

First Passage

Be it ordained the Salem City Council as follows:

[illegible]

Section 3:

Section 3.2 Accessory Uses is hereby amended by adding the following provision, immediately following Section 3.2.6 Commercial Vehicles:

3.2.7 Urban Agriculture.

1. Sale of eggs and any other agricultural products is prohibited.
2. The keeping of hens shall be subject to the following rules:
 - a) Hens shall be kept per the Table of Principal and Accessory Use Regulations on properties in residential use only.
 - b) Ownership, care and control of the hens shall be the responsibility of a resident of the dwelling on the lot.
 - c) If the keeper of the hens is not the lot owner, written permission from the lot owner permitting the keeping of hens on the lot shall be attached to the permit application.
 - d) No roosters shall be kept under an Urban Agricultural use on lots in Salem
 - e) No coop or run shall be located nearer than ten (10) feet to any principal building, including the principal building on an abutting lot, and no coop or run shall be located nearer than ten (10) feet to any side or rear lot line. Side lots in this instance refer to a projected line starting from the front lot line, terminating at the rear lot line parallel ten (10) feet from the side lot line. No coop or run shall be located within any required front yard or within any side yard of a corner lot.
 - f) Coops and runs shall not exceed eight (8) feet in height, and shall have a combined area of no more than 120 square feet or one (1) percent of the lot area, whichever is greater. Construction of a chicken coop and run shall not preclude the location of additional accessory structures, such as garages and tool sheds, and as described under Section 3.2.4 Accessory Buildings and Structures, on the same property.
 - g) Any hen-keeping use or structure in existence prior to the adoption of this amendment shall be allowed to continue, as per the zoning code enforcement standards of other pre-existing nonconforming uses and structures. Any future alterations to applicable pre-existing uses or structures shall seek necessary approvals.

- h) Any person desiring to keep hens shall apply to Inspection of Animals for a permit on an annual basis.
- i) The effective date shall be February 2, 2015.

Section 4. This Ordinance shall take effect as provided by City Charter.

In City Council June 26, 2014

Referred to the Planning Board to schedule a joint public hearing with the City Council

Advertised in the Salem News on August 28, 2014 and September 4, 2014

Joint Public Hearing held on July 29, 2014 and continued to September 11, 2014

In City Council September 11, 2014 continuation of public hearing

Referred to the Planning Board for their recommendation

In City Council October 9, 2014

Planning Board recommendation with amendments was referred to the Committee of the Whole

In City Council November 20, 2014

Adopted for first passage as amended by roll call vote of 10 yeas, 0 nays, 1 absent

ATTEST:

ADV: 12-01-2014

CHERYL A. LAPOINTE
CITY CLERK