

SANGERVILLE LIVESTOCK ORDINANCE

Title

This ordinance shall be known as the "Livestock Ordinance of the Town of Sangerville" (hereinafter the "Ordinance"). The effective date of this ordinance is March 29, 2014.

Authority

The Town of Sangerville adopts this Ordinance pursuant to its home rule authority under the Maine Constitution and 30-A MRSA sec. 3001 to adopt laws for the general welfare of the inhabitants of the Town of Sangerville.

Applicability

This ordinance applies to any person who owns or keeps livestock in the Town of Sangerville.

Town Center

No person shall keep any livestock, whether for household or commercial purposes, within the radius of five (5) tenths of a mile from the Veteran's War Memorial in the Town Square with the exception of already established farms or other allowed exceptions spelled out in this ordinance.

The term "livestock" shall mean any cattle, horses, sheep, goats, swine, fowl, or any other animals as defined by 7 MRSA sec 3907.

The term "farms" above shall mean all those properties of five (5) acres or more engaged in farming in all its branches and the cultivation and tillage of the soil as a livelihood and includes dairying, raising livestock, freshwater fish, fur-bearing animals or poultry; producing, cultivating, growing and harvesting fruit, produce or horticultural commodities; or any practices on a farm that are incident to or in conjunction with these farming operations. For the purposes of this section "farms" or "farming" does not include forestry or the growing of timber.

Keeping of Domesticated Chickens

The purpose of this section is to allow for and provide standards for the keeping of domesticated chickens in the Village (within the five tenths mile protected area). It is intended to enable residents to keep a small number of female chickens on a non-commercial basis while creating standards and requirements that ensure that domesticated chickens do not adversely impact the neighborhood surrounding the property on which the chickens are kept.

- A. Number and Type of Chickens Allowed.
 1. The maximum number of chickens allowed is six (6) per lot regardless of how many dwelling units are on the lot.
 2. Only female chickens are allowed. There is no restriction on chicken species.
- B. Non-Commercial Use Only
Chickens shall be kept for personal use only; no person shall engage in chicken breeding or fertilizer production for commercial purposes

C. Enclosures

1. Chickens must be kept in an enclosure or fenced area (chicken pen) at all times. Enclosures must be clean, dry, and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor, or other adverse impact. The chicken pen must provide adequate sun and shade and must be impermeable to predators, including dogs and cats. Any henhouse shall be at least twenty-five (25) feet from any residential structure or any other premises on any adjacent lots.
2. Henhouses shall only be located in rear yards. For a corner lot or other property where no rear yard exists, a side yard may be used as long as the twenty five (25) foot setback is met. In no case may a henhouse be placed in the front yard. Henhouses are not allowed to be located in any part of a home.

D. Odor and Noise Impacts

1. Odors from chickens, chicken manure or other chicken-related substances shall not be perceptible at the property boundaries.
2. Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity.

Other Prohibited Acts

No livestock of any kind shall be kept in the cellar, basement or attic of any occupied residential structure in the Town of Sangerville. The Town Health Officer shall have the authority to order removal of livestock from any premises in the Town, regardless of location whenever the Health Officer finds that the keeping of such livestock at the premises concerned threatens the public health. Any order issued by the Health Officer under this section shall be served on the owner or occupant of the premises, or on the keeper or owner of such animals, and shall allow 48 hours after service of the order for removal of the livestock concerned.

Running at Large

No person having the care of any livestock shall allow such livestock to go at large on any highway, street, road, lane, park, square or other public place in the Town of Sangerville.

Impoundment

The Health Officer, Code Enforcement Officer, or Animal Control Officer may impound any livestock kept in violation of this Ordinance. All costs shall be charged to the owner or keeper of such livestock. Livestock impounded under this section may be sold by the Town to recover the Town's costs.

Severability

The invalidity of any section or provisions of this Ordinance shall not be held to invalidate any other section or provision of this Ordinance.