

**FINAL**

AMENDED  
October 21, 2013  
November 4, 2013

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2013, Legislative Day No. 37

Bill No. 79-13

Introduced by Mr. Trumbauer and Mr. Ladd

By the County Council, September 16, 2013

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Introduced and first read on September 16, 2013  
Public Hearing set for and held on October 21, 2013  
Public Hearing on AMENDED BILL set for and held on November 4, 2013  
Public Hearing on SECOND AMENDED BILL set for and held on November 18, 2013  
Bill Expires December 20, 2013

By Order: Elizabeth E. Jones, Administrative Officer

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A BILL ENTITLED

- 1 AN ORDINANCE concerning: Animal Control and Zoning – Chickens and ducks in  
2 residential districts  
3  
4 FOR the purpose of requiring a license for the keeping of chickens and ducks in a  
5 residential district; providing additional requirements for outside shelters for chickens  
6 and ducks; changing the lot size requirement for keeping chickens and ducks; and  
7 generally related to animal control and zoning.  
8  
9 BY renumbering: §§ 12-4-709 through 12-4-716 to be §§ 12-4-710 through 12-4-717,  
10 respectively  
11 Anne Arundel County Code (2005, as amended)  
12  
13 BY adding: § 12-4-709  
14 Anne Arundel County Code (2005, as amended)  
15  
16 BY repealing and reenacting, with amendments: §§ 12-4-801(d) and (e) and 18-4-104(b)  
17 Anne Arundel County Code (2005, as amended)  
18  
19 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*  
20 *Maryland, That §§ 12-4-709 through 12-4-716 of the Anne Arundel County Code (2005,*  
21 *as amended) are hereby renumbered to be §§ 12-4-710 through 12-4-717, respectively.*

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EXPLANATION: CAPITALS indicate new matter added to existing law.  
[Brackets] indicate matter stricken from existing law.  
Underlining indicates amendments to bill.  
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 SECTION 2. *And be it further enacted*, That Section(s) of the Anne Arundel County  
2 Code (2005, as amended) read as follows:

3  
4 **ARTICLE 12. PUBLIC SAFETY**

5  
6 **TITLE 4. ANIMAL CONTROL**

7  
8 **12-4-709. Chicken and Duck License.**

9  
10 (A) **License – scope.** THE PROVISIONS OF THIS SECTION APPLY TO THE KEEPING OF  
11 CHICKENS AND DUCKS IN THE COUNTY, EXCLUDING THE CITY OF ANNAPOLIS. A  
12 CHICKEN OR DUCK LICENSE PERMITS THE OWNER TO OWN CHICKENS OR DUCKS AS PETS  
13 AND TO CONSUME EGGS PRODUCED BY THE KEPT CHICKENS OR DUCKS.  
14

15 (B) **License - generally.** A COUNTY RESIDENT KEEPING CHICKENS OR DUCKS ON A  
16 LOT LESS THAN 40,000 SQUARE FEET FOR ANY LENGTH OF TIME SHALL HAVE AND  
17 MAINTAIN A LICENSE FOR KEEPING CHICKENS AND DUCKS ON THE PROPERTY. AN  
18 OWNER SHALL:

19  
20 (1) APPLY FOR A LICENSE BEFORE OBTAINING THE CHICKENS OR DUCKS OR  
21 BRINGING THE CHICKENS OR DUCKS INTO THE COUNTY; AND

22  
23 (2) PROVIDE EVIDENCE OF CURRENT REGISTRATION WITH THE MARYLAND  
24 DEPARTMENT OF AGRICULTURAL, DOMESTIC POULTRY AND EXOTIC BIRD  
25 REGISTRATION DIVISION UNLESS THE OWNER IS EXEMPT FROM REGISTRATION UNDER  
26 STATE LAW;

27  
28 (3) ACKNOWLEDGE THAT THEY ARE SOLELY RESPONSIBLE FOR ASSURING THAT  
29 CHICKENS AND DUCKS MAY BE KEPT ON THE PROPERTY UNDER ANY APPLICABLE  
30 COVENANTS OR BYLAWS; AND

31  
32 (4) ACKNOWLEDGE THAT THE FALSIFICATION OF ANY INFORMATION ON THE  
33 APPLICATION IS CAUSE FOR REVOCATION OF THE LICENSE.

