

The Accessory Non-Commercial Raising and Keeping of Small Livestock, Fowl or Poultry

With revisions approved by the Planning Board on July 16, 2015

Project Description

This report responds to County Council Resolution 73-13 which requests the Planning Board to review surrounding jurisdictions and County laws and regulations relating to the use of land for the accessory non-commercial raising and keeping of small livestock, fowl, or poultry; determine what, if any, changes are needed to Baltimore County's laws, regulations, or zoning classifications regarding such uses; and to report their findings and recommendations to the County Council.

Background

Across the country, citizens living in urban and suburban communities are asking their elected officials to let them become part of a "new" yet "old" movement. They are requesting an update to laws concerning the raising of chickens within established communities. Recent municipalities around the country and the state are showing a trend towards allowing or even encouraging this practice (Meakins 2010).

Agriculture began to be viewed as a rural activity not suitable for the refined culture of the "city" and then as a potential threat to the health and safety of the population. Farming in many cities became illegal or highly regulated. However, economic, environmental, and philosophical issues have recently renewed the public's interest in home-based food production. With that being said, many cities are now facing the decision of whether to allow their residents to keep chickens and, if so, how to effectively regulate the practice (Bouvier 2012).

There have been recent changes to legislation regarding these practices in three out of the five adjacent counties to Baltimore County: Anne Arundel, Baltimore City, and Howard County. All three counties passed new regulations in 2013. As of the writing of this report, Carroll, Prince Georges, and Harford Counties have not rewritten their regulations. Montgomery County rewrote their zoning ordinance in 2014 and did not include updated regulations in regards to the keeping of small livestock fowl or poultry. Code enforcement officials from Anne Arundel, Howard, and Baltimore City report that there have been no code violations concerning chickens since their regulations have been enacted. However, all three of the counties have had animal control complaint calls for chickens at large. A summary of the regulations for the adjacent counties that allow for the raising of chickens is listed in table 1 below:

Table 1 – Summary of Requirements

| County | Number of chickens permitted | Minimum Lot Size | Setbacks | License |
|----------------|------------------------------|------------------|----------|---------------------|
| Anne Arundel | 4 - 8 | 10,000 – 40,000 | 25 feet | \$30.00 for 3 years |
| Howard | 8 | 10,000 | 15 feet | none |
| Baltimore City | 4 - 10 | 2,000 | 15 feet | \$80.00 |

Baltimore County Public Input Meeting

The Baltimore County Department of Planning held a public information meeting on March 20, 2014. The purpose of this meeting was for the Department of Planning, along with various other County agencies, to have the opportunity to hear the public’s thoughts and opinions on Resolution 73-13. The overwhelming majority were in favor of relaxing the regulations for the keeping of chickens (hens). No one spoke or gave written comments in favor of keeping any other small livestock, fowl, or poultry. Of the approximately fifty people who spoke or submitted written comments, about ninety percent were in favor of allowing chickens, and about ten percent were opposed. Some major themes from the proponents were:

- Chickens provide fresh, nutritious eggs.
- Chickens are quieter than dogs. At their loudest, some varieties of laying hens cackle for a few minutes each day right before or right after laying an egg. The noise level is about the same as a human conversation (60 to 70 decibels). As a matter of instinct, hens roost and sleep when the sun goes down, so they make no noise during the night unless disturbed. By contrast, dogs can be a nuisance by barking very loudly around the clock.
- Roosters crow about as loudly as a barking dog or a lawn mower (90 + decibels) but they are not needed to produce eggs.
- A well-maintained chicken coop is virtually odor free. Well-maintained coops will not generate noxious odors that are noticeable more than two or three steps back from the coop, even when they are in need of cleaning.
 - In terms of waste control,
 - A 60-lb dog generates about 1 pound per day of solid waste, which is about the same as 8 chickens.
 - Dog waste is difficult to clean up thoroughly in back yards, because it is scattered around, and cannot be completely removed without digging up dirt, grass or plants around it. Dog owners routinely have to settle for removing 98% (not 100%) of the solid waste left by dogs, and 0% of the liquid waste.

- Chicken waste is both liquid and solid and is completely contained inside the coops and enclosures under normal circumstances. It can be scooped out in just a few minutes.

