

AN ORDINANCE PERTAINING TO THE KEEPING OF CHICKENS

THE CITY OF LEWISTON HEREBY ORDAINS:

Chapter 14 of the Code of Ordinances of the City of Lewiston, Maine is hereby amended as follows:

CHAPTER 14

ANIMALS

ARTICLE VII. KEEPING OF NON-DOMESTIC ANIMALS

Division 4. Keeping of Female Chickens on Lots Developed with Single Family Detached Dwelling Including Mobile Homes on Individual Lots

Sec. 14-33. Purpose

The purpose of this article is to provide standards for the keeping of domesticated chickens. It is intended to enable residents to keep a small number of female chickens on a non-commercial basis while creating standards and requirements that ensure that domesticated chickens do not adversely impact the neighborhood surrounding the property on which the chickens are kept. The provisions of this section are not to preclude other sections of Chapter 14 as applicable.

Sec. 14-34. Number and type of chickens allowed.

- (a) The maximum number of chickens allowed is six (6) per lot developed with a single family dwelling.
- (b) Only female chickens are allowed. There is no restriction on chicken species.
- (c) Chickens must be purchased from an approved source such as the National Poultry Improvement Plan (i.e. hatcheries that participate in the National Poultry Improvement Plan).
- (d) This provision shall not apply to allowed agricultural uses.

Sec. 14-35. Non-commercial use only.

Chickens shall be kept as pets and for personal use only; no person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes. The slaughtering of chickens is prohibited.

Sec. 14-36. Enclosures.

- (a) Chickens must be kept in a fenced area or enclosure at all times. Enclosures must be clean, dry, and odor-free, kept in a neat and sanitary condition, in a manner that will not disturb the use of neighboring lots due to noise, odor or other adverse impact. The free ranging of chickens is not allowed.
- (b) Chickens shall be secured within a henhouse during non-daylight hours.
 - (1) Henhouses are not allowed to be attached or located in any part of a dwelling unit. The henhouse shall be enclosed on all sides and shall have a roof and doors. The henhouse must be well-maintained.
- (c) Chickens shall be kept only in the rear or side yard behind the principle structure of the

lot and must be kept on the property of the owner. Chicken henhouses, fenced areas, and enclosures shall not be closer than twenty (20) feet to any property line.

Sec. 14-37. Odor and noise impacts.

The keeping of chickens authorized under this section shall not create a nuisance and shall be conducted in a manner that does not disturb the use of adjacent properties. Odors from chickens, chicken manure, or other chicken-related substances shall not be perceptible at the property boundaries. Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity.

Sec. 14-38. Predators, rodents, insects, and parasites.

The property owner and/or chicken owner shall take all necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by the City, through the animal control officer, or any other designee, and the cost of the same shall be borne by the property owner and/or chicken owner.

Sec. 14-39. Permit requirements.

The keeping of chickens authorized under this section shall require the issuance of a use permit as per Appendix A, Article V, Section 5 of the Zoning and Land Use Code. The issuance of a use permit will include any permitting required for enclosures referenced in Sec. 14-36. Enclosures.

Sec. 14-40. Separability.

In the event that any section, subsection or portion of this article shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this article.

ARTICLE VIII. PROHIBITIONS

Sec. 14-33 41. Placement and baiting of animal traps.

Sec. 14-34 42. Prohibition of animal poisoning.

Sec. 14-35 43. Noise prohibition.

Sec. 14-36 44. Odors and unclean condition prohibitions.

Sec. 14-37 45. Animals at-large prohibition.

**ARTICLE IX. PUBLIC LANDS, PARKS AND PLAYGROUNDS: CONTROL OR
PROHIBITION OF DOMESTIC ANIMALS**

DIVISION 1. LEASH REQUIREMENTS

Sec. 14-38 46. Sixteen-foot leash requirements and exceptions.

DIVISION 2. CITY PROPERTY

Sec. 14-39 47. Parks, cemeteries, playgrounds and athletic fields.

ARTICLE X. NUISANCES

Sec. 14-40 48. Public nuisances.

Sec. 14-41 49. Disposal of excrement.

Sec. 14-42 50. Trucks, trailers and other vehicles.

ARTICLE XI. DAMAGE TO PROPERTY

Sec. 14-43 51. Complaint and recovery.

ARTICLE XII. ANIMAL SAFETY

Sec. 14-44 52. Authority of the ACO.