

## **DOMESTICATED CHICKENS\***

### **Sec. 4-61. Purpose.**

The purpose of this article is to provide standards for the keeping of domesticated chickens. The article is intended to enable residents to keep a small number of female chickens while limiting the potential adverse impacts on the surrounding neighborhood.

(Ord. of 10-19-09)

### **Sec. 4-62. Definitions.**

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

*Chicken pen.* An enclosure connected to a henhouse for the purpose of allowing chickens to leave the henhouse while remaining in an enclosed, predator-safe environment.

*Enclosure.* The combined area of a henhouse and chicken pen.

*Henhouse.* A structure for the sheltering of female chickens. A legally existing nonconforming detached shed, garage or barn that may be located within the required district setback can be used for this purpose if it meets all other standards contained in this article.

### **Sec. 4-63. Keeping of domesticated chickens located in the growth area.**

- (a) No more than six (6) chickens shall be allowed per single-family detached dwelling property. No chickens shall be permitted within multi-family complexes, including duplexes.
- (b) Only female chickens are permitted with no restriction on chicken species.
- (c) Chickens shall be kept only for personal use.
- (d) Advertising the sale of eggs, chicken breeding or fertilizer production is prohibited.
- (e) Outside slaughtering of chickens is prohibited.

### **Sec. 4-64. Enclosure.**

- (a) Chickens must be kept in a secure henhouse or chicken pen area at all times. At no time shall chickens be kept in a residence including attached structures.
- (b) Chickens shall be secured within the henhouse during nondaylight hours.
- (c) Enclosures must be clean, dry and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of abutters due to noise, odor or other adverse impact.

- (d) An enclosure shall not be located in the front yard.

**Sec. 4-65. Henhouse.**

- (a) A henhouse shall be provided and designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to abutters.
- (b) The structures shall be fully enclosed with latchable doors and windows. Windows and vents must be covered with predator and birdproof wire of less than one-inch openings.
- (c) The henhouse shall be well maintained. The use of scrap, waste board, sheet metal, or similar materials for the construction of the structure is prohibited.
- (d) Henhouses shall only be located in rear yards. In the case of a corner lot, a side yard may be used in accordance with applicable zoning district setbacks but in no case shall the henhouse be closer than ten (10) feet to the side property line.
- (e) No henhouse shall be located within ten (10) feet of a rear or side property line.

**Sec. 4-66. Chicken pens.**

- (a) Chicken pens may be provided. Where provided, the chicken pen shall be attached to the henhouse and the walls shall be constructed of sturdy wire fencing, other than chicken wire, and buried at least twelve (12) inches in the ground. The roof shall be covered with wire, aviary netting, chicken wire or solid roofing in a manner to prevent the escape of chickens.
- (b) Chicken pens shall only be located in rear yards. In the case of a corner lot, a side yard may be used in accordance with applicable zoning district setbacks but in no cases shall the henhouse be closer than ten (10) feet to the side property line.
- (c) No chicken pen shall be located within ten (10) feet of a rear or side property line.  
(Ord. of 10-19-09, § IV)

**Sec. 4-67. Odor, noise and lighting.**

- (a) Odors from chickens, chicken manure, or other chicken-related substances shall not be perceptible at the property boundaries.
- (b) Perceptible noise from chickens shall not be a disturbance to abutters.
- (c) Only motion-activated lighting may be used to light the exterior of the henhouse.

**Sec. 4-68. Waste storage and removal.**

Provision must be made for the storage and removal of chicken manure. All stored manure shall be

covered by a fully enclosed structure with a roof line or lid over the entire structure. All other manure not used for composting or fertilizing shall be removed from the property.

**Sec. 4-69. Licensing requirements.**

A person who keeps domesticated chickens shall obtain a license for a fee of ten dollars (\$10.00). The license shall expire annually on the last day of April. The license shall be issued by the town clerk after favorable inspection by the Brunswick Animal Control Officer or designee. The ten dollar (\$10.00) fee is nonrefundable if the license is not approved. There will be a late fee assessed to licenses that have expired, in the amount of ten dollars (\$10.00). The fine will double after the license has been expired for more than thirty (30) days.

**Sec. 4-70. Penalty.**

In addition to any other enforcement action which the town may take, violation of any provision of this article shall be a civil violation and a fine not exceeding one hundred dollars (\$100.00) may be imposed. Each day that a violation continues will be treated as a separate offense.

**Sec. 4-71. Removal of chickens.**

Any violation of the provisions of this article or of the license shall be grounds for an order from the code enforcement officer to remove the chickens and the chicken-related structures. The animal control officer may also order the removal of the chickens upon a determination that the chickens pose a health risk. If a chicken dies, it must be disposed of promptly in a sanitary manner.  
(Ord. of 10-19-09, § IX)