

SWANTON VILLAGE ANIMAL ORDINANCE

ORDINANCE REGULATING THE KEEPING AND CARE OF ANIMALS WITHIN VILLAGE LIMITS

Section I. Authority

This Ordinance is enacted pursuant to 24 V.S.A. § 2291(14) and 24 App. V.S.A. ch. 279, § 21, which grant the Village of Swanton Trustees the authority to make, amend, and enforce ordinances for the protection of public health, safety, and welfare.

Section II. Purpose

The purpose of this Ordinance is to regulate the keeping and care of animals within the Village in order to:

- Protect public health and safety
- Safeguard the welfare of animals
- Prevent nuisances, noise, odor, and unsanitary conditions
- Ensure compatibility with the primarily residential character of the Village

Section III. Definitions

For the purposes of this Ordinance, the following terms shall have the meanings set forth below:

- **Enclosed Coop:** A fully enclosed structure designed to house poultry, providing protection from weather and predators. Must include solid walls, roof, and secure access.
- **Run:** A fenced outdoor area attached to or adjacent to a coop, allowing poultry to move freely while remaining contained and protected.
- **Free-Ranging:** Allowing animals to roam outside of a secured enclosure without physical barriers. This practice is prohibited within Village limits.
- **Incidental Sales:** The occasional sale of eggs or animal products produced on-site for personal use. Does not include advertising, signage, delivery, or commercial operations.
- **Predator-Proof Enclosure:** A structure or fencing system designed to prevent access by common predators such as raccoons, foxes, dogs, and birds of prey.
- **Housing Area:** The total square footage of all enclosed coops, hutches, and runs used for animal keeping on a single property.
- **Conditional Use Permit:** A formal approval granted by the Village Trustees allowing a property owner to exceed the standard housing area limits, subject to review and public meeting.
- **Nuisance:** Any condition arising from animal keeping that causes odor, noise, or disruption detectable across property lines or interferes with the peaceful enjoyment of neighboring properties.

Section IV. Applicability

This Ordinance applies to all properties within the Village of Swanton. It governs non-commercial animal keeping only. Commercial farming, boarding, or sale of animals is prohibited unless specifically authorized under other Village bylaws.

Section V. Prohibited Animals

The following animals shall not be kept on any property within the Village:

- Cows
- Horses
- Pigs
- Sheep
- Goats
- Any other large livestock not expressly permitted herein

Section VI. Permitted Animals and Standards

(a) Poultry

- **Chickens:** Maximum density 1 bird per 3 sq. ft. of enclosed coop space
- **Ducks:** Maximum density 1 bird per 4 sq. ft. of enclosed coop space
- **Turkeys and Geese:** Maximum density 1 bird per 6 sq. ft. of enclosed coop space
- **Roosters:** Prohibited within Village limits, regardless of whether they crow
- **Free-Ranging:** All fowl must be housed in an enclosed coop or run at all times; free-ranging is not permitted
- **Incidental Sales:** Sale of eggs produced on-site is permitted for personal use and incidental sales only. No signage, advertising, delivery operations, or commercial enterprise is permitted

(b) Rabbits

- Maximum density 1 rabbit per 3 sq. ft. of enclosed hutch space (4–5 sq. ft. for large breeds)
- Rabbits must be housed in predator-proof hutches or enclosures; free-ranging is not permitted

(c) Maximum Housing Area

- The combined enclosed housing area for all fowl and rabbits on a lot shall not exceed 45 square feet
- This limit applies to properties of 0.25 acres or less. Owners of larger lots may apply for a conditional use permit to exceed this threshold

(d) Conditional Use Permit Requirements

Property owners seeking to exceed the maximum housing area must submit a written application to the Village Trustees. The application must include:

- A diagram of the proposed coop, run, and fenced area
- Total square footage of animal housing
- Number and type of animals to be kept
- Description of waste management and predator protection measures

All applications shall be reviewed and approved by the Village Trustees at a public meeting. The Trustees reserve the right to approve, deny, or request modifications to any application based on neighborhood impact, lot size, and compliance with nuisance standards.

Section VII. Housing and Care

All animals must be provided with adequate shelter, ventilation, and protection from weather and predators.

- Clean water and appropriate feed must be available at all times
- Feed must be stored and managed to prevent attracting rodents or pests
- Manure and soiled bedding must be removed or composted regularly. Disposal must be managed in a way that prevents odor, runoff, and unsanitary conditions. Manure shall not be stockpiled or spread within 25 feet of any property line or waterway

Section VIII. Nuisance Standards

- Odors from animal keeping shall not be detectable across property lines
- Animal keeping shall not unreasonably interfere with the peace and enjoyment of neighboring properties
- Noise shall be kept to a minimum
- Any such odors, peace, enjoyment of neighboring properties and noise shall be determined by any enforcement officer of Swanton Village.

Section IX. Enforcement and Penalties

The Village Trustees, or their designated enforcement officer, shall be responsible for enforcement of this Ordinance.

- Warnings may be issued prior to fines at the discretion of the enforcement officer
- **First offense:** Written Warning
- **Second offense:** \$150
- **Third offense:** \$300
- **Fourth and subsequent offenses:** \$500 each
- Each day a violation continues shall constitute a separate offense

Civil enforcement shall be pursuant to 24 V.S.A. §§ 1974a and 1977.

Section X. Severability

If any provision of this Ordinance is found to be invalid, the remaining provisions shall remain in full force and effect.

Adopted on _____

Swanton Village Board of Trustees

Adam Paxman, Trustee

David Winchester, Village President

Suzie Kelleher, Trustee

Neal Speer, Trustee

ATTEST: _____

Dianne Day, Village Clerk