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## Memorandum

**Date:** October 19, 2011  
**To:** Bonny Rodden, Town Councilor  
**From:** Amanda L. Stearns, Community Development Director  
**Cc:**  
**Re:** Chace request to review Section 5.7, Animals specifically regarding the keeping of poultry

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Please find attached the final amendment language to be presented to the Council.

The amendment makes the following changes to the existing language:

1. Poultry will be allowed in all residential districts and VMU on any size lot with the restrictions adopted for RA and RC in 2008 being applied.
2. Poultry will continue to be allowed in F, RB and VMU Districts with no restrictions provided the lot size is at least 40,000 square feet.
3. Some minor reorganizing of language was made to address general provisions for keeping of poultry.

**TOWN COUNCIL**  
**Town of Falmouth, Maine**  
**????? 2011**

**An Ordinance Amending the Zoning and Site Plan Review Ordinance  
Regarding Certain Standards for the Keeping of Poultry**

Be it ordained by the Town Council of the Town of Falmouth, Maine in Town Council assembled, that the Falmouth Zoning and Site Plan Review Ordinance be amended as follows.

Amend Section 5.7 as follows:

**5.7 Animals**

- a. Household pets are allowed in all districts. Animals kept for personal use or enjoyment not falling within the definitions of household pets, including but not limited to wild animals, horses, cattle, sheep, goats, swine, and poultry are permitted only in accordance with the provisions of this section.
- b. Regulations for Animals Other Than Household Pets Kept for Personal Use or Enjoyment [Amended 10/27/08]:

	<b><u>F</u></b>	<b><u>RB &amp; VMU</u></b>	<b><u>RA &amp; RC</u></b>	<b><u>All Other Districts</u></b>
Minimum Lot Size	40,000 sq ft	40,000 sq ft	40,000 sq ft	Not Permitted
Animals Specifically Prohibited	None	Swine	Swine and Cattle	Not Permitted

- c. The keeping of more than one horse or head of cattle shall require an additional 10,000 square feet per animal in addition to the minimum lot size.
- d. No animals of any kind shall be boarded, raised, kept or bred for commercial purposes in residential districts RA, RB and RC.
- e. Keeping of Poultry [Adopted 10/27/08]
  - 1. General Restrictions
    - a) No roosters shall be permitted in any district with the exception of Farm and Forest.
    - b) No slaughtering shall be permitted in any district with the exception of Farm and Forest.

c) Lots 40,000 square feet or greater in the F, RB, or VMU Districts are exempt from the requirements in paragraph 2 below.

2. ~~in the RA and RC Districts- Poultry may be kept for personal use in these districts with the following conditions~~The following requirements shall be met for the keeping of poultry in the following districts ~~[Adopted 10/27/08]~~: lots less than 40,000 square feet in F, RB and VMU and all lots regardless of size in RA and RC.

1.a) ~~Notwithstanding~~Notwithstanding paragraph 5.7.b. above, no minimum lot size is required.

2.b) ~~Fencing and enclosed coops shall be setback a minimum of twenty (20) feet from all property lines.~~

3.c) ~~Poultry shall be contained by fencing or other suitable materials installed in such a manner and to a sufficient height to restrict poultry from leaving the fenced area.~~

4.d) ~~Enclosed coops, if utilized, shall not exceed one (1) in number, 100 gross square feet or 12 feet in height.~~

5. ~~No slaughtering shall be permitted in any district with the exception of Farm and Forest.~~

6. ~~No roosters shall be permitted in any district with the exception of Farm and Forest.~~

7.e) ~~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 or lid over the entire structure. No more than three (3) cubic feet of manure shall be stored. All other manure not used for composting or fertilizing shall be removed. In addition, the henhouse, chicken pen and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.~~