

HARFORD COUNTY BILL NO. 23-010 (As Amended)

Brief Title (Zoning Code Amendment - Home Stead Chickens)
is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Mylin A. Duran
Council Administrator

Date 5/30/23

ENROLLED

Patrick Vincent
Council President

Date 5/30/23

BY THE COUNCIL

Read the third time.

Passed: LSD 23-018

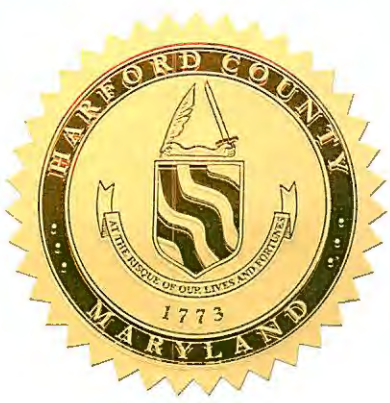
Failed of Passage: _____

By Order

Mylin A. Duran
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 31st
Day of May 2023, at 3:00 p.m.

Mylin A. Duran
Council Administrator



BY THE EXECUTIVE

COUNTY EXECUTIVE

APPROVED: Date _____

BY THE COUNCIL

This Bill No. 23-010 As Amended having received neither the approval nor disapproval of the Executive within twenty-one (21) days of its presentation, becomes law on June 21, 2023.

EFFECTIVE: August 21, 2023

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 23-010 (As Amended)

Introduced by _____ Council Members Penman, Boyle-Tsottles, Reilly, Guthrie
Legislative Day No. 23-011 Date April 4, 2023

AN ACT to add the definition of “coop” AND “HOMESTEAD CHICKEN”, and to repeal and reenact with amendments, the definition of “domestic animal”, to section 267-4, Definitions, of Article I, General Provisions; and to add new Subsection D(13), Homestead chickens, to Section 267-27, Accessory Uses and Structures, of Article V, Supplementary Regulations, of Part 1, Standards, of Chapter 267, Zoning, of the Harford County Code, as amended; to define “coop”; AND “HOMESTEAD CHICKEN”; to revise the definition of “domestic animal”; to allow for the use of homestead chickens; to establish a minimum lot size; to establish requirements for setbacks; to establish requirements for coops; and generally relating to zoning.

By the Council, April 4, 2023

Introduced, read first time, ordered posted and public hearing scheduled:

on: May 2, 2023

at: 7:15PM

By Order: *Mylia A. Dixon*, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on May 2, 2023, and concluded on May 2, 2023.

Mylia A. Dixon, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1 Section 1. Be It Enacted By The County Council of Harford County, Maryland that the definition
2 of “coop” AND “HOMESTEAD CHICKEN” be, and it is hereby, added; and that the definition of
3 “domestic animal” be, and it is hereby, repealed and reenacted, with amendments, each in Section
4 267-4, Definitions, of Article I, General Provisions; and that new Subsection D(13), Homestead
5 chickens, be, and it is hereby, added to Section 267-27, Accessory Uses and Structures, of Article V,
6 Supplementary Regulations, all of Part 1, Standards, of Chapter 267, Zoning, as amended, all to read as
7 follows:

8 **Chapter 267. Zoning**

9 **Part 1. Standards**

10 **Article I. General Provisions.**

11 **§ 267-4. Definitions.**

12 As used in this Part, the following terms shall have the meanings indicated:

13 ANIMAL, DOMESTIC – An animal that is accustomed to living in or about the habitation of man
14 and is dependent on man for food or shelter, excluding livestock AND HOMESTEAD CHICKENS.

15 COOP – AN ENCLOSED ACCESSORY STRUCTURE THAT HOUSES ~~HOMESTEAD~~
16 CHICKENS FOR NESTING AND SHELTER.

17 HOMESTEAD CHICKEN – A DOMESTICATED HEN ACCESSORY TO A RESIDENTIAL
18 USE.

19 **Article V. Supplementary Regulations.**

20 **§ 267-27. Accessory Uses and Structures.**

21 D. Accessory Uses in agricultural and residential districts. The following accessory uses shall be
22 permitted in the agricultural and residential districts upon issuance of a zoning certificate,
23 unless otherwise specified, in accordance with the following:

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1 (13) HOMESTEAD CHICKENS, EXCLUDING ROOSTERS, SHALL BE PERMITTED IN
2 ACCORDANCE WITH THE FOLLOWING CRITERIA:

3 (A) LOT REQUIREMENTS:

4 (1) A MINIMUM OF 1 ACRE ~~AND A MAXIMUM OF 1.99 ACRES ARE~~
5 IS REQUIRED FOR THE KEEPING OF HOMESTEAD CHICKENS.

