

Topic: Considerations for proposed changes to 154.051 (3)

I. Background

- a) In Virginia, **poultry ordinances vary by municipality**, and there is no statewide law governing the keeping of chickens.

II. Pros / Cons

- a) **Proponents** of urban chickens cite the following reasons for wishing to keep a flock in areas that are not currently zoned for livestock:
 - i) Self-sufficiency through the backyard production of eggs and/or meat
 - ii) Knowing where one's food (eggs and/or meat) comes from and ensuring that it is free of hormones, antibiotics, chemicals and other genetic modifications
 - iii) Minimization of fuel use and carbon emissions that result from transporting food to markets
 - iv) Pest control – the chickens eat garden pests and mosquitos, and can help achieve a chemical-free pest solution
 - v) Production of fertilizer for compost (chicken feces)
 - vi) Reduction of kitchen scraps (used to feed the flock)
 - vii) Educating children about where food comes from
 - viii) Pets – some people enjoy keeping hens as pets
 - ix) Desire to enjoy aspects of “country living” despite their urban environment
- b) **Opponents** of backyard chickens typically offer the following counter points as reasons to maintain zoning ordinances that prevent people from keeping hens in their suburban yards:
 - i) Sanitary concerns, particularly if citizens attempt to slaughter their own chickens
 - ii) The smell that may result if coops are not cleaned regularly
 - iii) Public health concerns about the spread of [avian influenza](#) (bird flu) and [salmonella](#)
 - iv) Noise – concerns that the chickens will be loud and cause a public nuisance (typically not an issue if there are no roosters).
 - v) Dogs – what happens if a family dog kills another resident's chicken?
 - vi) Attraction of rodents and wild predators due to improper storage/distribution of feed or upkeep of coop/yard – chickens may attract certain predators looking for an easy meal – from snakes, to foxes, coyotes, red wolves and potentially even black bears. Some of these predators could carry diseases like rabies.
 - vii) Enforcement-related expenses – if backyard hens are allowed, there are concerns about the additional expenses the city could incur in making sure citizens who have chickens follow the rules of ownership. These expenses include things like the cost of processing/issuing permits,

- conducting inspections, issuing citations for people who violate the ordinance or court costs for those who are cited and do not comply.
- viii) Concerns about the effects of chickens on property values and perhaps the ability of a neighbor to sell a home with chickens living next door
 - ix) Water quality – the primary reason we sometimes have beach closures, particularly on the bay, is high bacteria levels in the water that result from too much fecal matter (i.e. dog waste) in storm water runoff. Chicken waste could contribute to this problem if it ends up in storm drains.

III. What other municipalities do

- a) Limit the number of chickens urban/suburban residents may own (this is sometimes tied to the acreage of their yard)
- b) Hens only, no roosters
- c) Pay a permit fee (sometimes this is a one-time fee, in other cases it is an annual fee).
- d) Require a coop/enclosure, and in some cases specifications for the structure are outlined
- e) In some places slaughter is not permitted
- f) In some places sale of eggs is not permitted
- g) Property line restrictions – coops/enclosures must be a certain distance from neighboring homes/property lines
- h) Requirements for storage of chicken feed
- i) Requirements for disposal of feathers and waste

IV. PC Proposed Changes to § 154.051 E (3)

Current:

(3) Agricultural with conditional use permits, but not to include the raising of animals, including horses, pigs, cattle, fowl or the like;

Proposed:

(3) Agricultural with zoning permits to include the raising of up to twelve (12) chicken hens, ducks, or guineafowl. The raising of horses, pigs, cattle or the like is prohibited.

Additionally:

- (a) At all times, chickens, ducks, or guineafowl are kept within a single shed having a single attached fenced outside run.
- (b) Shed shall be a minimum of 5 square feet per bird and run shall be a minimum of 8 square feet per bird.
- (c) Outside run area is securely enclosed on top and sides with wire mesh or similar material.

(d) Shed and attached outside run are located in the rear or side yard and setback a minimum of 10 feet from property lines. Setback from the street shall be no less than setback of house.