

TOWN OF BURRILLVILLE

Office of Town Clerk

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The Town Council of the Town of Burrillville hereby ordains as follows:

The Revised General Ordinances, Town of Burrillville, Rhode Island, 2004 as amended, Chapter 4 entitled *Animals* and *Sec. 30-71 Zoning district uses*, is hereby amended as follows:

Chapter 4 – ANIMALS

Sec. 4-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Chicken means a domestic fowl kept for its eggs or meat. Also known as *Gallus Gallus Domesticus*

Fowl means a bird of the order Galliformes that is kept for its eggs and flesh. When used in this chapter, fowl shall not include *Gallus Gallus Domesticus* (chickens).

Free range means to allow livestock, such as fowl, to live and move freely and naturally around the land in which they are kept.

Hen means a female bird especially when referring to domestic fowl.

Rooster means a male domestic chicken.

Sec. 4-8.1. Chickens

- (a) Multifamily residential dwellings of more than two units shall not be able to keep, raise or house chickens.
- (b) Multifamily residential dwellings of two units shall be allowed to keep, raise or house chickens if at all times one of the dwelling units is owner occupied.
- (c) Tenants of rental properties shall not be allowed to keep, raise or house chickens, unless the property is in either zones F2 or F5 and is five or more acres.
- (d) Permission from a non-resident property owner is required. Permission shall be on a form approved by the Town Clerk and shall be in writing, notarized and shall include, but not limited to, the following information: The property owner's name, residence and mailing address, telephone number and email address; the tenant's name, residence and mailing address, telephone number and email address; the number of chickens the property owner is permitting the tenant to house on the subject property, if less than authorized by this Ordinance (but in no event shall the number of chickens exceed the number authorized by Ordinance).
The document granting permission by the property owner shall be filed with the Town Clerk prior to the tenant obtaining any chickens and shall be renewed by December 31 of each year. A filing fee of \$10.00 shall be paid each year.
Permission by the property owner shall not be assignable and new tenants shall be required to file proof of permission with the Town Clerk consistent with the provisions of this section.
- (e) Single family residential homes shall be allowed to keep and raise chickens.
- (f) Conditions:

- (1) Any properties less than 5 (five) acres shall require a Special Use Permit to free range their chickens.
- (2) All properties with 5 acres or more are allowed an unlimited amount of hens and roosters and are allowed to free range their chickens without a Special Use Permit.
- (3) All chickens must be contained to the property on which they are housed.
- (4) All chickens shall be kept in a sanitary and safe shelter free of waste, predators, rodents and any other dangers.
- (5) All cages, coops and living quarters shall meet zoning requirements including building and zoning setbacks.
- (6) Properties up to 2.99 acres shall be eligible for roosters with the successful application of a Special Use Permit for breeding purposes only.
- (7) All food should be stored in rodent proof containers.
- (8) Properties that are located in zones F2 or F5 and are five acres or more do not require a residence on the property.
- (9) "Agricultural operations" as defined in R.I.G.L. § 2-23-4(a) under Right to Farm and "Farmland" as defined in R.I.G.L. § 44-27-2(1) under Taxation of Farm, Forest, and Open Space Land, subject to regulations enacted by the Rhode Island department of environmental management (RIDEM) and registered with the Burrillville Tax Assessor are exempt from any restrictions. Any land not registered with RIDEM under the Taxation of Farm, Forest, and Open Space Land as farmland, shall be subject to review by the Town Manager or their designee to make a determination as to whether that property qualifies as farmland. Any adverse decision may be appealed to the Town Council, provided, however, that any appeal must be filed within thirty (30) days of the decision by the Town Manager or their designee.
- (10) The exemption granted under subsection (10) of this section applies only to the housing of chickens and does not apply to any other ordinances restricting or regulating the raising of animals, fowl or any other animal.

Sec. 4-8.2. Quantities

Quantities of chickens allowed, in accordance with this chapter, are outlined in Table I below.

TABLE I

| Land Area | Number of Chickens and Roosters Allowed |
|--------------------|---|
| Up to 0.49 acres | 6 Hens, Roosters allowed with special use permit |
| 0.50-0.99 acres | 12 Hens, Roosters allowed with special use permit |
| 1.00-2.99 acres | 24 Hens, Roosters allowed with special use permit |
| 3.00-3.99 acres | 48 Hens, Roosters allowed |
| 4.00-4.99 acres | 60 Hens, Roosters allowed |
| 5.00 acres or more | No Limit, Roosters allowed |

Sec. 4-8.3. Enforcement and penalty

Enforcement and penalty shall follow the guidelines set forth in Chapter 4 – Animals and Chapter 16 - Offenses and miscellaneous provisions.

Chapter 30 – ZONING

Sec. 30-71. Zoning district uses.

| Principal Use | | F-5 | F-2 | R-40 | R-20 | R-12 | OS | VC | GC | LI | GI |
|--------------------------------------|--|------------------|------------------|------------------|------------------|------------------|-----------------------------|----|----|----|----|
| <i>Section 1. Agricultural uses:</i> | | | | | | | | | | | |
| 1. | Raising of animals, <u>other than chickens</u> , subject to the premises being kept in a humane, sanitary manner | S ^{1,2} | S ^{1,2} | S ^{1,2} | S ^{1,2} | S ^{1,2} | Y S ⁷ | N | N | N | N |
| 1a. | <u>Chickens</u> | Y ⁸ | Y ⁸ | Y ⁸ | Y ⁸ | Y ⁸ | Y ⁸ | N | N | N | N |

¹ If acreage is five acres or more, the use is permitted (Y).

² Allowed by right if in conformance with section 30-158, standards.

³ Allowed by right if part of a shopping center or mall.

⁴ Subject to the provisions of 30-159, mixed use buildings.

⁵ New construction may be allowed if in conformance with major land development provision(s) per subsection 30-201(d), land development review, per review by the Burrillville Planning Board.

⁶ Nothing herein shall preclude the Town of Burrillville from installing energy storage facilities on any town-owned or controlled property regardless of the zoning district. Likewise, regardless of the underlying zoning district, nothing herein shall preclude the Pascoag Utility District from installing energy storage facilities on any properties that were district-owned or controlled as of February 12, 2020.

⁷ If acreage is less than .5 acres, the use is not permitted (N). If the acreage is five acres or more, the use is permitted (Y).

⁸ Refer to Chapter 4 – Animals, Sections 4-8.1 through 4-8.3 for quantity limitations.

These amendments shall take effect on May 10, 2024.

Adopted this 10th day of January 2024.



Donald A. Fox, President
Burrillville Town Council

ATTEST:



Vicki T. Martin, Town Clerk

