

TOWN OF SHARPTOWN
ANIMAL CONTROL ORDINANCE
ORDINANCE NO. 94

An Ordinance to repeal Ordinance No. 60 entitled “Dog Control Ordinance”, to adopt Wicomico County’s Animal Control Ordinance, and to enact a new ordinance entitled “Urban Fowl and Other Animals”.

Whereas, the Commissioners of the Town of Sharptown, Maryland want to repeal Ordinance 60 entitled “Dog Control Ordinance”, replace it with Wicomico County’s newly adopted animal control ordinance, and enact an ordinance regulating urban fowl and other animals.

Section I: Be it enacted and ordained by the Commissioners of the Town of Sharptown, Maryland that Ordinance 60 entitled “Dog Control Ordinance” is repealed in its entirety.

Section II: Be it enacted and ordained by the Commissioners of the Town of Sharptown, Maryland that Wicomico County Code Chapter 133 entitled “Animal Control”, enacted on November 20, 2018, and as amended from time to time, is fully adopted as the Town’s animal control ordinance as Chapter 133.

Section III: Be it enacted and ordained by the Commissioners of the Town of Sharptown, Maryland that the ordinance entitled “Urban Fowl and other Animals” be passed as follows:

URBAN FOWL AND OTHER ANIMALS

Section 1: Definitions.

“Fowl” means a hen chicken, domestic duck, or domestic goose kept on a residential lot that relies on people for food and shelter.

“Exotic Animal” means an animal of a non-domesticated species not commonly kept as a household pet or for food and fiber production.

Section 2: Purpose.

The purpose of this ordinance is to provide standards for the keeping of fowl within the Town limits. It is intended to enable residents to keep a small number of fowl while limiting the potential adverse impacts on the surrounding neighborhood. Additionally, this ordinance specifies animals that are prohibited within Town limits.

Section 3: Prohibited Acts.

It is unlawful to raise or keep fowl, or to allow fowl to be raised or kept:

- A. In violation of any provisions of this ordinance or any other provisions of the Town Code of Sharptown.
- B. On any lot other than single family dwelling lots.
- C. On a vacant or uninhabited parcel of land.
- D. For fighting.
- E. Inside a dwelling unit.

Section 4: Number of Fowl Permitted.

- A. The maximum number of fowl allowed is 6 per occupied single-family dwelling unit.
- B. No roosters are permitted.

Section 5: Registration.

- A. Fowl must be registered with the Maryland State Department of Agriculture, Domestic Poultry and Exotic Bird Registration Division under Md. Code Agriculture § 3-804, as amended from time to time. A completed registration must be presented to the Town before a fowl is housed on a permitted property site.
- B. If an occupant proposes to keep fowl on a rented property, the occupant must present to the Town a signed statement from the property's owner consenting to the occupant's proposal for keeping fowl on the property.

Section 6: Henhouses and Outdoor Enclosures.

- A. Fowl must be kept in either a henhouse or a outdoor enclosure as follows:
 - 1. During non-daylight hours, fowl must be secured within a henhouse.
 - 2. During daylight hours, fowl may be allowed outside of their henhouse in an outdoor enclosure if supervised by the owner or responsible person.
- B. A henhouse and outdoor enclosure must provide adequate ventilation and adequate sun and shade, and both must be resistant to rodents, wild birds, and predators, including cats and dogs.

C. A henhouse and outdoor enclosure must be situated in the rear yard of the property and may not be closer than 10 feet to any residence or property line.

D. Outdoor enclosure requirements:

1. Outdoor enclosure must be made of sturdy wire fencing and be adequately fenced to contain the fowl on the property and to prevent predators from access to the fowl.
2. Outdoor enclosures must be clean, dry, and odor free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to odor, noise, or other adverse impacts.
3. Outdoor enclosures must provide at least the following space per each animal:

Chicken	3 sq. ft.
Duck	10 sq. ft.
Goose	30 sq. ft.

