**Sec 42-2 Definitions And Rules Of Construction**

*Fowl* means chickens, hens, ducks, geese, turkeys, pigeons, or swans.

*Livestock* means horses, ponies, mules, burros, camels, llamas, alpacas, cattle, oxen, goats, sheep, swine, or buffaloes (including the miniature of each).

**Proposed Section 42-306, Keeping Livestock and Fowl**

1. Livestock as defined in Section 42-2 may be kept provided the owner has obtained a zoning permit and has complied with the following standards:
	* 1. Livestock may be kept on lots with a fenced area of one (1) acre or more in the side and rear yards as described in (3) below at a rate equivalent to that depicted in the following table:

|  |  |  |  |
| --- | --- | --- | --- |
| Animal\* | Animals per Acre | Animal\* | Animals per Acre |
| Cattle | 1 | Alpacas | 5 |
| Oxen | 1 | Ponies | 5 |
| Horses | 1 | Burros | 2 |
| Mules | 1 | Llamas | 5 |
| Goats | 5 | Sheep | 5 |
| Swine | 5 | Buffalo | 0.5 |

\*Includes offspring until they are weaned. Fractions will be rounded down to the whole number.

* + 1. The owner or custodian of any livestock shall keep such livestock confined to their own premises, by erecting a suitable fence, designed and maintained so livestock will not have access to any adjacent property or roadway.
		2. Fenced areas for livestock shall be in the rear or side yard and shall be situated at least ten (10) feet outside each wall of the residence, at least fifty (50) feet from any adjoining residential structure, at least twenty (20) feet from all property lines, and at least twenty (20) feet from streams, tributaries, ditches, swales, storm water management facilities, drop-inlets, or other storm drainage areas.
		3. No person shall keep any livestock in any area of the town that is in a residential subdivision.
		4. It shall be unlawful for any person to kill, butcher, slaughter, or dress any livestock within the town, except in a permitted commercial or industrial use.
	1. Pens must be always kept in a neat and sanitary condition and must be cleaned on a regular basis to prevent odors reaching adjacent properties.
		1. Waste shall not be deposited in any trash container that is collected by any public or private waste collector and shall be disposed of by composting on site, collected by a bona fide animal waste removal service, or bagged and taken directly to a landfill.
		2. All feed shall be kept in a secure container or location to avoid attracting rodents and other animals.
	2. Fowl as defined in Section 42-2 may be kept provided the owner has obtained a zoning permit and has complied with the following standards:
1. Fowl may be kept on lots with 10,000 square feet or more in the rear or side yards beyond the area of the residence, which is measured from 10 feet outside each wall of the residence at a rate equivalent to that depicted in the following table:

|  |  |  |  |
| --- | --- | --- | --- |
| Fowl | Animals per Acre | Fowl | Animals per Acre |
| Chickens\* | 32 | Ducks | 16 |
| Geese | 8 | Turkeys | 8 |
| Swans | 4 | Pigeons | 32 |

 \* Fractions shall be rounded down to the whole number.

* 1. Fowl allowed under this section shall only be raised for domestic purposes.
	2. No roosters, peafowl, peacocks, or guinea fowl shall be allowed.
	3. There shall be no slaughtering of birds except in a permitted commercial or industrial use.
	4. All fowl must be kept at night in an enclosed, secure, coop that contains at a minimum four (4) square feet per bird. No fowl shall be permitted to run at large at night.
	5. During the day, fowl will be enclosed in fenced pens located in the rear or side yard and at least ten (10) feet outside each wall of the residence, at least fifty (50) feet from an adjacent residence, and at least twenty (20) feet from property lines. In addition, all pens must be located at least twenty (20) feet from streams, tributaries, ditches, swales, storm water management facilities, drop-inlets, or other storm drainage areas.
	6. Pens and coops must be always kept in a neat and sanitary condition and must be cleaned on a regular basis to prevent odors reaching adjacent properties.
	7. Feed for the fowl shall be kept in a secure container or location to prevent the attraction of rodents and other animals.
	8. Poultry litter and waste shall not be deposited in any trash container that is collected by any public or private waste collector and shall be disposed of by composting on site, collected by a bona fide poultry litter service, or bagged and taken directly to a landfill.
	9. Any dead bird shall not be deposited in any city storm drainage system or stream or trash container that is collected by any public or private waste collector but shall be composted, buried on site, or taken directly to the landfill. Further, all unexplained bird deaths shall be reported to the Virginia Department of Agriculture and Consumer Services prior to composting, burial, or disposal.

(c) Honeybees in up to four beehives may be kept on any lot subject to the following:

(1) A water source is available within 50 feet of the hives

(2) If the main entrance to the hive faces a property line and is within 10 feet of the property line, there must be a flight path barrier (fence, structure, or plantings) at least 6 feet high in front of the hive

(3) Additional hives may be kept on lots greater than 10,000 square feet at a rate of 1 hive per 1,000 square feet

(d) Council may consider modifications to the requirements of this section, including the types of animals permitted, by conditional use permit.