

**CITY OF TANEYTOWN
ORDINANCE 09-2023 BACKYARD CHICKENS**

WHEREAS, Section 5-213 of the Local Government Article of the Maryland Annotated Code and Section C-401(B)(62) of the Charter of the City of Taneytown grants the Mayor and City Council with the authority to adopt zoning regulations; and

WHEREAS, the Mayor and City Council of Taneytown have adopted Zoning Regulations for the City of Taneytown contained in Chapter 205 of the Code of the City of Taneytown; and

WHEREAS, Article V – Supplementary District Regulations of the Zoning Code regulates accessory uses ; and

WHEREAS, the Mayor and City Council of the City of Taneytown believe it is in the best interests of the citizens of Taneytown to implement zoning regulations to define, regulate and permit the raising of Backyard Chickens, under certain conditions and circumstances as defined by this Ordinance; and

WHEREAS, the Taneytown Planning and Zoning Commission have reviewed this Ordinance at their November 27, 2023 meeting and voted to recommend that the Mayor and City Council for the City of Taneytown approve and adopt the ordinance; and

WHEREAS, pursuant to the requirements of Section 4-203 of the Land Use Article of the Maryland Annotated Code, the Mayor and City Council of the City of Taneytown have advertised and held a public hearing on this ordinance on December 6, 2023 to receive public comment; and

WHEREAS, after considering the matter, and the Planning and Zoning Commission’s recommendation and public comment related this ordinance have found that it is in the best interests of the citizens of Taneytown to adopt said Ordinance.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF TANEYTOWN THAT:

Section 1. That Section 205-1 be amended as follows to add:

BACKYARD CHICKENS – Chickens that are raised in the City which meet the requirements of the zoning ordinance. Said practice shall not be considered animal husbandry as referenced in the zoning code.

Section 2. That Section 205-35.5 be added as follows:

205-35.5 Backyard Chickens

Raising of chickens is permitted in residential districts subject to the following:

- A. A maximum of six (6) chickens may be kept. Roosters are prohibited.
- B. A chicken coop is required. A chicken coop is defined as a small enclosed area or structure in which the chickens are kept. The minimum coop size shall be 4 square feet per chicken and enclosed on all sides and roofed,
- C. A chicken run is required. A chicken run is defined as an outdoor enclosed (top and all sides) area attached to a chicken coop in which the chicken is allowed to range freely. A run of 10 square feet per chicken is required. Chickens must be confined within coops and runs.
- D. Coops and runs shall be considered as accessory buildings or structures in conformity with all other requirements of the code.
- E. The minimum setback for a coop or run shall be 10 feet from any lot line,
- F. Coops and runs must be a minimum of 20 feet from any dwelling.
- G. Coops must be in the rear yard of the property.
- H. A Backyard Chicken Keeper Certificate or equivalent shall be required and submitted with any permit application. A certificate shall be required of both property owner and tenant for any leased property.
- I. Commercial activities, such as, but not limited to selling eggs, is prohibited.
- J. Issuance of a City zoning certificate shall be required prior to obtaining any chickens.
- K. Prior to obtaining a zoning certificate, a copy of the registration for the backyard chicken with the Maryland Department of Agriculture shall be submitted to the City
- L. Compliance with all other County and State regulations.

INTRODUCED THIS 13 DAY OF November, 2023

Clara Kalman

CLARA KALMAN, CITY CLERK

PASSED THIS 11 DAY OF December 2023 BY A VOTE OF _____
 COUNCILMEMBERS IN FAVOR AND _____ COUNCILMEMBERS
 OPPOSED.

Clara Kalman

CLARA KALMAN, CITY CLERK

APPROVED THIS 13 DAY OF December 2023.

Christopher G Miller

CHRISTOPHER G MILLER, MAYOR

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
 THIS ___ DAY OF _____, 2023.

BY: _____
 CITY ATTORNEY