

ARTICLE # ____
 AMENDMENT # ____

Hampton Zoning Ordinance Amendment
Article III – New Section 3.17a
New Article XX
Amend (Recodify) Existing Articles XX, XXI, and XXII

~~Strikethrough~~ = Proposed Deletion

Underline = Proposed Addition

Highlighting = All Proposed Changes

ARTICLE III – USE REGULATIONS

3.17 Farm buildings necessary to the operation of a farm including road side stands for the sale of farm products principally produced, grown, raised or manufactured on the premises.

RAA	RA	RB	RCS	B	BS	I	G
P	P	P	X	P	P	P	P

3.17a The keeping of domesticated chickens (see Article XX)

<u>RAA</u>	<u>RA</u>	<u>RB</u>	<u>RCS</u>	<u>B</u>	<u>BS</u>	<u>I</u>	<u>G</u>
<u>B</u>	<u>B</u>	<u>B</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>B</u>

New Article XX

ARTICLE XX – KEEPING OF DOMESTICATED CHICKENS

Section 20.1 Purpose

It is the intent of this Section to allow for the keeping of domestic chicken hens in residential areas for the sole use and enjoyment of the residents of the lot on which such animals are kept. It is also the intent of this Section to protect and promote the health, safety, and welfare of residents by not allowing chickens of a number and type that would otherwise constitute a nuisance to the public health and safety, or cause disturbance of the peace in neighborhoods within the Town of Hampton.

Section 20.2 Standards

Chickens kept as domesticated pets by the residents of a dwelling unit shall be maintained in accordance with all applicable Town of Hampton Ordinances and Regulations, New Hampshire RSA 644:8 regarding Cruelty to Animals, as well as the following provisions:

1. **Locations Permitted.** Domestic chickens are permitted with Building Inspector approval as an accessory use on any lot which is at least 10,000 square feet in size, is located in the “RAA”, “RA”, “RB”, or “G” zoning district, and which is utilized for residential purposes.
2. **Number and Type of Chickens Permitted.** Up to six (6) chicken hens of any breed may be kept. Roosters are prohibited.
3. **Limitations.** The keeping of chickens shall be for personal use only, and the owner of the property must be a resident of a dwelling unit on the lot where they are kept. No person shall sell eggs or engage in chicken breeding, slaughtering or any commercial activity related to the keeping of the hens.
4. **Henhouses and Fenced Areas Required.** All chickens shall be kept within hen houses and fenced areas approved by the Building Department, and shall not be permitted to roam free nor to be kept or raised within a dwelling. Structures and fenced areas for hens must be located in side or rear yards and must be set back a minimum of twenty (20) feet from property lines. Henhouses and fenced areas must also meet the following standards:
 - a. Henhouses and fenced areas must adequately contain the hens at all times, provide them with adequate ventilation, be kept in a neat and sanitary condition, and be maintained in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact. The henhouse must provide a minimum of four (4) square feet per hen.
 - b. Henhouses shall be no more than six (6) feet in height, be enclosed on all sides, and shall provide adequate protection for the hens from weather and wild or domestic animals.

c. The henhouse must be located upon a permeable surface that prevents waste runoff. The materials used in making the henhouse shall be uniform for each element of the structure. The use of scrap material shall be prohibited.

d. All chicken feed must be securely stored and protected from the elements and vermin.

e. All stored manure shall be composted in a fully enclosed structure or container, and no more than three (3) cubic feet of composting manure shall be stored on the subject lot. The placement of stored manure shall comply with the required setbacks of the zoning district. All other manure not used for composting or fertilizing shall be removed from the property.

f. Any proposed fenced enclosures shall be subject to review and approval by the Building Department, and shall not be less than 25 square feet in size per chicken.

ARTICLE ~~XX~~ XXI - AMENDMENTS

This Ordinance and the boundaries of districts shown on the Zoning Map may be amended at any annual or special Town Meeting in accordance with the provisions of the State Zoning Enabling Act, Chapter 31, of the Revised Laws, 1955, or any amendments thereto.

ARTICLE ~~XXI~~ XXII - VIOLATIONS

Any person violating any of the provisions of this Ordinance shall be subject to a fine as provided in RSA 676:17, as amended. The Board of Selectmen, or the Building Inspector, are hereby designated as the proper local authorities of the Town to institute appropriate action under the provisions of RSA 676:17. (Amended 1986)

ARTICLE ~~XXII~~ XXIII - VALIDITY

If any section or part of section or paragraph of this Ordinance is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this Ordinance