Major themes of those who were against changing the regulations were:

- Chickens produce large amounts of waste.
- Reports have cited poultry manure as the largest source of excess phosphorus and nitrogen in the Chesapeake Bay.
- Chickens can produce horrific odors in the warm months, even if they are “properly” cared for.
- Chickens can be noisy and it is almost impossible to get them to quiet down, regardless of how many.
- Chickens increase the rat population.
- Disease organisms found in manure can become airborne and infect humans.
- Chickens should not be allowed in higher density residential neighborhoods, especially townhome communities.
- Chickens should not be allowed within the boundaries of a National Register or Baltimore County Historic District.

Discussion

Currently, the zoning regulations as well as the county code restrict the keeping of noncommercial livestock to a minimum of one acre. Consequently, those who desire to keep the animals on smaller lots have sought relief through zoning variances. During the past five years in Baltimore County there have been approximately eleven variance requests for chickens, two variance requests for goats, and two requests for pigeons. All but one variance request for chickens has been granted.

From the public input meeting, the current issue with noncommercial livestock appears to be about the ability of residential property owners with lots smaller than one acre to raise chickens. No advocates for other types of livestock have come forward. Thus, staff’s response will only address chickens.

There are several County agencies involved in regulating the keeping of animals in residential areas –the Department of Health and Human Services; the Department of Permits, Approvals and Inspections, and the Department of Environmental Protection and Sustainability.

The Department of Health and Human Services which houses the division of Animal Control, is mainly concerned about disease. Chickens can transmit disease to humans regardless of the size of the flock. Salmonella and Campylobacter are carried by healthy chickens and are transmitted to people via direct contact, exposure to manure, or consumption of undercooked chicken and eggs. Infection is characterized by diarrhea, vomiting, fever, and/or

abdominal cramps. In areas with quantities of bird droppings, histoplasmosis can cause a respiratory disease with cough and shortness of breath.

Reducing the number of animals and adhering to strict handling guidelines such as those promulgated by the Department of Agriculture and the Centers for Disease Control greatly reduces the risk of disease transmission. In addition to bacteria, two theoretical public health hazards include avian influenza and exotic Newcastle disease. However, neither are significant public health hazards in this country.

The Code Enforcement Division within the Department of Permits, Approvals and Inspections is generally opposed to any regulatory changes because of outstanding issues with rodent control. The Norway rat, being a prolific breeder, under ideal conditions, with an adequate food supply, may produce as many as eighty offspring in one year. Rats are sexually mature at five weeks and have a gestation period of three. Exponentially explosive growth in population occurs when those offspring begin breeding themselves. The size of a rodent population is directly proportional to the available food supply. Improper storage of chicken feed is a primary concern when considering the impact of allowing chicken keeping in a dense residential zone.

Even when chicken feed is properly stored and cleaned up daily, rats will prey on chicks, eggs and fully grown birds. When food is scarce, they will raid the coops at night attacking juvenile and adult birds. Rats kill chickens by biting them about the head or neck. Chickens and chicks may be partially eaten, and the remains may be pulled into burrows or other concealed locations for later feeding. When not preying directly on chickens, rodents will defecate and urinate in feed while they are feeding on it. The birds may then ingest this excrement and become ill with salmonella or other diseases.

Baltimore County increased its efforts to control the rodent population when the County Council enacted legislation to exterminate in six neighborhoods in the 7th district in late 2007. The current five-year program of rodent eradication began in April of 2011 in neighborhoods with high rodent complaint levels. By October of 2011, over 2,000 properties had been treated in the 1st, 5th, 6th and 7th councilmanic districts. These extermination efforts were bolstered by increased code enforcement, combined with elevated fine levels for those violations deemed to be the primary sources of nutrition for rodents. Those violations include but are not limited, to improperly stored garbage, animal feces, animal and bird feed and feeders as well as unkempt vegetable gardens and conditions that provide harborage. Those efforts continue to date, and the department has experienced an overall reduction in rodent-related complaints in many of the treated areas.

