

New Section 235-41: D. Keeping of Chickens Accessory to a Residential Use.

Chickens kept as pets by the residents of a dwelling unit shall be kept in accordance with all applicable City Ordinances and regulations and in accordance with the Manual of Best Management Practices for Agriculture in New Hampshire as published by the NH Department of Agriculture, Markets, and Food, as well as the following provisions:

- (1) Purpose. It is the intent of this Section to allow for the keeping of domestic female chickens for the sole use and enjoyment of the residents of the lot on which such animals are kept, while at the same time to protect and promote the health, safety, and welfare of residents of neighborhoods by not allowing chickens of a number and type that would otherwise constitute a nuisance or menace to the public health and safety or cause a disturbance of the peace in neighborhoods.
- (2) Definitions:
 - (a) Chicken means the common domestic fowl (*Gallus gallus domesticus*) or its young and does not include roosters, capons, and guinea hens.
 - (b) Henhouse means a chicken coop facility consisting of a coop and a runway.
 - (e) Runway means a fully enclosed fenced area connected to the coop.
- (3) Number and Type of Chickens Allowed. Up to five (5) chickens of any breed may be kept on a lot. Six (6) or more chickens shall be considered an Agricultural Use. Only female chickens are allowed to be kept. Male chickens are prohibited.
- (4) Limitations. The keeping of chickens shall be accessory to and on the premises of a single-family detached dwelling and shall be for personal use only. No person shall sell eggs or engage in chicken breeding or any commercial activity related to the keeping of the chickens. On-site slaughtering of chickens is prohibited.
- (5) The keeping of chickens shall be prohibited in front yards
- (6) Henhouses and Fenced Areas Required. All chickens kept or raised accessory to a residential use shall be kept within structures and fenced areas and not be permitted to roam free. Structures and fenced areas for chickens, and manure storage areas must be located in side or rear yards and shall not be located within twenty (20) feet of any lot line and (10) feet from the chicken owner's house and must meet the following standards:

- (a) Henhouses and enclosures must provide adequate ventilation, be kept in a neat and sanitary condition at all times, and in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.
- (b) Henhouses and enclosures shall be enclosed on all sides and shall provide adequate protection for the chickens from weather and wild or domestic animals and predators.
- (c) The materials used in making the henhouse shall be uniform for each element of the structure and the use of scrap material shall be prohibited.
- (d) All stored manure shall be covered by a fully enclosed structure or container. No more than three (3) cubic feet of manure shall be stored within 10 feet of a property line. All other manure not used for composting or fertilizing shall be removed from the property.
- (e) Chicken feed/treats must be stored in a manner that will not attract rodents (i.e. metal containers) and coops should be well maintained so as not to create a nuisance.
- (f) Chicken coops and manure storage shall not be permitted within the fifty foot Shoreline Protection Overlay District (SPOD) or within any wetland, waterbody, or wetland/waterbody buffers.