

## VILLAGE OF SWANTON

### 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

## **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:** \$150
- **Second offense:** \$300
- **Third offense:** \$450
- **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.