The Department of Environmental Protection and Sustainability (EPS) is also opposed to any proposed regulatory changes. The county is currently in the process of developing Implementation Plans for Bacteria Total Maximum Daily Loads (TMDLs) in seven of the county's watersheds (Patapsco River, Gwynns Falls, Jones Falls, Herring Run, Prettyboy, Loch Raven, and

Liberty). The bacteria TMDLs are based on the disease risk to humans that come into contact with recreational waters. Pet waste constitutes from 9% to 22% of the source of bacteria in the county's urban streams and a 96% to 98% reduction in pet waste bacteria is required to meet water quality standards. This will be a difficult reduction target to achieve without the potential additional loads new regulations would create. In general, it is the experience of EPS that cleaning up after pets is not a priority for all pet owners. Hence, the county will be investing significant funds to develop and promote a pet waste education and outreach program. The estimated cost of addressing the pet waste bacteria is about \$100,000 for the initial development of the outreach and education program with additional costs associated with installation of pet waste disposal sites and maintenance. EPS will seek to use the licensing of dogs to target the pet waste education and outreach program. Without a similar permitting program for chickens, there would be no way to target the program. Also, including additional outreach and education specific to chickens would add to the cost.

Recommendations

The county resolution asks that the Planning Board "review and evaluate the County's standards regarding the raising and pasturing keeping of non-commercial livestock and to make changes to County laws and policies where necessary to reflect current trends and standards."

A strong and growing trend across the nation in favor of "backyard chickens" is evidenced by the numerous organizations that are supporting and promoting of this form of sustainable agriculture. In addition, numerous local jurisdictions, from small towns to large cities, have adopted regulations to allow this use, including several in the Baltimore metropolitan region. Accommodating this growing trend will allow the citizens of Baltimore County the ability to keep and raise chickens on their properties and gives them access to a cost effective, localized and sustainable source of food.

Planning staff recommends that chickens be allowed on smaller lots with regulations that would address potential negative impacts. With regulation comes the opportunity to control how the animals are kept and to require licensing. Licensing will permit the county to target its education, inspection and enforcement activities. The license fee can off-set the additional costs that might accrue from permitting chickens on residential properties. While the number of backyard chickens is likely to increase if they are permitted on small lots, it will still be a relatively small number compared to the amount of dogs and cats that live in and are registered in the County. Overall, with regulations and licensing, the effects on public health, rodent populations, and water quality could be minimized.

Staff developed regulatory language based on staff review of the ordinances of many other jurisdictions that permit single family residences of variously sized lots to raise chickens and other fowl. Most of these ordinances contain language that regulates how the fowl are to

be kept to minimize rodent and environmental problems, limit the number of chickens, and provide minimum lot sizes and setbacks for chicken enclosures.

Recommended Regulations

The following recommendations for revisions to the Baltimore County Zoning Regulations includes amending Section 100.6 to describe lot area limitations and adding a new section, Section 451: Hens, to define structures and setbacks. Revisions are also recommended to the Baltimore County Code to require licensing of hens and to further regulate how hens are kept to limit negative effects on general health, safety and welfare.

Roosters are not permitted under any of these proposed changes to the regulations. Roosters are loud even on five acre rural lots and can be a nuisance. For egg production one does not need a rooster unless one wants fertilized eggs. Possibly one might want a rooster for the eventual replacement of the hens, however, this does not appear to be practical when one can easily buy a replacement pullet (young hen).

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Baltimore County Zoning Regulations

100.6 Land used for stabling and pasturing of animals.

[Bill Nos. 51-1993; 63-2009]

A tract of land used for the accessory stabling and pasturing of animals and which is not a commercial agricultural operation is subject to the following provisions:

| Type | Limitation | Minimum <u>Acreage-Land Area</u> |
|---|---|--|
| Large Livestock: Horses, burros and cattle | 1 animal for each acre of grazing or pasture land* | 3 <u>Acres</u> |
| Small Livestock: Sheep, goats and pigs, except an Asian potbellied pig (see Section 400) ponies and miniature horses | 2 animals for each acre of grazing or pasture land* | 3 <u>Acres</u> |
| Fowl or Poultry: <u>Hens (roosters are not permitted)</u> | <u>6†</u> | <u>5,000 Square Feet</u> |
| <u>Hens, ducks, turkeys, geese, pigeons (roosters are not permitted)</u> | <u>25, provided that a nuisance is not created or allowed to exist on the property</u> | <u>1 - 3 Acres</u> |
| Chickens, ducks, turkeys, geese, pigeons | No numerical limit, provided that a nuisance is not created or allowed to exist on the property | <u>± 3 Acres</u> |

* Sucklings and weanlings under 12 months of age will not be counted.[1]

† **With a use permit. See Section 451.**

[1]: Editor's Note: See also Section 404.

