

**RESOLUTION**  
**THE TOWN OF GROTTOES, VIRGINIA**  
**AMENDMENT TO CHAPTER 48, ANIMALS**

**WHEREAS**, the Town of Grottoes (“Town”) previously enacted Chapter 48, Animals, of the Code of the Town of Grottoes; and

**WHEREAS**, the Town has determined that it is in the best interests of the Town to amend Chapter 48 to provide a new Article to regulate chickens within the corporate limits of the Town to allow for the personal use and pleasure of the property owner to maintain chickens as well as prevent the transmission of disease and ensure that such uses do not disturb adjoining property owners.

**NOW THEREFORE**, be it ordained by the Town Council of the Town of Grottoes, Virginia, to wit:

1. Chapter 48, Article 1, § 48-1.D. is hereby amended to read as follows:

“D. No person within the Town limits shall keep hogs, cattle, mules, donkeys, ponies, sheep, poultry (except as provided in Article IV below) or other livestock except on a parcel of real estate that is one acre or larger.”

2. Chapter 48, Article IV is hereby amended to read as follows:

**“ARTICLE IV**  
**Chickens**

**§ 48-16. Purpose:**

This Article authorizes the keeping in the Town of Grottoes of what are commonly referred to as backyard chickens to allow for the personal use and pleasure of the property owner and prescribes the conditions for the keeping of such chickens within an urban residential environment to prevent the transmission of disease and ensure that such uses do not disturb adjoining property owners. It also seeks to protect the residential integrity of the surrounding neighborhood and health and safety of the chickens, including the chickens that are a vital part of the agribusiness economy of the Shenandoah Valley of Virginia.

**§ 48-17. Definitions.**

The following words and phrases, as used in this Article, shall have the following meanings:

“Chicken” means adult female domestic chicken kept pursuant to the provisions of this Article.

“Coop” means the structure within a pen that houses chickens and is built and maintained with materials as impenetrable barriers to keep chickens confined and secured from other animals.

“Pen” means an area of property enclosed always and on all sides, including the top, with a strong fence of mesh wire and other reliable materials as an impenetrable barrier to keep all chickens confined and secure from other animals.

“Processing of chicken(s)” means slaughtering, cutting, boning, canning, salting, stuffing, or rendering a chicken.

“Rooster” means an adult male domestic chicken.

“Slaughter” means the act of killing a chicken or chickens.

#### **§ 48-18. General Standards.**

Chickens may be kept/maintained on property less than one (1) acre in size containing single family detached dwellings, (does not include townhouse, duplex, apartment, or manufactured housing park properties), under the following conditions in additions to the conditions detailed in § 48-1 above:

- A. Chickens allowed under this section shall only be raised for domestic purposes and no commercial use such as selling eggs or selling chickens for meat shall be allowed. All such chickens shall be purchased from a licensed facility and proof thereof shall be provided to the Town upon request.
- B. Chickens shall not be allowed to roam free and they shall be kept in a pen or coop at all times.
- C. Chicken coops may be movable or stationary but must provide space of not less than three square feet per chicken. Chicken pens must be a minimum of four square feet per chicken. Adequate shelter in a covered area shall be required. Coops and pens shall be kept in a sanitary condition at all times.
- D. All enclosed pens must be situated at least twenty-five feet from the front property line, five feet from the side property lines and five feet from the rear property line.
- E. All pens shall be located at least twenty feet from streams, tributaries, ditches, swales, stormwater management facilities, drop-inlets, or other storm drainage areas that would allow fecal matter to enter any Town storm drainage system or stream.
- F. No more than eight chickens shall be allowed for each single-family dwelling or property.

- G. No roosters shall be allowed.
- H. There shall be no slaughtering or processing of chickens outdoors.
- I. All feed for the chickens shall be kept in a secure container or location to prevent the attraction of rodents and other animals.
- J. All coops and pens must be kept in a sanitary condition at all times, and must be cleaned on a regular basis to prevent offensive odors.
- K. Offensive odors from chickens or manure shall not be detectable at any time from the property boundaries.
- L. Chicken 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 either on site or at the county landfill in accordance with the applicable permit. Also any dead chicken shall not be deposited in any trash container that is collected by any public or private waste collector but shall be taken to the county landfill.

#### **§ 48-19 - Permit Required/Administration.**

It shall be unlawful for any person to keep one or more chickens on property unless the person has been issued a permit for such by the Town Zoning Administrator.

- 1) Persons wishing to keep chickens pursuant to this Article must file an application with the Town Zoning Administrator, which application shall include a sketch showing the area where the chickens will be housed and the types and size of enclosures in which the chickens shall be housed. The sketch must show all dimensions and setbacks.
- 2) The permit applicant must be the owner of the property or must have and submit written consent of the owner of the property as part of the permit application to keep chickens on the property.
- 3) The Town may charge a reasonable application fee.
- 4) Once the site and enclosures have been inspected and approved by the Town Zoning Administrator, a permit (valid for one year) shall be issued by the Town Zoning Administrator. If the permit is denied, the applicant shall have 30 days to amend its application to be compliant with these provisions without having to pay an additional application fee. After that time, a new application fee will be required.
- 5) Each existing permit must be renewed annually by filing a renewal application with the Town, along with payment of a reasonable renewal fee. The Town Zoning Administrator will make another inspection of the site prior to issuance of the renewal to verify that the site complies with the provisions of this Article.

- 6) Permits can be revoked and not renewed if inspections reveal site and/or conditions out of compliance. If a permit is revoked, chickens must be removed within 30 days or the Town shall have the right to remove and dispose of the chickens at the property owner's expense. Any person(s) having a permit revoked shall not be allowed, at any time, to make application for another permit for five years from the date of revocation of the permit.
3. Chapter 48, Article IV, Violations and Penalties, is hereby renumbered as Article V, Violations and Penalties and Section 48-16 is hereby renumbered to be Section 48-20.
4. Except as modified herein, all other provisions of the Town's Code shall remain in full force and effect.
5. This ordinance shall be effective immediately upon its adoption.

Adopted by the Town Council of the Town of Grottoes this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_

\_\_\_\_\_  
Clerk of Council

Approved this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_