requirements in effect at the time the home occupation was established.

**SECTION 2111. SOLAR ENERGY SYSTEMS**

See Section 2523.

**SECTION 2112. GARDEN PONDS**

1. Such pond shall be located a minimum of 10 feet from all property lines and shall be permitted in the required front yard.

2. Garden ponds shall require a zoning permit.
3. Garden ponds that utilize electricity for lighting, fountains, etc., shall require a building permit.

**SECTION 2113. FARMERS MARKETS** (Added by Ordinance 2016-06, dated 3/28/2016)

1. The farmers market area shall be setback from any street line or property line a minimum of twenty (20) feet and a minimum of thirty (30) feet from the principal building wall(s).
2. The farmers market shall be located within forty (40) feet of the use to which it is permitted as an accessory use.
3. The applicant shall demonstrate that ample off-street parking exists in existing parking areas located a maximum of six hundred (600) feet from the market area. A farmers market will not be permitted on a property where a variance of off-street parking or relief through the Parking Demand Needs Assessment has been previously granted by the Township.
4. The farmers market shall not be located within any designated clear sight triangle, access drive travel lane or parking lot aisle.
5. The farmers market shall not adversely impact the health, safety, and welfare of the Township.
6. Operations including set up and removal shall be limited to two (2) days per week during daylight hours and shall not cover a period greater than 6 months.
7. No permanent structures shall be erected in connection with the farmer's market. Market materials such as stands, booths, and tables shall be removed at the conclusion of the market day.
8. Any structure shall comply with the building height regulations for accessory uses.
9. The farmers market may not obstruct sidewalks, pathways or any pedestrian walkway.
10. At least ninety (90) percent of the products for sale shall be farm products.

11. The area of the farmers market shall be limited to 4,000 square feet.
12. Market vendors shall comply with all applicable local, state and federal regulations.
13. Additional signage shall comply with Article XIII, Signs.

#### **SECTION 2114. BEEKEEPING**

1. In any zoning district, beekeeping is permitted as an accessory use, provided it is on a noncommercial basis. Hives shall be located in the rear yard at least ten (10) feet from any lot line, and no closer than fifty (50) feet to the nearest dwelling other than that of the owner.
2. Any beekeeper shall provide documentation that they are in compliance with the Pennsylvania's Bee Law, 3 Pa. C.S.A. §§ 2101-2117, which requires the owner of an apiary located in Pennsylvania to register the apiary with the Pennsylvania Department of Agriculture.