ARTICLE 4: SPECIAL REGULATIONS

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Section 400.1

Accessory buildings in residence zones, other than farm buildings (Section 404) **and coops (Section 451)** shall be located only in the rear yard and shall occupy not more than 40% thereof.

Section 451: Hens

451.1 Hens are permitted as an accessory use in residential zones improved with single family detached dwellings only under Section 100.6 and with a use permit approved by the Zoning Commissioner are subject to the requirements of this section, and the Baltimore County Code.

451.2 Structures for hens

A. Hens shall be housed in an accessory structure hereinafter referred to as a coop, in the rear yard.

B. The coop shall have walls and a roof, and have the following characteristics:

1. Be well ventilated, provide protection from the weather, and be designed to be easily accessed for cleaning.

2. Provide a minimum of three (3) square feet per hen.

3. Have a floor elevation a minimum of eight (8) inches above grade to prevent access by rodents.

4. Height of the structure is limited to (8) feet.

C. Hens shall have access during the daylight hours to an outdoor run that is adequately fenced to contain the hens on the property and to prevent predators from gaining access. The outdoor run shall provide at least four (4) square feet per hen.

D. The coop and associated outdoor run must be located twenty five (25) feet from any neighboring residence and ten (10) feet from a side or rear property line.

E. If there have been no hens housed within the coop for a period of one year, then the coop shall be removed from the property.

451.3 Requirements for hens

A. An application for a use permit shall be submitted to the Department of Permits, Approvals, and Inspections and include a site plan indicating the location and type of structure on the lot in question and the proximity of dwellings on adjacent lots.

B. Also included on the application shall be proof of written notification of the proposed use sent to the adjacent property owners and local community association.

C. On the property in question, notice of the application for the use permit shall be conspicuously posted by the Zoning Commissioner for a period of 30 days following the filing of the application.

D. If a formal request for a public hearing is not filed, the Zoning Commissioner, without a public hearing, may grant a use permit for hens if the proposed use meets all the requirements of this subsection and any other applicable requirements. The use permit may be issued with such conditions or restrictions as determined appropriate by the Zoning Commissioner to satisfy the provisions of this section and to ensure that the hens are not detrimental to the health, safety or general welfare of the surrounding community.

E. If a formal request for a public hearing is filed, the Zoning Commissioner shall schedule a date for the public hearing to be held not less than 15 days following public notice of such hearing in two newspapers of general circulation and not more than 60 days from the date of filing of the requests for public hearing.

F. Following the public hearing, the Zoning Commissioner may either deny or grant a use permit conditioned upon:

1. His findings following the public hearing; and

2. The manner in which the requirements of this section and other applicable requirements are met and any additional requirements as deemed necessary by the Zoning Commissioner in order to ensure that the hens are not detrimental to the health, safety or general welfare of the surrounding community and which are deemed necessary to satisfy the objectives of Section 502.1 of these regulations.

ARTICLE 12. ANIMALS

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SUBTITLE 9. HENS

Section

12-9-101. License or permit required

12-9-102. Application for license or permit

12-9-103. Owner responsibilities

12-9-104. Revocation of license or permit

12-9-101. LICENSE OR PERMIT REQUIRED.

***In general.* A person may not keep or allow to be kept on the person's premises noncommercial residential hens permitted by Section 100.6 of the Baltimore County Zoning Regulations without obtaining a use permit in accordance with the Baltimore County Zoning Regulations and a license in accordance with these regulations from the Department of Permits, Approvals and Inspections.**

12-9-102. APPLICATION FOR LICENSE OR PERMIT

***License year.* The license year is the fiscal year July 1 through June 30.**

***Time for application.* An application for a license must be made before obtaining any hens.**

***Contents.* The application for a hen license shall require the applicant to state:**

- (1) The name, address, telephone number, and election district of the owner of the hens;**
- (2) The name, address, telephone number, and election district of the owner of the property on which the hens are to be kept, if it is different than the owner of the hens;**
- (3) The number of hens;**

(4) That they are solely responsible for assuring that the hens may be kept on the property under any applicable covenants or bylaws; and

(5) That the falsification of any information on the application is cause for the revocation of the license.

