

DOMESTICATED CHICKEN APPLICATION

MAP _____ LOT _____

Zoning District _____ Setback Overlay _____

Town of Cumberland, Maine

PERMIT # _____

DATE APPLICATION RECEIVED _____

APPLICANT (Owner)

NAME: _____ PHONE NO: _____

MAILING _____

ADDRESS: _____

PROPERTY LOCATION: _____

LOT DIMENSIONS: _____ x _____ Area: _____

DESCRIPTION OF PROPOSED CHICKEN ENCLOSURE AND PLOT PLAN SHOWING LOCATION:

Submission Requirements on back

Total Number of Chickens (not to exceed six (6)) _____ PERMIT FEE: **\$ 10.00**

Owner/Applicant signature: _____ Date signed: _____

Office use only

CONDITIONS OF APPROVAL: _____

Date Permit Issued: _____

CODE ENFORCEMENT OFFICER

SEC 402A: Domesticated Chickens Ordinance [Adopted, effective 6/28/10]

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

Definitions:

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 hens (no roosters). A legally existing non-conforming 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 Ordinance.

Section I. Keeping of Domesticated Chickens

- (a) **No more than 6 chickens shall be allowed per single-family detached dwelling property.** No chickens shall be permitted within multi-family complexes, including duplexes.
- (b) **Only** hens 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.

Section II. 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 non-daylight 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.

Section III. 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 bird proof 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 10 feet to the side property line.
- e) **No henhouse shall be located within 10 feet of a rear or side property line.**

Section IV. Chicken Pens

- a) Chicken Pens. 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 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 10 feet to the side property line.
- c) **No chicken pen shall be located within 10 feet of a rear or side property line.**

Section V. Odor, and Lighting

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

Section VI. Waste Storage and Removal

- a) 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.

Section VIII. Licensing Requirements for Chickens on less than 2 Acres

- a) **A person who keeps domesticated chickens shall obtain a license for a fee of ten (\$10) dollars.** 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 Cumberland Animal Control Officer or designee. **The ten dollar (\$10) fee is non-refundable** 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.) The fine will double after the license has been expired for more than thirty (30) days.

Section IX. Penalty

- a) 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.**

Section X. Removal of Chickens

- a) Any violation of the provisions of this article or of the license shall be grounds for an order from the Codes 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.