

ORDINANCE NO. 5 - 2020

AN ORDINANCE OF THE TOWNSHIP OF STROUD, MONROE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 27 OF THE STROUD TOWNSHIP CODE OF ORDINANCES (ZONING) ADDING A DEFINITION OF "ANIMAL SHELTER AUXILIARY USE"; ADDING ON SCHEDULE 27-I THE LAND USE ACTIVITY "ANIMAL SHELTER AUXILIARY USE (SIC-0752)" AS A PERMITTED USE IN THE R-1 ZONING DISTRICT; ADDING A NEW SECTION 27-503.1.B TO PART 5 (SPECIFIC USE REQUIREMENTS) CONTAINING REGULATIONS FOR THE ANIMAL SHELTER AUXILIARY USE LAND USE ACTIVITY; AND ALSO PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS OF THE ORDINANCE; REPEALING OR RESCINDING ALL ORDINANCES OR RESOLUTIONS OR PARTS THEREOF WHICH ARE INCONSISTENT HEREWITH; AND ESTABLISHING THE EFFECTIVE DATE OF THE ORDINANCE.

WHEREAS, it is the desire of the Stroud Township Board of Supervisors to amend Chapter 27 of the Stroud Township Code of Ordinances governing Zoning to add a specific land use activity for animal shelter auxiliary use as a Permitted Use in the R-1 Zoning District, and to establish the requirements applicable to the same.

WHEREAS, Section 1506 of the Second Class Township Code, Act of May 1, 1993, P.L. 103, No. 69, as amended by the Act of November 9, 1995, P.L. 350, No. 60, found at 53 P.S. §66506, entitled "General Powers," authorizes the Board of Supervisors to make and adopt ordinances necessary for the proper management, care and control of the Township, and the maintenance of the health and welfare of the Township and its citizens; and

WHEREAS, pursuant to Section 1516 of the Second Class Township Code, found at 53 P.S. §66516, entitled "Land Use Regulations," the Board of Supervisors may plan for the development of the Township through zoning and subdivision and land development regulations under the "Pennsylvania Municipalities Planning Code" ("MPC"); and

WHEREAS, pursuant to Sections 601 entitled "General Powers" and 609 entitled "Enactment of Zoning Ordinance Amendments" of the MPC, found at 53 P.S. §10601 and 53 P.S. §10609, respectively, the Board of Supervisors is authorized to enact amendments to the Stroud Township Zoning Ordinance in accordance with the conditions and procedures set forth in the MPC.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Stroud Township, Monroe County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

ARTICLE I: Chapter 27, Part 2, Section 202 (Definitions) is amended by adding the following terms to be inserted alphabetically:

ANIMAL SHELTER AUXILIARY USE – The use of a detached building subordinate to an animal shelter on the same lot or adjacent parcel, serving a purpose incidental to a facility where stray, lost, abandoned or surrendered customary household pets are kept. The building may be used for temporary overnight occupancy related to the animal shelter use in the event of an emergency; otherwise, full-time occupancy shall be limited from dawn to dusk.

ARTICLE II: Schedule 27-I (Regulations Governing the Use of Land) of the Code of Ordinances is hereby amended by the addition of the land use activity “Animal shelter auxiliary use (SIC-0752)” as a category under B. Agriculture, Forestry, Fishing and Mining land use, as follows:

Land Use Activity	O-1	S-1	R-1	R-2	R-3	C-1	C-2	C-3	C-4	M-1
Animal Shelter Auxiliary Use (SIC 0752) ²			P							

ARTICLE III: Chapter 27, Part 5, Section 503, Subsection 1 (SIC Land Use Activity B. Agriculture, Forestry, Fishing and Mining) of the Code of Ordinances is hereby amended to add new Paragraph B as follows:

- Z. Animal Shelter Auxiliary Use – (SIC-0752).** This use is permitted as set forth in Schedule 27-I. The following standards, requirements and criteria shall apply:
1. Auxiliary uses associated with the animal shelter shall be administrative, management and support positions, such as bookkeeper, shelter manager, and other shelter staff under the direction of animal shelter management.
 2. Occupancy shall be limited to 6 people simultaneously unless sewage capacity or parking reduces occupancy to less than 6 people simultaneously.
 3. During emergency conditions, such as inclement weather or power outage, overnight stays shall be limited to two (2) people.
 4. Outdoor parking shall be determined based on the criteria set forth in Part 8 of Chapter 27 of the Township Code. In no event shall outdoor

parking include spaces in any public street right-of-way or on any lawns or vegetated areas.