(d) Application submittals. The application shall be accompanied by:

(1) A site plan showing the location of the coop and outdoor run and the proximity of adjacent dwellings;

(2) Evidence of current registration with all applicable state permits unless the owner is exempt from registration under state law.

(e) Renewal of Licenses. A license for hens must be renewed annually as long as the hens are kept on a property.

(f) Fees.

(1) The Department of Permits, Approvals and Inspections may charge a fee for a license issued under this article.

(2) The charge for issuance of a license after a late application is an additional penalty of 50% of the full annual license fee.

12-9-103. OWNER RESPONSIBILITIES.

Coops and outdoor runs shall be kept clean, dry, and free of any debris and in good repair at all times.

Coops and outdoor runs must be kept free of all offensive odors and materials that may attract rodents, insects, or other pests.

Hens shall be allowed outside of the coop or outdoor run to range freely in a fully fenced backyard and under the direct supervision of the owner or another responsible individual.

Potable water and proper feed must be made available.

Feed shall be stored in secure rodent proof containers.

Hens shall not be fed in a manner where the food constitutes a source of rodent food.

Waste material shall be placed and stored until collected in covered containers.

Waste material shall not to be used for garden or yard fertilizer.

All hens must be afforded veterinary care if they are known or suspected to be sick or injured.

Slaughtering of hens on the property is prohibited.

12-7-104. REVOCATION OF PERMIT.

At the request of the Health Officer, the Director of Permits, Approvals and Inspections or the Director's designee may revoke a hen license issued under this title if in the judgment of the Health Officer the maintaining of the hens is detrimental to the public safety, health, or welfare.

ARTICLE 13. PUBLIC HEALTH, SAFETY, AND THE ENVIRONMENT

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TITLE 7. NUISANCES

SUBTITLE 3. RODENT CONTROL

Section

13-7-311. HOUSING OF FOWL AND LIVESTOCK.

(a) *Exception.* This section does not apply to Asian pot-bellied pigs.

(b) *Prohibited.* A person may not house or maintain within a residential area less than 1 acre in size:

- (1) Fowl, including ~~chickens~~, ducks, and geese;
- (2) Small livestock, including pigs, sheep, and goats; or
- (3) Large livestock, including horses, cows, and ponies.

(c) *Special requirement for large livestock.* A person housing or maintaining large livestock within a residential area may not exceed one animal per acre.

(1988 Code, § 22-48) (Bill No. 211, 1990, § 1, § 2; Bill No. 105-00, § 2, 7-1-2004; Bill No. 73-04, § 15, 9-25-2004)

References

Bouvier, Jamie. 2012. "Illegal Fowl: A Survey of Municipal Laws Relating to Backyard Poultry and a Model Ordinance for Regulating City Chickens." Retrieved March 24, 2014, from Social Science Research Network. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2119494

Meakins, Gail. 2010. "Permissive Zoning for Urban Chicken Farming." Retrieved January 5, 2015, from American Planning Association. <https://www.planning.org/practicingplanner/2010/fall/>

Selected Code References

Anne Arundel County, Maryland: Section 12-4-709, "Chicken and duck license."

Baltimore City, Maryland: "Regulations for Wild, Exotic and Hybrid Animals."

Howard County, Maryland: Section 128, "Residential Chicken Keeping."

Appendix A - Surrounding Jurisdiction Regulations

Anne Arundel County:

12-4-709. Chicken and duck license.

(a) License – Scope. The provisions of this section apply to the keeping of chickens and ducks in the County, excluding the City of Annapolis. A chicken or duck license permits the owner to own chickens or ducks as pets and to consume eggs produced by the kept chickens or ducks.