E. Henhouse requirements:

1. A henhouse must provide safe and healthy living conditions for the fowl while minimizing adverse impacts to other residents in the neighborhood.
2. The henhouse must have a well-maintained interior and exterior.
3. The henhouse must be enclosed on all sides and must have a solid roof and doors. Access doors must be equipped to be shut and secured at night. Opening windows and vents must be covered with predator- and bird-proof wire with openings of less than one square inch.
4. A henhouse must provide at least the following covered space per each animal:

Chicken	2 sq. ft.
Duck	4 sq. ft.

Goose	10 sq. ft.
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Section 8: Odor and Noise Impacts.

- A. Odors from fowl, manure, or related substances must not be perceptible at the property boundaries.
- B. Noise from the fowl must not be loud enough at the property boundaries to disturb people of reasonable sensitivity.

Section 9: Lighting.

Only motion-activated lighting may be used to light the exterior of the henhouse and the outdoor enclosure.

Section 10: Predator, Rodent, Insect, and Parasite Reduction.

The property owner must take all necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.

Section 11: Feed and Water.

Fowl must be provided with feed and clean water at all times. The feed and water must be rodent-proof.

Section 12: Waste Storage and Removal.

Provisions must be made for the storage and removal of manure. All stored manure must be made rodent-proof. Stored manure must be used for composting or fertilizing. All other manure not stored must be removed. All areas occupied at any time by fowl must be kept free from trash and accumulated droppings. Uneaten feed must be removed in a timely manner.

Section 13: Veterinary Care.

All fowl must be afforded veterinary care paid for by their owner if they are known or suspected to be sick or injured.

Section 14: Removal of Fowl.

- A. Any authorized enforcement officer or inspector may order the removal of fowl upon a determination that the fowl pose a health risk.
- B. If an order of removal is issued, the violator will be given 7 days to remove the fowl or any related structures that are in violation. If the Town incurs costs to remove the fowl or any related structure, the violator will be responsible for all related costs.

- C. Dead fowl must be disposed of properly and promptly. Carcasses must be buried at a depth of at least 2 feet, then firmly covered with soil. Bricks, large stones, concrete blocks, or other heavy, solid objects must be placed over the filled hole to discourage digging by dogs or other animals. These may be removed once decomposition is assured. Powdered lime may be spread on the carcass before filling the hole to hasten decomposition and minimize odor.
- D. It is unlawful to place animal carcasses of any kind in any trash containers.
- E. It is unlawful to incinerate any animal carcasses within Town limits.

Section 15: Prohibited Animals.

Dangerous, wild, or exotic animals are prohibited within the town limits including the following:

- A. Bison, boar, cattle, deer, elk, goat, moose, pig, sheep, yak, and other Artiodactyla.
- B. Alpaca, camel, llama, and other Camelidae.
- C. Coyote, fox, wolf, and other Canidae except domestic dogs.
- D. Cougars, leopards, tigers, and other Felidae except domestic cats.
- E. Badgers, mink, otters, skunks, weasels, and other Mustelidae except domestic ferrets.
- F. Donkey, horse, mule, and other Perissodactyla.

Section 16: Violations.

The Town Code Enforcement Officer may issue violations and fines in accordance with the Sharptown Municipal Infractions resolution.

Section 17: Appeals.

A person appealing the issuance of any violation or fine issued by the Town of Sharptown Enforcement Officer may appeal to the Town of Sharptown Board of Appeals within 21 days of the decision being appealed.

SECTION IV. Be it enacted and ordained by the Commissioners of the Town of Sharptown, Maryland that this Ordinance will take effect from and after the date of its final passage.

The above ordinance was introduced and read to the Commissioners of the Town of Sharptown, Maryland, at a meeting held on June 3rd, 2019, and finally passed at a meeting held on June 17th, 2019, having been published as required by law in the meantime.

Attest

Judy Schneider

Commissioners of Sharptown

P. Douglas Gosnell
P. Douglas Gosnell, President

Date: 6-17-19

Jerry L. Bennett
Jerry L. Bennett, Chairperson

Date: 6-17-19

Cecil B. Bradley
Cecil B. Bradley, Commissioner

Date: 6-17-19

Matthew V. Schneider
Matthew V. Schneider,
Commissioner

Date: 6-17-19

George Henry
George Henry, Commissioner

Date: 6-17-19