

Ordinance #2022-18
2022 Ordinance Book, Page 68

ORDINANCE AMENDING CHAPTER 6 OF THE CITY CODE ENTITLED “ANIMALS AND FOWL” TO REVISE THE REQUIREMENTS FOR THE KEEPING OF CHICKENS OR OTHER FOWL AND PIGEONS

BE IT ORDAINED, by the Mayor and Winston-Salem City Council as follows:

Section 1. Section 6-6 of Chapter 6 is hereby amended to read as follows:

Section 6-6. KEEPING CHICKENS OR OTHER FOWL AND PIGEONS

- (a) *Sanitation for chickens or other fowl and pigeons.* Any person who keeps, feeds, or maintains chickens or other fowl and pigeons in the corporate limits of the city shall provide a bin or pit which shall be watertight and so arranged that it is fly-proof, or a watertight barrel with a close-fitting lid. Manure accumulating shall be placed in the bin, pit or barrel each day, and the manure shall be removed at intervals not longer than five days beginning from March 15 until September 15 of each year, and at intervals of one week from September 16 to March 14 of each year. Likewise, uneaten feed shall be placed in the bin, pit or barrel each day, and removed at the intervals specified above for manure. The slaughter of chickens or other fowl for personal use is allowed only on the property where the chickens or fowl are kept. The slaughter shall not be visible from public areas, the public right-of-way, or any adjacent property. The slaughter must be performed in a sanitary manner with the proper disposal of all waste materials.
- (b) *Sheltering and limits on the number and type of chickens or other fowl:*
- (1) *Enclosed run.* Chickens or other fowl shall be kept in an enclosed run. Said enclosure shall be a minimum of four feet in height and must be enclosed on all sides and the top with wire mesh fencing. The enclosed run shall provide at least ten square feet of run area per chicken or other fowl. Any access gates or other access openings into the enclosed run shall be self-closing, self-latching and lockable.
 - (2) *Coop.* The coop shall be constructed of solid material and shall be located within the enclosed run or constructed and located so as only to provide ingress/egress for the chickens or other fowl into the enclosed run. The coop shall provide a minimum of three square feet of floor area per chicken and shall be a minimum of two feet in height per floor or level where chickens or other fowl are housed.
 - (3) *Number and type.* The maximum number of chickens or other fowl that can be kept on any ~~residentially zoned~~ property within the corporate limits of the city shall be five. All chickens shall be hens; no roosters are permitted.
 - (4) *Enclosed run and coop materials.* The enclosed run and coop shall be maintained in a clean and sanitary condition. All solid materials and fencing used in conjunction with the construction of the coop and enclosed run shall be suitable for exposure to moisture without deterioration and shall be conducive to regular cleaning and sanitation. Without limiting the materials that can be used, examples meeting this requirement are pressure treated wood, painted wood, wood frame with metal or vinyl siding, asphalt

shingle roofing and metal roofing for the coop and galvanized or vinyl mesh fencing and fencing supports for the enclosed run.

- (c) *Sheltering of pigeons.* The coop for the keeping of pigeons shall be maintained in a clean and sanitary condition. All solid materials and fencing used in conjunction with the construction of the coop shall be suitable for exposure to moisture without deterioration and shall be conducive to regular cleaning and sanitation. Without limiting what can be used, examples meeting this requirement are pressure treated wood, painted wood, wood frame with metal or vinyl siding, asphalt shingle roofing and metal roofing for the coop and galvanized or vinyl mesh fencing and fencing supports for the enclosure. No enclosed area around the pigeon coop is required, but if such enclosure is provided it shall also be constructed of materials suitable for exposure to moisture without deterioration and shall be conducive to regular cleaning and sanitation.
- (d) *Setbacks for the keeping of chickens or other fowl and pigeons.* The enclosed run for the keeping of chickens or other fowl and/or the enclosed run or coop for the keeping of pigeons shall be located in the rear yard and shall be no closer to the street than the rear yard of the dwelling or principal structure and at no time may be closer than 20 feet from any adjacent property line. ~~If the enclosed run for the keeping of chickens or other fowl and/or the enclosed run or coop for the keeping of pigeons is at least 100 feet from all adjacent property lines (excluding the front property line) approval from adjoining neighbors is not required. When proposing to place the enclosed run and/or coop for the keeping of chickens or other fowl and pigeons greater than 25 feet but less than 100 feet from any adjacent property line(s), the property owner must have the notarized signature from the impacted adjacent property owner(s) on a statement indicating that the adjacent property owner(s) approve(s) of the location of the enclosed run and/or coop prior to applying for and receiving a permit for placement.~~
- (e) ~~*Reserved. Permit required for the keeping of chickens or other fowl and pigeons.* A zoning permit issued by the inspections division is necessary prior to constructing and/or erecting the enclosed run and/or coop. Submittal requirements shall include, but may not be limited to, a scaled site plan showing all property lines and existing structures, the proposed enclosure and/or coop, the distance from the property lines to the proposed enclosure and/or coop, as well as a sketch or elevation(s) of the planned enclosure and/or coop design and a materials list indicating what the enclosure and/or coop will be constructed of. When the proposed enclosure and/or coop for the keeping of chickens or other fowl and pigeons is located closer to the adjacent property owner(s) than 100 feet, the notarized statement outlined in section 6-6(d) must be provided. Additional information may be necessary to ensure compliance with these and other requirements.~~
- (f) ~~*Reserved. Permit renewal and revocation.* The zoning permit shall automatically renew annually. Should two confirmed/sustained notices of violations (NOVs) concerning violations of the provisions of this section (section 6-6) be issued within a two-year period, the permit shall automatically be revoked. Upon permit revocation, the property owner shall be prohibited from keeping or applying for a permit to keep chickens or other fowl and pigeons for a period of two years. Following the two-year period, the property owner may re-apply for a permit.~~

- (g) *Impact on previously issued special use permits for the keeping of chickens or other fowl and pigeons.* Special use permits (SUPs) previously issued for the keeping of chickens or other fowl and pigeons are not subject to the provisions of section 6-6(b) - (~~§ d~~) but are subject to the provisions of section 6-6(a) and the site plan and SUP conditions approved by the zoning board of adjustment.

Section 2. This ordinance shall become effective upon adoption.