

Food-Producing Animal Regulations														
FOWL														
	Denver Current - Zoning	Denver Current - Other	Denver Options - Zoning	Denver Options - Other	Seattle	Portland	Chicago	New York	Los Angeles	Fort Collins	Longmont	Colo Springs	Littleton	Arvada
<b>(1) Species, Gender, Number</b>														
Species			Chickens, ducks		Domestic Fowl (no turkeys or peacocks)	Chickens, Ducks (others may be allowed w/ permit)	not regulated, unlimited number of fowl may be kept as pets (eggs may be collected for personal consumption, but not sale); provisions for animal care and control under chapter 7-12 (Animal Care and Control) of the Chicago Municipal Code apply.* This chapter is non-specific with regard to chickens except 7-12-300 (no slaughter unless it is in a facility specifically regulated for animal slaughter), 7-12-350 (no dyeing of baby chicks, other fowl or rabbits)	No rooster, duck, goose or turkey in built-up portion of the city	Not specified	Chickens	Chickens only	Fowl=chicken, duck, goose, turkey, pigeon	Chickens	Chickens or turkeys
Males?			No		No roosters	doesn't specify		No	Yes	No	No	No	No	No
Number	Zoning: Not specified; if not on the list it's considered "unlisted" and applicant can ask for anything		max of 8 on smaller lots; max of 12 on larger lots		8; Community Gardens and Urban Farms over 10,000 SF: 8+ 1 per each additional 1,000 SF over 10,000 SF	Up to 3 (total FPAs) w/o permit; no limit with permit			No limit	6	4	10 (6 months or older); more requires a nonuse variance	4	2

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<b>(2) Space &amp; Shelter</b>														
Min. sq. ft required	Zoning: no specific requirements, it would be determined through the administrative process	Need to check Dept of Environmental Health rules.	min. 4 sq. ft. of pervious land area per animal - must be devoted to animal keeping (no other use)	n/a (chose not to include this to avoid administrative complexity)	Not specified				Not specified	None specified				
Min. lot size			Below 7000 sq.ft. lots, max. 8 animals; larger than 7000 sq.ft., max. 12 animals	n/a	Not specified				Not specified	None specified				
Fencing			Animals must be behind min. 4' fence.	n/a	Animal cannot roam at large	7-12-030 (fence high enough that the animal may not reach or jump over)			Not specified	During daylight hours, hens must have access to chicken house and outdoor enclosure that is adequately fenced to protect from predators		Premises upon which animal is kept shall be fenced so that the animal while unattended is securely contained and is not a danger to persons or property		
Shelter size			Must have shelter to provide protection from weather and predators	n/a	None specified; (must prevent animal from roaming at large, prevent unauthorized access to animal by public, health or well being of animal will not be endangered by the manner of keeping or confinement)	(rules for people who have permit for sale of fowl)			Not specified	Provide chicken house at least 2 sf, properly ventilated, designed to be easily accessed, cleaned and maintained, covered, predator-resistant	Maximum of 120 sq ft (incl. run); predator-proof with solid top; at least 4 sq ft of space per chicken (coop & run); no taller than 7 ft;	At least 4 square feet per fowl; plus adequate space outside the shelter	Coop needs minimum 2 sq ft per bird, plus attached outdoor enclosure (at least 10 sq ft per bird); Coop must be covered, predator-resistant, properly ventilated	
Shelter location			Must be 5' from rear & side boundaries; must be in rear 50% of lot.	10' from any structure that includes a dwelling unit on adjacent lot	Must be 15 ft from residences; not including applicant's own dwelling ( <i>Cannot be picketed or allowed to roam within 50 feet of residence or building in which foodstuff is prepared, kept or sold</i> )	Dogs, cats, birds or other small animals shall not be... held...in a room here a person lives.			Not specified	Chicken house and outdoor enclosure must be 15 feet from abutting property line unless written consent from neighbor, not withstanding change in ownership of abutting property	Rear or backyard of lot; cannot be located between rear of structure and front lot line; 6 ft from any structure and from property lines;	Coop and run must be at least 15' from property line	Must be 35' from residences (except owner's residence) unless it's a "pet"	

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<b>(3) Health &amp; Animal Care</b>															
<b>Vaccination &amp; licensing</b>			No vaccination or license required?		No (enforcement too complex)	Animal infected with any disease contagious to animals, or any disease contagious to humans, must be kept confined until examined and declared free of disease by veterinarian	none for chickens			No					
<b>Animal care standards</b>			Something about animals cruelty? -		n/a	Facility in good repair; free of vermin, obnoxious smells and substances; adequately lighted and ventilate	7-12 Animal Care and Control - general provisions for cleanliness			n/a	Must be protected from predators by being enclosed in chicken house from dusk to dawn; confined in fashion to prevent coming into contact with wild geese or their excrement	Must have water at all times; coops must be regularly cleaned to control dust, odor, and waste, and not constitute nuisance, safety hazard, or health problem to surrounding properties; feed must be stored in resealable, airtight, metal, ratproof container;	(for all animals) Fecal waste removed every 3-7 days and placed in closed flytight containers; contents of the containers removed from city as necessary; premises maintained in clean and sanitary condition, shall be subject to inspection	Odor, dust, waste, and drainage must be controlled so as not to constitute a nuisance, safety hazard or health problem to adjoining property or use	Cannot create noise disturbance; cannot cause offensive odor; no accumulation of feces;
<b>Slaughtering</b>	Zoning: Not allowed in Residential. Allowed as "Manufacturing, heavy" in Industrial zones only		Not allowed		No		Not allowed	Slaughter of fowl for human consumption requires a permit.		Allowed only in "S" slaughtering districts	May not be killed by or at direction of owner except pursuant to lawful order of state or county health officials; or purpose of euthanasia by vet; or as otherwise expressly permitted by law	Not allowed		Not allowed	
<b>Breeding?</b>	Zoning: have no rules against breeding of household animals, just have to meet number allowed.		Not allowed		grey area - wouldn't be punished (but would need to keep under 8), animal husbandry allowed in commercial zones					Incidental to keeping as a hobby			(no roosters)		
<b>Sales?</b>	Zoning: Not allowed in Residential. Allowed as "Animal Sales, All Others" and only allowed in Industrial zones		Not allowed		Permitted (Yes)		Not allowed	Cannot sell or keep for sale live poultry, without a permit issued by Commissioner.		Cannot sell fewer than 6 chicks; cannot be raising the animals for commercial purposes (ok to sell occasionally as incidental to keeping the birds as a hobby)			Not allowed	Not allowed (no dyed, plaything)	