34  
35 (C) **License – fee and renewal.** THE FEE FOR EACH LICENSE IS \$30.00. ALL LICENSES  
36 SHALL BE VALID FOR THREE YEARS AND BE RENEWED BEFORE EXPIRATION FOR AS  
37 LONG AS AN OWNER KEEPS CHICKENS AND DUCKS ON THE PROPERTY. UNLESS  
38 SPECIFICALLY EXEMPTED BY LAW OR VARIANCE, ALL ZONING REQUIREMENTS SET  
39 FORTH IN § 18-4-104 OF THIS CODE MUST BE MET BEFORE A LICENSE ISSUED UNDER THIS  
40 SECTION MAY BE RENEWED. AN APPLICATION FOR RENEWAL SHALL BE ACCOMPANIED  
41 BY THE REQUIRED LICENSE FEE. FAILURE TO MAKE APPLICATION FOR RENEWAL  
42 BEFORE THE RENEWAL DUE DATE SHALL RESULT IN A LATE FEE OF \$10.  
43

44 (D) **License – prohibition.** ROOSTERS MAY NOT BE KEPT ON A LOT LESS THAN 40,000  
45 SQUARE FEET.

46  
47 (E) **License – Revocation.** A LICENSE MAY BE REVOKED OR SUSPENDED PURSUANT  
48 TO § 12-4-710(B).

49  
50 **12-4-801. Animals outdoors.**

51  
52 (d) **Shelter for animals outdoors other than dogs.** A shelter for any animal other  
53 than a dog shall be maintained in accordance with the following provisions.

1 (1) Horses, ponies, and goats shall have an enclosure with at least three solid  
2 walls and a solid roof.

3  
4 (2) Buildings and sheds used for the housing of animals shall be lighted and  
5 ventilated; provide protection from the weather; and be kept clean, free of any debris that  
6 could endanger the animal, and in good repair at all times.

7  
8 (3) Manure shall be removed from the buildings [and], sheds, AND COOPS daily.

9 (4) An enclosure where animals are kept shall be graded and drained so as to  
10 keep the surface reasonably dry.

11  
12 (5) Garbage, fecal matter, or any debris that could endanger the animal may not  
13 be placed or allowed to remain in the enclosure.

14  
15 (6) An open drain may not be allowed to run through the enclosure.

16  
17 (7) Flies shall be controlled in the enclosure.

18  
19 (8) COOPS FOR CHICKENS AND DUCKS SHALL HAVE FOUR WALLS AND A ROOF,  
20 BE VENTILATED, CONSTRUCTED TO BE RAISED TWO FEET FROM THE GROUND, HAVE A  
21 MINIMUM OF THREE SQUARE FEET PER CHICKEN, HAVE SECURE DOOR OR GATE  
22 CLOSURES, ATTACHED BOTTOMS OR ANTI-DIGGING DEVICES TO PREVENT ESCAPE, AND  
23 BE BUILT IN SUCH A MANNER TO PREVENT ACCESS FROM PREDATORS AND WITHSTAND  
24 WEATHER.

25  
26 (9) OUTSIDE ENCLOSURES FOR CHICKENS OR DUCKS SHALL HAVE A MINIMUM  
27 OF TEN SQUARE FEET PER CHICKEN.

28  
29 (e) **Manure.** Other than on a farm, a manure pile may not be allowed to stand for  
30 longer than one month between October 15 and April 30 or for longer than seven days  
31 between May 1 and October 14. A MANURE PILE ON A LOT LESS THAN 40,000 SQUARE  
32 FEET MAY NOT BE ALLOWED TO STAND FOR MORE THAN SEVEN DAYS.

## 33 34 **ARTICLE 18. ZONING**

### 35 36 **TITLE 4. RESIDENTIAL DISTRICTS**

#### 37 38 **18-4-104. Pets; livestock or fowl.**

39  
40 (b) **Livestock or fowl.** The keeping of livestock or chickens and ducks is allowed [on  
41 a lot of at least 40,000 square feet] in accordance with the following:

42  
43 (1) [The number of livestock] LIVESTOCK MAY BE kept on a lot OF 40,000  
44 SQUARE FEET OR GREATER AND may not exceed a ratio of one animal unit per 40,000  
45 square feet. An animal unit is defined as follows:  
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1

2 horses or mules	= 1 animal unit
2 head of cattle	= 1 animal unit
4 ponies, burros, miniature horses, or donkeys	= 1 animal unit
10 sheep or goats	= 1 animal unit
8 swine	= 1 animal unit
8 llamas	= 1 animal unit
8 alpacas	= 1 animal unit
Other animals, 2,000 pounds	= 1 animal unit

