O-2018-04

AMENDMENT TO TITLE IX: GENERAL REGULATIONS, CHAPTER 93 – ANIMALS, SECTIONS 93.01, DEFINITIONS, 93.06, ROOSTERS AND CHICKENS, AND 93.99, PENALTY

AMENDMENT TO TITLE XV: LAND USAGE, CHAPTER 151 – DISTRICT REGULATIONS, SECTION 151.086, RA, RESIDENTIAL AGRICULTURAL DISTRICT

WHEREAS, the keeping of female chickens in the corporate limits is a common practice in almost every municipality in Rockingham County; and

WHEREAS, raising female chickens can provide families with organic meat and eggs free of hormones and GMO; and

WHEREAS, caring for female chickens can provide valuable educational benefits for children; and

WHEREAS, the Town Council of the Town of Stoneville wishes for the changes to be effective upon adoption.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Stoneville that Chapter 93 – Animals in the Stoneville Town Ordinance be amended as it appears below:

Title IX: GENERAL REGULATIONS

Chapter 93 - ANIMALS

§ 93.01 DEFINITIONS

LIVESTOCK. All equine species, including horses, ponies, donkeys and mules; all bovine species, including cows and cattle; all ruminates, including goats and sheep; roosters, ducks and turkeys, and all other animals, including bees and non-plant life, that typically are kept primarily for productive or useful purposes rather than as pets. For purposes of this chapter, none of the above listed species or animals may be considered to be pets. Female chickens are specifically excluded from this definition.

(Ord. passed 8-1-2006; Ord. passed 11-13-2018) Penalty, see § 93.99

§ 93.06 ROOSTERS & CHICKENS.

a) Roosters.

1) The Town Council finds that the noise and disturbance associated with the keeping of roosters by individuals, corporations or entities within the Town's corporate limits constitutes a nuisance.

2) No person corporation or entity may cause, suffer or permit roosters to be kept on any property situated within the corporate limits of the Town.

b) It shall be unlawful for any person to keep more than twenty (20) female chickens within the corporate limits of the Town.

c) Female chickens must be kept at a minimum of 100 feet from the dwelling house of another person. Female chickens must be confined and quartered within a fenced enclosure. It shall be unlawful for any person to permit any female chicken to be at large in the Town.

d) All chicken houses and lots must be maintained in a clean and sanitary condition at all times. Waste shall not be permitted to accumulate, but shall be removed and disposed of in a sanitary and lawful manner.

e) It shall be unlawful to raise female chickens for commercial purposes within the corporate limits of the Town.

f) Female chickens will only be permitted in the RA, Residential Agriculture, or RS, Residential Suburban, districts.

(Ord. passed 8-1-2006; Ord. passed 11-13-2018) Penalty, see § 93.99

§ 93.99 PENALTY

(B) (1) Violation of § 93.03 of this chapter is a Class 3 misdemeanor which is punishable by a maximum fine not to exceed $200 or imprisonment or both.

…

(3) The owner of female chickens not kept in compliance with § 93.06, if fined three or more times pursuant to subsection (B)(1) above, then the female chickens may be seized by law enforcement.

(Ord. passed 8-1-2006; Ord. passed 11-13-2018) Penalty, see § 93.99

The amendments to this ordinance are effective on its date of adoption, this 13th day of November, 2018.

_____

Ricky Craddock, Mayor

ATTEST:

_____

Sherri Darnell, Town Clerk