(b) License – Generally. A County resident keeping chickens or ducks on a lot less than 40,000 square feet for any length of time shall have and maintain a license for keeping chickens and ducks on the property. An owner shall:

(1) apply for a license before obtaining the chickens or ducks or bringing the chickens or ducks into the County;

(2) provide evidence of current registration with the Maryland Department of Agricultural, Domestic Poultry and Exotic Bird Registration Division unless the owner is exempt from registration under State law;

(3) acknowledge that they are solely responsible for assuring that chickens and ducks may be kept on the property under any applicable covenants or bylaws; and

(4) acknowledge that the falsification of any information on the application is cause for revocation of the license.

(c) License – Fee and renewal. The fee for each license is \$30.00. All licenses shall be valid for three years and be renewed before expiration for as long as an owner keeps chickens and ducks on the property. Unless specifically exempted by law or variance, all zoning requirements set forth in § 18-4-104 of this Code must be met before a license issued under this section may be renewed. An application for renewal shall be accompanied by the required license fee. Failure to make application for renewal before the renewal due date shall result in a late fee of \$10.

(d) License – Prohibition. Roosters may not be kept on a lot less than 40,000 square feet.

(e) License – Revocation. A license may be revoked or suspended pursuant to § 12-4-710(b).

12-4-801. Animals outdoors.

(j) Shelter for animals outdoors other than dogs. A shelter for any animal other than a dog shall be maintained in accordance with the following provisions.

(i) Coops for chickens and ducks shall have four walls and a roof, be ventilated, constructed to be raised two feet from the ground, have a minimum of three square feet per chicken, have

secure door or gate closures, attached bottoms or anti-digging devices to prevent escape, and be built in such a manner to prevent access from predators and withstand weather.

() Outside enclosures for chickens or ducks shall have a minimum of ten square feet per chicken.

() Manure. Other than on a farm, a manure pile may not be allowed to stand for longer than one month between October 15 and April 30 or for longer than seven days between May 1 and October 14. A manure pile on a lot less than 40,000 square feet may not be allowed to stand for more than seven days.

12-4-802. Food and water required.

Animals shall be provided with daily food and water, free of visible contamination, that is wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the animal.

18-4-104. Pets; livestock or fowl.

() Pets. The keeping of pets for other than commercial purposes is allowed.

() Livestock or fowl. The keeping of livestock or domestic fowl is allowed in accordance with the following:

() Chickens and ducks may be kept on a lot of 20,000 square feet or greater improved by a single family dwelling and may not exceed a ratio of one bird unit per 20,000 square feet. A bird unit for lots 20,000 square feet or greater but less than 40,000 square feet is defined as follows:

8 chickens – hens only = 1 bird unit

4 ducks = 1 bird unit

() Chickens, not including roosters, may be kept on a lot 10,000 square feet or greater but less than 20,000 square feet that is improved by a single family dwelling provided the number of chickens does not exceed four chickens.

() All livestock and fowl shall be kept within a fenced area. Chickens or ducks on lots less than 40,000 square feet shall be kept in a secured enclosure with a chicken coop.

() Coops and enclosures for chickens or ducks on lots less than 40,000 square feet shall be located at least 25 feet from side or rear lot lines and 25 feet from any dwelling.

Howard County:

Residential Chicken Keeping

Only in residential districts where it is enumerated as an accessory use, the keeping of hens is permitted provided it is in compliance with the criteria below.

- a. The lot size shall be 10,000 square feet or larger.
- b. The lot shall be improved with a single-family detached dwelling which is occupied as a residence.
- c. The maximum number of chickens is eight hens. Roosters are prohibited.
- d. A hen house/chicken coop shall be provided. This shelter shall be located in the rear yard and shall be located 15 feet from all lot lines at a minimum, except if the property is within the Planned Service Area the shelter shall be at least 15 feet from all lot lines, 50 feet from a neighboring dwelling and shall not create a nuisance. This minimum distance cannot be reduced through variance procedures. This hen house shall allow adequate air circulation to prevent the concentration of odors. Any chicken coop that has not been actively used to house chickens for a year must be taken down and removed from the property.
- e. The area in which the chickens forage on the property and in which the shelter is located shall be fenced in such a manner that the chickens are confined to the property. This fence shall comply with all requirements for fences as noted elsewhere in Section 128.0.
- f. The owner(s) shall conduct proper litter management practices within the shelter so that odors are not detectable from adjoining properties.
- g. Chickens kept in accordance with this regulation must also be registered with the Maryland Department of Agriculture as required by section 3-804 of the Agriculture Article of the Maryland Code.

