

FRANKLIN TOWNSHIP  
YORK COUNTY, PENNSYLVANIA

ORDINANCE NO. 4 of 2009

AN ORDINANCE AMENDING THE FRANKLIN TOWNSHIP ZONING  
ORDINANCE (ORDINANCE NO. 2006-1) REGARDING THE  
DEFINITION OF "KENNEL" AND THE CRITERIA FOR  
SPECIAL EXCEPTION FOR A "KENNEL"

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors in and for the Township of Franklin, York County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

1. Franklin Township Zoning Ordinance Article 1 "Background Provisions", Section 111 "Definitions", Subsection C "Specific Words and Phrases" is hereby amended by substitution of the following definition:

"Kennel – A commercial operation, for profit or not-for-profit, in which animals (except livestock, horses or poultry) are kept, boarded, raised, bred, treated, trained, or sold for a fee, including but not limited to dog or cat kennels."

2. Franklin Township Zoning Ordinance Article 4 "Specific Criteria", Section 435 A "Kennels" is hereby revised by substitution to state as follows:

"A. Lot Area – 5 Acres Minimum

B. Setbacks – All buildings, dog runs, fenced enclosures and similar structures shall be located at least 100 feet from all property or street lines.

C. All boarding buildings and any outdoor animal pen stalls or runways shall be located within the rear yard and screened with evergreen vegetation.

D. All outdoor running areas shall be enclosed to prevent the escape of animals.

E. The applicant shall furnish credible evidence of an effective and recognized acceptable manner for disposal of animal waste.

F. The applicant shall be responsible to exercise reasonable control over the animals and shall not allow a nuisance condition to be created in terms of excessive noise or odor.

G. The applicant shall furnish credible evidence that any and all other state or federal approvals have been obtained or that none are required.

3. If any sentence, clause, phrase or section of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections or parts of this Ordinance. It is hereby declared as the intention of the Board of Supervisors of this Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, phrase, section or part thereof not been included therein.

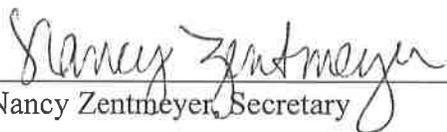
4. Any other Ordinance or Resolution or parts thereof inconsistent with this Ordinance be and area hereby expressly repealed.

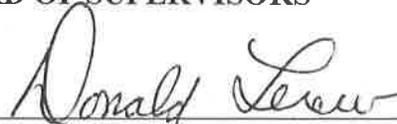
5. This Ordinance shall be effective at 12:01 A.M. on the 6<sup>th</sup> day following the adoption hereof by the Board of Supervisors of the Township of Franklin.

ENACTED AND ORDAINED this 14 day of September, 2009.

ATTEST:

FRANKLIN TOWNSHIP  
BOARD OF SUPERVISORS

  
\_\_\_\_\_  
Nancy Zentmeyer, Secretary

By:   
\_\_\_\_\_  
Donald Lerew, Chairman

By: John Z. Shambaugh  
John Shambaugh, Vice-Chairman

By: Gary Brown  
Gary Brown, Supervisor

By: absent  
Naomi Decker, Supervisor

By: Edward Campbell  
Edward Campbell, Supervisor

**CERTIFICATE**

I, the undersigned, Secretary of the Township of Franklin, York County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township (the "Board"), which was duly enacted by affirmative vote of a majority of the members of the Board at a meeting held on 14, 2009; said Ordinance has been duly recorded in the Ordinance Book of the Township; said Ordinance has been duly published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate. Sept.

**IN WITNESS WHEREOF**, I set my hand and affix the official seal of the Township, this 14 day of September, 2009.

Nancy Zentmeier  
Secretary

(SEAL)