

ARTICLE 4
SUPPLEMENTARY DISTRICT REGULATIONS AND GENERAL PROVISIONS

4.2-2 Keeping of Backyard Chickens

Provisions for keeping backyard chickens.

Subject to the provisions of this section, it is lawful for a person to keep chickens within the corporate limits of the Town of Rural Retreat on residential property, containing only single-family detached dwellings. No chickens shall be allowed on townhouse, duplex, apartment, condos, or manufactured housing park properties. No part of this zoning ordinance shall be construed to allow the keeping of other types of birds or fowl, including, but not limited to turkeys, ducks, geese, guineas, pheasants, quail, pigeons, etc. Keeping chickens in the permitted areas is subject to the following terms and conditions:

1. No more than four (4) hens shall be allowed for each single-family dwelling.
2. No roosters shall be permitted at any time.
3. Chickens shall be kept, at all times, in an enclosed area not to exceed a total of 128 square feet, hereinafter known as a “pen”. Pens shall include a coop, an enclosed structure containing a minimum of four (4) square feet per hen and an open run area containing a minimum of eight (8) square feet per hen.

4. Pens must be located in the rear yard and shall be situated at least ten (10) feet from all property lines and twenty-five (25) feet from dwellings on adjacent properties.

In addition, all pens shall be located at least twenty (20) feet from streams, tributaries, ditches, swales, stormwater management facilities, drop-inlets or other storm drainage areas that would allow fecal matter to enter any storm drainage system or stream.

5. All pens must be kept in a neat and sanitary condition, at all times, and must be cleaned on a regular basis so as to prevent offensive odors.
6. The coop should be designed to discourage rodents and other animals from entering.
7. All feed for the hens must be kept in a secure container impenetrable by rodents or other animals, and such containers shall be equipped with tightly fitting caps or lids, and stored in a garage, shed or the residence to prevent the attraction of rodents and other animals.
8. Adequate shelter, care and control of the hens is required. Any person permitted to keep backyard chickens pursuant to this section shall comply with all the provisions and requirements of the Town and State Code regarding care, shelter, sanitation,

health, rodent control, cruelty, neglect, noise, and other requirements pertaining to, but not limited to, the adequate care and control of animals.

9. Chicken litter and waste shall be disposed of by composting on site or collected in accordance with the Town of Rural Retreat's standards and procedures for refuse collection. No chicken litter or waste will be collected by the Town of Rural Retreat or its agents. Disposal is not permitted at the Wythe County Convenience Center locations. Acceptance of chicken litter and waste at the Wythe County Joint Public Service Authority Transfer Station is subject to the rate and regulations established by Wythe County Joint Public Service Authority.
10. Chickens are to be kept for egg production only. Keeping of meat chickens and the slaughter of chickens is strictly prohibited.
11. Application submission requirements and registration:
 - a. Persons wishing to keep hens pursuant to this subsection must file an application with the Town of Rural Retreat's town office. The application shall include:
 - i. A sketch showing the area where the chickens will be housed and the types and sizes of pens in which the chickens shall be housed. The sketch must show all dimensions and setbacks.
 - ii. A twenty-five dollar (\$25.00) application fee.
 - iii. If the applicant is not the property owner, the applicant must provide documentation that the property owner consents to keeping chickens on the property.
 - b. The applicant must reside, full-time, upon the premises in which an application is made.
 - c. Once the application has been reviewed and approved, the town office shall issue a zoning permit, which shall be valid for one (1) year.
 - d. The Town Manager or Chief of Police will perform an inspection of the site, pen, coop, run and feed storage containers prior to the issuance of a permit and reserves the right to perform a reinspection prior to issuance of a permit renewal.
 - e. Each existing permit must be renewed annually by filing a renewal application with the Town along with the payment of the twenty- five dollar (\$25.00) annual fee. Permit renewal will not be issued until pen has been inspected.

- f. The Town Manager or Chief of Police shall have the authority to inspect pens and practices for compliance with this article at any time. If the town officials find a violation of this article or finds any condition that threatens the health, safety or wellbeing of the chickens or the public, then he may order the owner to correct the condition or he may revoke the owner's permit.
 - g. If a permit is revoked, no permit shall be issued to the same applicant, or a member of his/her household for a period of one (1) year.
- 12. It shall be unlawful to keep hens in town except as permitted by this section or as permitted as an "Agriculture" use in the Zoning Ordinance. Any person found guilty of violating this section shall be guilty of a Class 3 misdemeanor and subsequent violations of this section by the same person shall constitute a Class 2 misdemeanor.