Baltimore City:

Chickens

1. No person may own, keep, or harbor any chickens without:
 - a) obtaining a permit from the Office of Animal Control;
 - b) registering with the Maryland Department of Agriculture, Domestic Poultry and Exotic Bird Registration Division; and
 - c) obtaining all applicable zoning and building permits or authorizations prior to building or using a chicken coop or loft.
2. Numbers permitted:
 - a) No more than four (4) chickens over the age of 1 month may be kept on lots less than 2,000 sq. ft.
 - b) On lots greater than 2,000 sq. ft., four (4) chickens over the age of 1 month may be kept and one (1) additional chicken over the age of 1 month may be kept for every additional 1,000 sq. ft. of lot area, not to exceed a total of ten (10) chickens, except in the case of community gardens and urban agricultural enterprises approved by the Commissioner as described in (c) below.
 - c) On lots greater than 5,000 sq. ft. community gardens and urban agricultural enterprises may submit permit applications for keeping chickens in numbers greater than ten (10), which will be approved solely at the discretion of the Commissioner as follows:
 - d) One (1) additional chicken over the age of one month may be kept for every additional 1,000 sq. ft. of lot, not to exceed a total of fifty (50) chickens;
 - e) The application must include a written management plan that includes, how the chickens will be housed, how waste will be managed, how the chickens and their feed will be protected from predators and other pests, and how impacts to surrounding property owners will be avoided.
3. All chickens must be provided with a sanitary and adequately sized covered coop or loft:
4. No coop or loft may be closer than 15 feet to any residence.
5. Each coop or loft must be kept clean, free of all odors and materials that may attract rodents.
6. Each coop or loft must be moved frequently to minimize turf destruction and the build-up of manure borne pathogens such as coccidiosis and roundworms.
7. Coops and/or lofts must allow a minimum of 2 square feet per hen.

8. All chickens must be provided with access to a well-constructed shelter that provides suitable protection from inclement weather.
9. The chickens must be provided with shade during warm weather.
10. Potable water and proper feed must be made available.
11. All chickens must be afforded veterinary care if they are known or suspected to be sick or injured.

Qualification for, application for, and term of Baltimore City permit of allowed exotic, wild, or hybrid animals.

