

Guide to Keeping Chickens in the City of Frostburg

On April 6, 2016, Ordinances 2016-01 and 2016-02 went into effect which outline the provisions to allow for the keeping of chickens in the City of Frostburg associated with Residential Uses. Provided below is a summary of the regulations pertaining to chickens. (Ref.: City Code, Article XI [Ord. 2016-01] and Frostburg Zoning Ordinance, Section 6.4 and 6.5 [Ord. 2016-02]).

General

- Only female chickens are permitted in the City (No Roosters).
- No more than (4) chickens may be kept on a lot which is 10,000 square feet in area or less.
- No more than (6) chickens may be kept on a lot which is more than 10,000 square feet in area.
- To keep chickens in the City, a license must be issued to the resident and the resident must:
 - Apply for a license before bringing the chicken(s) to a residence in the City.
 - Register the chickens with the Maryland Department of Agricultural unless the resident is exempt from registration under State law (see: <http://mda.maryland.gov/AnimalHealth/Pages/poultry.aspx>).
 - The fee for each license is \$30.00. All licenses must be renewed biannually before April 1 of years ending in an even number.
- Chickens may be kept for personal use only. The commercial use of chickens, including, but not limited to, sale of eggs, breeding and fertilizer production, is prohibited.
- Chickens must have access to feed and clean water at all times.
- Chickens may only be kept at single family detached and twin dwellings (duplexes).
- Chickens may only be kept on properties where the resident owns or rents the land and the residential structure and a tenant may not keep chickens at a property without the property owners' written permission to do so (on application).

Coop and outdoor enclosure requirements

- Anyone keeping chickens must have a coop and an outdoor enclosure for the chickens. Coops and enclosures must have secure gates and/or doors and be designed to be easily accessed for cleaning. Coops must not be located inside an otherwise residential structure.
- Depending on the size and construction type of the coop, a building permit may be required.
- Coops may not be placed in the front yard.
- Coops and enclosures must be situated at least 15 feet from side yard lot line and 20 feet from rear yard lot line.
- For a corner lot or other property where no rear yard exists, a coop or enclosure may not be located any closer to a public street than the primary residence.
- Coops. Each coop needs to have walls, a roof, and be well ventilated. Coops should be built to reasonably prevent access by predators and rodents and to withstand inclement weather to the extent reasonably practicable.
- Coops must have a minimum of two (2) square feet of indoor space per chicken.
- Outdoor enclosures. Outdoor enclosures need to provide access to sun and shade and be constructed to keep the chickens contained and to prevent predators and rodents from obtaining access. Enclosures need to be constructed with appropriate fencing that is at least four (4) feet high or the top shall be covered with wire, aviary netting or other similar material that can reasonably be expected to keep the chickens from escaping.
- Enclosures must provide no less than ten (10) square feet of area per chicken.
- Chickens must be confined in their coops from dusk until dawn. They must be kept in their coops or enclosures at all other times.

Waste storage and removal, sanitary conditions

- All stored manure must be kept in a fully enclosed container or a compost bin. No more than one, twenty (20) gallon container of manure may be stored at any property where chickens are kept.
- Manure which is not stored in the container must be removed from the premises. Coops and outdoor enclosures must be kept free of accumulated droppings.
- Dead chickens shall be promptly disposed of in a sanitary manner.

Impacts on neighbors

- Persons keeping chickens are responsible for ensuring that neighboring property owners' use and enjoyment of their properties is not unreasonably impaired.
- Odors from chickens and chicken manure must not be perceptible beyond the boundaries of the properties where chickens are kept.
- Persons keeping chickens need to take all measures reasonably necessary to reduce the attraction of predators and rodents and the potential infestation of insects and parasites that may result in unhealthy conditions to human habitation.
- The City's chicken regulations shall not be interpreted to restrict the applicability of any agreements, declarations, covenants or restrictions that affect properties where chickens are kept and which may impose stricter standards than those set forth in the City Code.

Violations

- Violations of these provisions are a Municipal Infraction, punishable by a fine of \$100.00 for first offense and \$200.00 for subsequent offenses.
- The Code Enforcement Officer has the discretionary authority to revoke the license of any licensee committing two (2) violations of the terms of this article within any one (1) year period and require that individual to remove the chickens and any associated nuisance from the property where the chickens are kept. In the event the licensee refuses to cooperate with such a directive to remove chickens and the City initiates legal proceedings to enforce it, the licensee shall be responsible for the City's court costs and litigation expenses, including reasonable attorneys' fees.
- If chickens are removed from a property and an individual's license is revoked as provided for herein, that individual shall not be eligible for a new license for a period of five (5) years thereafter.

Acknowledgements

- Applicant is solely responsible for assuring that chickens may be kept on the property under any agreements, declarations, covenants or restrictions that may restrict the use of their property.
- Applicant is solely responsible for complying with all laws, rules and regulations pertaining to the chickens they keep.
- The City has the right to inspect chicken coops/enclosures and places where chickens are kept to ensure compliance with the terms of this article.
- The falsification of any information on the application is cause for revocation of the license.

