

# *Let's allow Amherst residents to raise hens and rabbits safely and legally*

## WARRANT ARTICLE 33 & 35– Citizens Petition

The keeping of small backyard livestock, particularly hens, is an appropriately-scaled, practical and symbolic form of environmental, fiscal, and community **sustainability**. As part of the local food movement, cities and towns across the nation are enacting "*hen friendly*" legislation to help residents move toward personal, neighborhood and community level self-sufficiency. This proposed change in the town bylaw will allow Amherst to join this national movement. We propose:

- A "by right" approach to a small number of animals
- Boundary setbacks to protect neighbor's interests
- Annual site registration to allow the town to inventory all animals
- Animal care guided by published "best practice" regulations and education
- Complaint initiated enforcement by the Animal Welfare Officer

## THE SITUATION

A group of your neighbors have filed a Citizens Petition (Article 33) to remove unreasonable and unnecessary restrictions on residents who want to raise hens (for the eggs) and meat rabbits in their backyards. Currently, our Zoning Bylaw presents a significant barrier to this quiet and safe family activity, except for those families living in the R-O (Residential Outlying) or R-LD (Residential Low Density) Districts, where poultry and other livestock are allowed by-right.

Those of us who live in the R-N (Residential Neighborhood) or R-VC (Residential Village Center) districts can only raise hens if we obtain a Special Permit from the Zoning Board of Appeals. Few chicken owners in Amherst have bothered to do so because of the expense and paperwork involved in the application process. Families living in the R-G (Residential General) district are not allowed to apply for the Special Permit. This means that many of the chicken coops and rabbit hutches in town are currently "underground." While these small animals have been raised in town for many years (often illegally), we think it is time to make them legal and allow others to feel free to participate in this simple, safe and educational family activity.

## THE PROPOSAL

Therefore, we have proposed an amendment to the Zoning Bylaw that would allow up to 12 animals (either hens and/or rabbits) in all neighborhoods, provided the homeowner registers the site with the town. In addition, we have proposed setback requirements (to keep the coop away from a neighboring home), fencing requirements (to keep the animals contained), odor standards (no smell at the property boundary), and space and structure requirements to insure the animals are kept safe and healthy.

If Town Meeting passes the proposed Zoning Article (33), we also are proposing changes to the General Bylaw (Article 35) that would require a simple annual registration process (similar to a dog license) for all chicken coops and rabbit hutches. The Health Director is prepared to develop educational materials on health and safety to share with new chicken and rabbit enthusiasts. Further, the Animal Welfare Officer is prepared to inspect each new backyard coop/hutch to ensure the property and plan is suitable for the number of animals proposed, and then to follow-up with annual site visits to inspect the animals (paid for by the state).

## RESPONSES TO SOME OF THE OBJECTIONS

### ***Hens Do Not Smell***

While unsanitary conditions in large-scale commercial operations can result in a buildup of ammonia, this is not the case for small, well-managed backyard flocks. Hens do not smell and their waste in small quantities is not noticeable. Five hens generate less excrement than a medium-sized dog. But unlike cats and dogs, which leave their waste on the lawn of public places, hen droppings are confined.

### ***Hens Are Not Noisy***

Hens are quiet birds. Only roosters crow, and roosters are specifically prohibited by the Zoning Bylaw. The occasional clucking of hens is generally not audible beyond 20 feet. Some hens give a few squawks while laying an egg, but this noise is very short-lived and much quieter than barking dogs, lawnmowers, leaf blowers, weed whackers, and other common neighborhood sounds.

### ***Hens Do Not Attract Predators or Rodents***

Hens, if left unprotected, are vulnerable to predators. But as the predators of hens are the same as those of wild rabbits, squirrels, chipmunks, and small birds, they will not attract additional predators to a neighborhood. Feed kept in containers do not attract rodents. In fact, more bird feed is probably stored in garages and sheds in town than hen feed. This article requires chicken feed be contained.

### ***Hens Do Not Pose a Public Health Risk***

The type of Avian Influenza that is contagious to humans has not been found in North America. Bird flu is spread by contact with the contaminated feces of wild migratory waterfowl. Unlike rural farm birds that might range freely across large areas and may mingle with migratory waterfowl, backyard chickens are contained in an enclosure. Unlike cats and dogs that are prime candidates for rabies, parasites, and tick-borne diseases, backyard chickens actually keep your yard healthier for by eating ticks and other insects. Salmonella, which has been associated with raw eggs, is a problem with large-scale factory-farmed eggs, not with small flocks of backyard hens.

## COMMUNITY SUPPORT

Finally, many of our neighbors have signed an e-petition in support of the articles (over 200 as of April 15). See [www.ipetitions.com/petition/hensforamherst](http://www.ipetitions.com/petition/hensforamherst). Here are a few quotes from our neighbors:

- *This is a positive change that gives more food security to Amherst residents.*
- *Having gone through the lengthy and expensive process of obtaining a permit to raise a small flock of backyard hens, I support the above changes in order to make this process much easier and more affordable to Amherst residents.*
- *Food diversity is healthy and sustainable, and Amherst should be supporting local efforts like this one by folks who want to grow some of their own food.*
- *We raise egg laying hens in our back yard. They are quite charming animals!*
- *Much better than supporting factory farms and battery cages which are cruel to the hens.*
- *Dogs and cats are more likely to create nuisance and danger to neighbors (barking, defecation in other's yards, attacking feeder birds, growling and aggressive barking). Since we allow dogs and cats why shouldn't we allow chickens?*

***For more information, see:***

**[www.justfoodnow.org/Coop.htm](http://www.justfoodnow.org/Coop.htm)**