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<b>(4) Zoning</b>														
<b>Use-by-right?</b>	Allowed as an "accessory use by exception" limitation as an administrative process/decision by Zoning Administrator (it is not a variance)		Yes. Requests for additional animals requires a zoning permit and informational notice (ZPIN)		Yes. "The keeping of small animals, farm animals, domestic fowl and bees is permitted outright in all zones as an accessory use to any principal use permitted outright or to a permitted conditional use, in each case subject to the standards of this Section 23.42.052"	Upt to 3	by default, not regulated	Yes, for hens	Yes	No	No	Yes	Yes	
<b>Limited Zone Districts</b>	No		No		All zones (see use-by-right)	Not specified	n/a		Residential and agricultural				R-1, R-2, R-3, R-E (single family residential)	
<b>Accessory to what use?</b>	Residential		Accessory to all uses, including school and restaurant		see use-by-right	Not specified	n/a		Residential				single family residential	
<b>Permit required?</b>	Zoning, Yes (\$100).	DEH, Yes \$50	No		No	4+ -- must get Specified Animal Facility permit for \$31; can apply for a variance in order to bend the rules of the permit, variance can be revoked at any time by Director "as may be appropriate to protect public health or safety of the animals"	No		No	Must receive permit from Larimer Humane Society and received info or training that director deems appropriate	Yes – only 72 issued; cost is \$30 (initial year sunset passed; city will now draft a new ordinance)	No (up to 10)	No	
<b>Pre-approval inspection required?</b>		Yes, DEH requires it and Zoning requires that verification prior to issuing a permit	No		No	Yes – one-time inspection before permit; Applicant must give permission for Director to enter and inspect at any time	n/a		No	None specified		No		
<b>Public Notification Required?</b>	ZPIN (Zoning Permit with Informational Notice): email notice to all RNOs within 200' and all City Council within 200' and at-large. Decision to issue permit based on set of criteria, so if meet you get the permit		No		No	4+ -- provide adequate evidence of notification of all neighbors within 150 feet	n/a		No	If parcel has more than one dwelling unit, all adult residents and owner must consent in writing		No		

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<b>(5) Enforcement</b>														
<b>Annual inspections and renewals?</b>	No zoning requirement.	DEH requires permit renewal every year for fowl (double check).	No		No	Basically a one-time inspection before permit; additional inspection at Director's discretion; no renewal fee	n/a		No			No		
<b>Complaint threshold for enforcement</b>	Zoning: If complaint, inspector goes to ensure they are not in violation of their permit.		Same as for barking dogs? Same as for animal cruelty?		Noise ordinance applies (which is why banned roosters); animal control has 3 strikes and you're out complaint policy	If animals allowed to roam at large, not kept in clean/sanitary condition, free of vermin, obnoxious smells and substances, then keeper must apply for permit	7-12-100 excessive animal noise; 7-12-290 cruelty to animals		(In relation to other birds – not fowl): If determined to be a nuisance or a health or safety hazard, then keeping of birds will no longer be accessory use			Animal control officer determines noise violation has occurred;		Two complaining witnesses from separate household (for noise) unless Animal Control officer witnesses it
<b>Penalties</b>	Zoning: Right to remedy		Certain # of violations in period and you lose your use-by-right		None	If Director determines that facility is not being maintained in compliance with ordinance or insurance criteria he will issue written notice; violation must be corrected within 48 hours; if not corrected then permit will be revoked	**See below		Not specified		Permit will be revoked if any part of the ordinance is violated	Written warning and 3 days to correct; then subject to enforcement action; only one warning allowed per 6 month period		
<p>Chicago: Excessive noise = unnecessarily disturbs the comfort, quiet, peace or repose of any other person in the vicinity, at any time of the day or night. Fine: not less than \$50.00 nor more than \$250.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense. A citation for a violation of this section may be issued based on either: (1) personal observation of a violation by any city officer or employee charged with enforcement of this section; or (2) a complaint alleging a violation of this section, signed and sworn to by residents of three different addresses, and specifying the date and time of the violation. For purposes of this section, the term "excessive noise" means any continued, repeated or habitual barking, whining, crying, howling, whimpering, crowing, or loud noise common to an animal's species that exceeds ten consecutive minutes in duration or occurs intermittently for a significant portion of the day or night, that is louder than average conversational level at a distance of 100 feet or more. For purposes of this section, the term "any other person" means a reasonable person with ordinary sensibilities.</p>														
<b>Resources:</b>														
*Chicago: ( <a href="http://www.amlegal.com/nxt/gateway.dll/Illinois/chicago_il/municipalcodeofchicago?f=templates\$fn=default.htm\$3.0\$vid=amlegal:chicago_il">http://www.amlegal.com/nxt/gateway.dll/Illinois/chicago_il/municipalcodeofchicago?f=templates\$fn=default.htm\$3.0\$vid=amlegal:chicago_il</a> )														