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3  
4  
5

(2) [The number of domestic] DOMESTIC FOWL MAY BE kept on a lot 40,000 SQUARE FEET OR GREATER AND may not exceed a ratio of one bird unit per 40,000 square feet. A bird unit FOR LOTS 40,000 SQUARE FEET OR GREATER is defined as follows:

32 chickens	= 1 bird unit
16 ducks	= 1 bird unit
8 turkeys	= 1 bird units
8 geese	= 1 bird units
1 ostrich	= 1 bird units
2 emus	= 1 bird units
Other fowl, 100 pounds	= 1 bird units

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7  
8  
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10  
11

(3) CHICKENS AND DUCKS MAY BE KEPT ON A LOT OF 20,000 SQUARE FEET OR GREATER IMPROVED BY A SINGLE FAMILY DWELLING AND MAY NOT EXCEED A RATIO OF ONE BIRD UNIT PER 20,000 SQUARE FEET. A BIRD UNIT FOR LOTS 20,000 SQUARE FEET OR GREATER BUT LESS THAN 40,000 SQUARE FEET IS DEFINED AS FOLLOWS:

8 CHICKENS - HENS ONLY	= 1 BIRD UNIT
4 DUCKS	= 1 BIRD UNIT

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(4) CHICKENS, NOT INCLUDING ROOSTERS, MAY BE KEPT ON A LOT 10,000 SQUARE FEET OR GREATER BUT LESS THAN 20,000 SQUARE FEET THAT IS IMPROVED BY A SINGLE FAMILY DWELLING PROVIDED THE NUMBER OF CHICKENS DOES NOT EXCEED FOUR CHICKENS.

[(3)] (4) Combinations of animals are allowed if THE LOT IS 40,000 SQUARE FEET OR GREATER AND the allowed ratio of animal units to square footage is maintained.

[(4)] (5) All livestock and fowl shall be kept within a fenced area. CHICKENS OR DUCKS ON LOTS LESS THAN 40,000 SQUARE FEET SHALL BE KEPT IN A SECURED ENCLOSURE WITH A CHICKEN COOP.

1           ~~[(5)] (6) Accessory structures relating to livestock or fowl and manure storage~~  
2 ~~shall be located at least [50] 35 feet from side and rear lot lines AND 25 FEET FROM ANY~~  
3 ~~DWELLING.~~

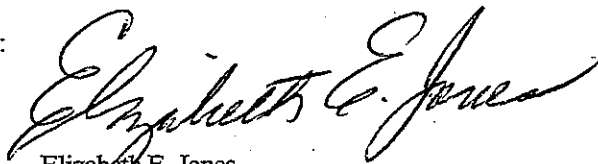
4  
5           [(5)] (6) EXCEPT FOR COOPS OR ENCLOSURES FOR CHICKENS OR DUCKS ON LOTS  
6 LESS THAN 40,000 SQUARE FEET, accessory structures relating to livestock or fowl and  
7 manure storage shall be located at least 50 feet from side and rear lot lines.

8  
9           (7) COOPS AND ENCLOSURES FOR CHICKENS OR DUCKS ON LOTS LESS THAN  
10 40,000 SQUARE FEET SHALL BE LOCATED AT LEAST 25 FEET FROM SIDE OR REAR LOT  
11 LINES AND 25 FEET FROM ANY DWELLING.

12  
13           SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days  
14 from the date it is enacted.

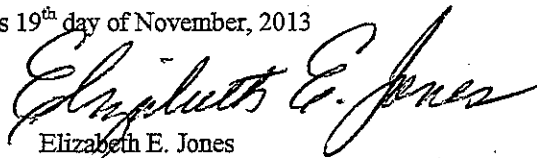
READ AND PASSED this 18<sup>th</sup> day of November, 2013

By Order:



Elizabeth E. Jones  
Administrative Officer

PRESENTED to the County Executive for her approval this 19<sup>th</sup> day of November, 2013



Elizabeth E. Jones  
Administrative Officer

APPROVED AND ENACTED this \* day of November, 2013

\*Returned unsigned: November 20, 2013

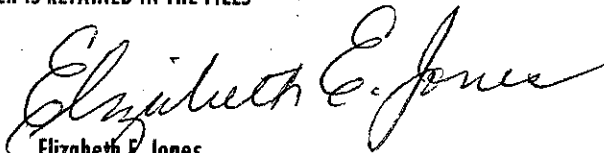
Enacted November 29, 2013

Laura Neuman  
County Executive

EFFECTIVE DATE: January 13, 2014

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.

79-13 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES  
OF THE COUNTY COUNCIL.



Elizabeth E. Jones  
Administrative Officer

