

Adopted: 5/18/2021

ORDINANCE NO. 2021-03

ORDINANCE NO. 2021-03 AUTHORIZES AND REGULATES KEEPING CHICKENS IN RESIDENTIAL ZONING DISTRICTS; ORDINANCE NO. 2021-03 AMENDS THE ASHLAND TOWN CODE BY ADDING SECTION 21-282, "KEEPING CHICKENS," TO ARTICLE XXV, "SUPPLEMENTAL REGULATIONS," IN CHAPTER 21, "ZONING." ORDINANCE NO. 2021-03 IS CONSIDERED PURSUANT TO THE GRANTS OF AUTHORITY CONTAINED IN VA. CODE §§ 15.2-2200, 15.2-2240, 15.2-2280, 15.2-2285, AND 15.2-2286.

WHEREAS the Ashland Town Council referred Ordinance No. 2021-03 to the Ashland Planning Commission on March 2, 2021; and

WHEREAS the Ashland Planning Commission conducted a public hearing on March 10, 2021, and April 14, 2021, which was properly advertised in the *Ashland-Hanover Local* once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Ashland Town Council conducted a duly advertised public hearing on May 18, 2021; and

WHEREAS the Ashland Town Council has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW THEREFORE BE IT ORDAINED by the Ashland Town Council that Chapter 21, "Zoning," of the Ashland Town Code be amended by adding to Article XXV, "Supplemental Regulations," Section 21-282, "Keeping Chickens," to read in its entirety as follows:

"Sec. 21-282. - Keeping chickens.

- a. *General standards.* The keeping of chickens is permitted as an accessory use in residentially zoned districts, subject to the following conditions:
  1. Chickens are defined as domestic female laying hens. Roosters are prohibited.
  2. No more than six (6) chickens shall be allowed.
  3. Chickens shall not be allowed to roam outside of the property on which they are being kept. Chickens shall be provided a secure, enclosed coop. The materials used for coops shall be uniform and maintained in good condition. All areas associated with the keeping of chickens shall be cleaned and kept free of waste on a regular basis. Waste associated

with the keeping of chickens shall be disposed of in an appropriate waste disposal container that is periodically removed from the site.

4. The property owner shall ensure that no odor is discernable on any neighboring property.
  5. All coops shall be deemed accessory structures and shall be at five (5) feet from any rear or side property line. Coops shall not be permitted in front yards.
- b. *Administration & Enforcement.* The requirements of this section shall be enforced by the zoning administrator. Violations of this section shall constitute a class 3 misdemeanor. Each day that a violation continues shall constitute a separate offense.”
1. Persons wishing to keep chickens must file an application with the Department of Planning and Community Development. The application shall include a sketch of the property, showing the area where the chickens will be housed, including the type(s) and size(s) of enclosures in which the chickens will be kept. The sketch must show property dimensions and setbacks from all property lines. Upon receipt of the application, an inspection of the property will be scheduled with the applicant. Once the site and enclosures have been inspected and approved by the zoning administrator, a permit will be issued. The zoning administrator shall inspect the site prior to the approval of the application and may on an annual basis thereafter.
  2. Violations of this section may subject the owner to revocation of the permit; failure to obtain and maintain a permit shall constitute a zoning violation.
  3. The provisions of this section shall be enforced by the Zoning Administrator.
  4. Any person violating any of the provisions of this section shall be deemed guilty of a class 3 misdemeanor. Each day a violation continues shall constitute a separate offense.

BE IT FINALLY ORDAINED that this Ordinance shall take effect upon adoption.

A handwritten signature in black ink, appearing to read "S P. Trivett". The signature is written in a cursive, flowing style.

Steven P. Trivett, Mayor