5. Shelter animals shall not be housed at auxiliary use location.
6. The property upon which the auxiliary use is located shall be within 100 feet of the property line of the animal shelter that the auxiliary use is associated with.
7. Applicable building codes shall be complied with unless relief is granted.

ARTICLE IV: The provisions of this Ordinance are severable. If any sentence, clause, section or part of this Ordinance is for any reason ultimately found to be unconstitutional, illegal or invalid by a court of competent jurisdiction, such unconstitutionality, illegality or invalidity shall not affect or impair any remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the legislative intent of the Board of Supervisors that such remainder shall be, and shall remain, in full force and effect.

ARTICLE V: All ordinances or parts of ordinances or resolutions conflicting or inconsistent with any of the provisions of this Ordinance are hereby repealed, but only insofar as same are in direct conflict or directly inconsistent with this Ordinance.

ARTICLE VI: This Ordinance shall take effect five (5) days after enactment.

[SIGNATURES FOLLOW ON THE NEXT PAGE]

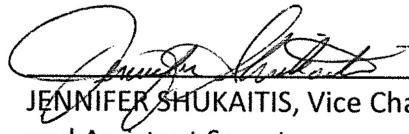
ORDAINED AND ENACTED into an Ordinance at a regular meeting of the Board of Supervisors of Stroud Township, Monroe County, Pennsylvania this 6TH day of OCTOBER, 2020.

TOWNSHIP OF STROUD

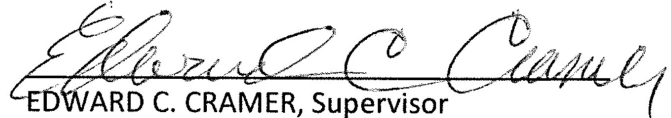


CHRISTINE A. WILKINS, Chairwoman
And Secretary

(TOWNSHIP SEAL)



JENNIFER SHUKAITIS, Vice Chairwoman
and Assistant Secretary



EDWARD C. CRAMER, Supervisor
and Assistant Treasurer

TOWNSHIP OF STROUD
MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. 5-2020

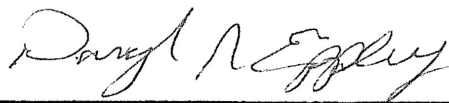
IN RE:

AN ORDINANCE OF THE TOWNSHIP OF STROUD, MONROE COUNTY, PENNSYLVANIA, AMENDING CHAPTER 27 OF THE STROUD TOWNSHIP CODE OF ORDINANCES (ZONING) ADDING A DEFINITION OF "ANIMAL SHELTER AUXILIARY USE"; ADDING ON SCHEDULE 27-1 THE LAND USE ACTIVITY "ANIMAL SHELTER AUXILIARY USE (SIC-0752)" AS A PERMITTED USE IN THE R-1 ZONING DISTRICT; ADDING A NEW SECTION 27-503.1.B TO PART 5 (SPECIFIC USE REQUIREMENTS) CONTAINING REGULATIONS FOR THE ANIMAL SHELTER AUXILIARY USE LAND USE ACTIVITY; AND ALSO PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS OF THE ORDINANCE; REPEALING OR RESCINDING ALL ORDINANCES OR RESOLUTIONS OR PARTS THEREOF WHICH ARE INCONSISTENT HEREWITH; AND ESTABLISHING THE EFFECTIVE DATE OF THE ORDINANCE.

CERTIFICATION

I hereby certify that the attached Ordinance is a true and correct copy of an Ordinance enacted by the Board of Supervisors of Stroud Township, Monroe County, Pennsylvania, on the 6TH day of October, 2020.

(TOWNSHIP SEAL)



DARYL A. EPPLEY, Township Manager
Stroud Township
1211 North Fifth Street
Stroudsburg, PA 18360