6 (2) A 50 FOOT SETBACK FROM ADJACENT RESIDENTIAL LOT
7 LINES IS REQUIRED FOR ANY COOP, RUN, PEN, AND FREE-
8 RANGE AREA. ~~THIS SETBACK SHALL NOT BE PERMITTED TO~~
9 ~~BE REDUCED THROUGH A VARIANCE.~~

10 ~~(B) A PROPERTY OWNER SHALL CONTEMPORANEOUSLY SUBMIT BOTH~~
11 ~~A COMPLETED STATE OF MARYLAND'S DEPARTMENT OF~~
12 ~~AGRICULTURE POULTRY REGISTRATION FORM AND ZONING~~
13 ~~CERTIFICATE APPLICATION.~~

14 ~~(C) A ZONING CERTIFICATE SHALL BE REQUIRED PRIOR TO THE~~
15 ~~LOCATING AND BUILDING OF ANY COOP, RUN, PEN, FREE RANGE~~
16 ~~AREA AND FENCE.~~

17 (B) ZONING CERTIFICATE REQUIREMENTS:

18 (1) AN ISSUED ZONING CERTIFICATE SHALL BE REQUIRED
19 PRIOR TO THE INSTALLATION OF ANY COOP, RUN, PEN,
20 FREE RANGE AREA AND FENCE.

21 (2) A STATE OF MARYLAND DEPARTMENT OF AGRICULTURE
22 POULTRY REGISTRATION SHALL BE SUBMITTED WITH THE
23 ZONING CERTIFICATE APPLICATION.

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1 ~~(D)~~(C) ANY LOT WHERE A HOMESTEAD CHICKEN IS KEPT SHALL HAVE
2 A COOP SUITABLE FOR THE NUMBER OF HOMESTEAD CHICKENS
3 ON THE PROPERTY. COOP.

4 ~~(E)~~ (D) EACH COOP SHALL HAVE FOUR WALLS AND A ROOF, BE
5 VENTILATED, CONSTRUCTED TO ~~BE RAISED TWO FEET FROM~~
6 THE GROUND, HAVE FLOORING AND HAVE AT LEAST THREE
7 SQUARE FEET PER THE NUMBER OF HOMESTEAD CHICKENS
8 KEPT ON THE LOT, ~~ATTACHED BOTTOMS OR ANTI-DIGGING~~
9 ~~DEVICES TO PREVENT ESCAPE, AND BE CONSTRUCTED IN A~~
10 ~~MANNER TO PREVENT ACCESS FROM PREDATORS, AND~~
11 ~~DESIGNED TO BE EASILY ACCESSED FOR CLEANING.~~ LOT.

12 ~~(F)~~ (E) ALL RUNS AND FREE-RANGE AREAS SHALL BE FENCED IN SUCH
13 A MANNER AS TO PREVENT ANY HOMESTEAD CHICKEN FROM
14 ESCAPING.

15 ~~(G)~~ (F) A MAXIMUM OF 10 HOMESTEAD CHICKENS SHALL BE
16 PERMITTED ON ~~THE LOT.~~ LOTS LESS THAN 2 ACRES.

17 ~~(H)~~ ~~ANY LOT SUBJECT TO A HOMEOWNERS ASSOCIATION SHALL~~
18 ~~COMPLY WITH ALL COVENANTS, RULES AND REGULATIONS OF~~
19 ~~THE ASSOCIATION.~~

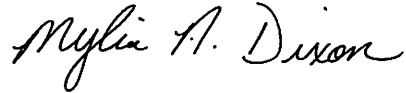
20 ~~(I)~~ ~~PROPERTIES WHICH ARE ZONED AND ASSESSED AGRICULTURAL~~
21 ~~(AG) CONTAINING 2 OR MORE ACRES ARE EXEMPT FROM THE~~
22 ~~PROVISIONS OF THIS SECTION.~~

23 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date

BILL NO. 23-010
As Amended

- 1 it becomes law.
- 2 EFFECTIVE: August 21, 2023

The Council Administrator does hereby certify that seven (7) copies of this Bill are immediately available for distribution to the public and the press.



Council Administrator