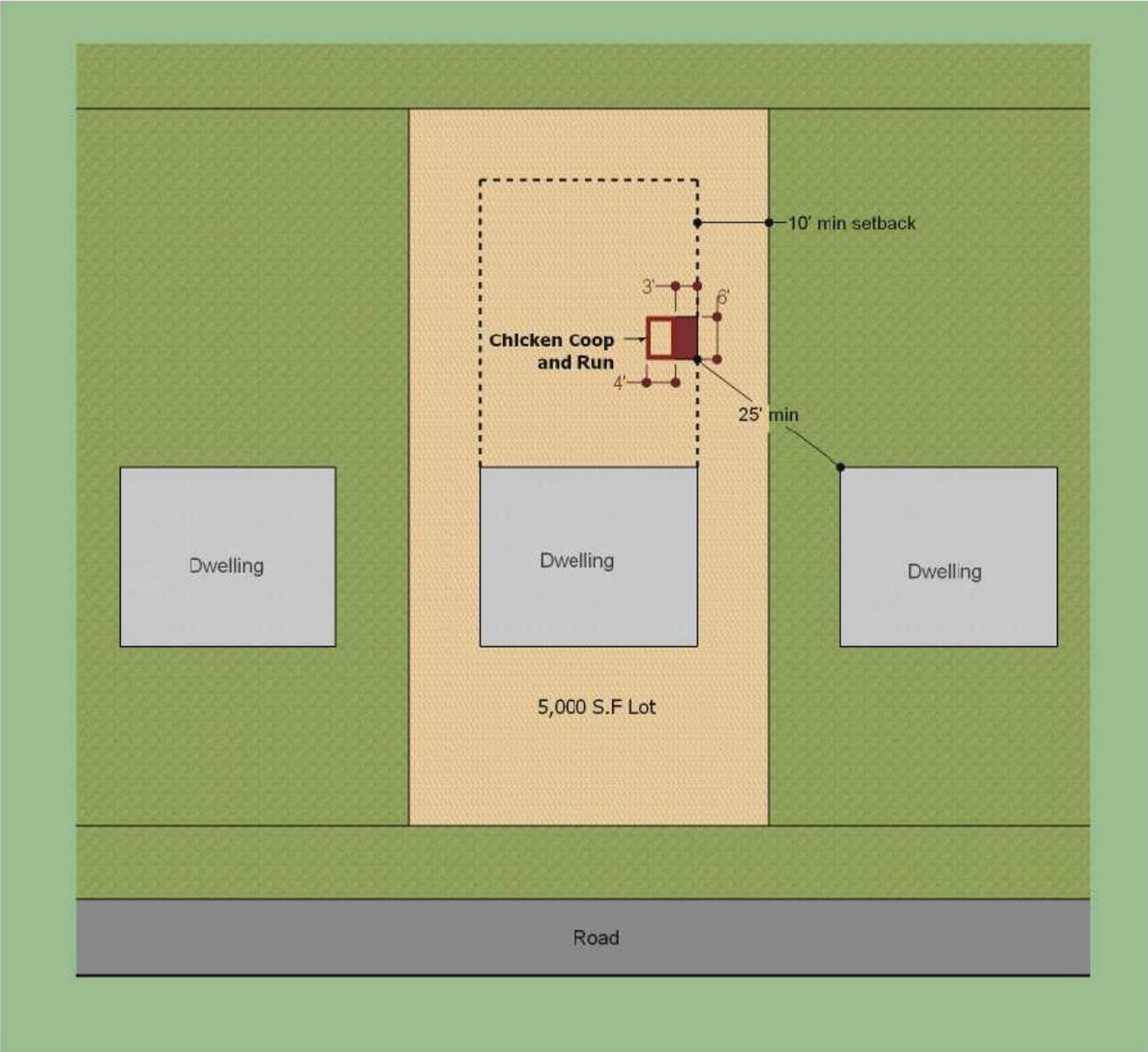
- A. Applicant must submit a permit application that has been completed in accordance with this section to the Office of Animal Control within ten (10) days of acquiring the animal(s).
- B. Applicant must provide an affidavit certifying that neither the applicant or any operator, employee, or agent of the applicant has ever been convicted of animal abuse, cruelty, or neglect.
- C. Except in the case of beekeeping, applicant must provide a photo of the animal and proof of current vaccinations and health examination (as applicable to the type of animal). These records must be available for inspection by the Office of Animal Control on request.
- D. In the application provided by the Office of Animal Control, the applicant shall provide his/her name and address, and designate the type, breed, age, and the gender of the animal (as applicable).
- E. With the exception of beekeeping permits, a permit shall be valid only at the location where the animals are normally housed. A beekeeping permit shall be valid for each host site that is properly registered and approved under the permit with the Office of Animal Control.
- F. Renters must submit written permission from the property owner to have the animal(s) at the premises. This includes renters who are providing a premises as a host site for beekeeping.
- G. Permit fees shall be as follows:
 1. There shall be a permit application fee of \$80.00 for an individual animal or group of animals, of the same type except as noted below:
 - a) Snakes, lizards and green iguanas may together be considered a collection and as such, may pay one application fee for the collection.

b) Recognizing the unique role honey bees play in contributing to public welfare as pollinators sustaining a diverse variety of food crops, the need to increase honeybee populations generally, as well as the need to protect honeybees from disease, beekeepers shall not be required to pay a permit application fee. Beekeepers are nonetheless required to obtain a permit.

H. An application provided to the Office of Animal Control must be completed and submitted with cash or a certified check, bank check, or money order made payable to The Director of Finance for the total cost of the permit.

I. A permit shall remain valid unless it be suspended or revoked by the Commissioner.

Appendix B - Typical layout of a 5,000 square foot lot with a coop



Appendix C - Pictures of Coops in Baltimore County



Appendix D - Pictures of Small Residential Coops

