



GUIDE TO GROWING

Urban Agriculture in Salem, MA

The City of Salem passed an amendment to its Urban Agriculture Ordinance in the spring of 2022. The purpose of this amendment is to support and encourage sustainable growing, increase community members' access to fresh and healthy foods, improve the local economy and environment, increase the resiliency of our community, and benefit public health.



Prepared By:

Salem Food for All

The Food Policy Council of Salem, MA



WHAT IS ALLOWED?

Salem's Urban Agriculture Ordinance allows for a variety of activities to grow and produce food either for personal use or for sale as an accessory use. Salem residents are allowed to keep domestic fowl and honeybees, grow produce and ornamental plants, compost, and sell whole and unprocessed produce, honey, and eggs. These activities are allowed in all zoning districts.



Photo courtesy of
Salem Community Gardens



COMPOSTING

Composting is a great way to divert food waste from landfills. It also creates healthy soil for your garden! Home composting is allowed in Salem as long as the compost is contained in an enclosed, rodent-proof bin. Compost bins must be at least five feet from all property lines and can't be in any part of a yard that abuts the street.

Black Earth Curbside Composting

Visit <https://www.greensalem.com/programs/compost> to learn about curbside composting in Salem with Black Earth or call them at (978) 290-4610 for more information on signing up.

Mack Park Compost Drop Off

Salem residents can drop off food waste and organics ONLY in brown paper bags or compostable bio bags to the Black Earth bins at Mack Park.

- Register at:
<https://www.greensalem.com/programs/compost>
- Please do not dump any yard waste, trash or recycling.
- These bins are available 24/7 for you to drop off compost at your convenience, for free.





SELLING PRODUCTS

Salem residents are allowed to sell whole and unprocessed produce, honey, and eggs! If you would like to sell any of these products, there are a few restrictions:

- Residents can only sell what is grown and/or produced on their property.
- Soil testing is required for anyone growing in-ground. For anyone using raised beds, documentation from the soil supplier that the soil is free from contamination is required. See the Soil Testing section for more information.
- Only one farm stand is allowed per lot.
- Sales displays must be 50 square feet or smaller and cannot be located on a public sidewalk or street displays cannot block pedestrian or vehicle traffic.
- Only one sign is allowed per farm stand. Signs must be non-electric, six square feet or smaller, and located on-site.
- Sales are permitted between the hours of 7:00 a.m. and 6:00 p.m. from May 1 through October 31. Honey can be sold year-round.
- Sales are limited to no more than three days per week and no more than 25 total days per year.
- The Massachusetts Department of Public Health Food Protection Program states that the sale of farm fresh eggs must be stored and maintained at 45°F (7.2°C). A mechanical refrigerator is preferred, but a cooler with ice packs (not cube ice) is acceptable. The temperature of the refrigerator or cooler should be checked regularly with a foodservice-grade thermometer.





DOMESTIC FOWL

Domestic fowl includes birds typically raised for meat or eggs, such as chickens, ducks, and turkeys (roosters are not allowed in Salem). Fowl must be owned by a resident or tenant of the location where they are kept. Permits are required from Salem's Animal Control Officer and must be renewed annually. Coop requirements include the following:

- Coops and runs cannot be more than eight feet in height, must meet all building code requirements, and provide adequate protection from weather and predators.
- Coops and runs must be well-ventilated, provide an area out of direct sunlight to lay eggs, and allow adequate space for movement. A general rule of thumb for chickens is two to three square feet of coop and eight to ten square feet of outdoor space per hen. Larger birds will require more space.
- Coops and runs must be at least five feet away from any side or rear lot line and 20 feet from any front lot line.
- Moveable coops (i.e., coops on wheels) and runs are not subject to setback requirements.





BEEKEEPING

Honeybees and hives must be owned, rented, or hosted by a resident, tenant, or owner of the property where the bees will be kept. Residents are allowed to have up to four hives; additional hives require approval from the Salem Board of Health. If an emergency rescue of a swarm results in more than four hives on a lot, the Board of Health must be notified within two business days. Requirements for beehives include the following:

- All hives must be inspected by the State Apiary Inspector:
<https://www.mass.gov/forms/mdar-apiary-inspection-request-form>.
- Inspections are free, and proof of inspection must be submitted to the Salem Health Department.
- Beekeepers must comply with all Massachusetts General Laws and Regulations of beekeeping (MGL Chapter 128 Sections 32-38 and 330 CMR 8.00) including the following:
 - Notifying the Commonwealth of the hives within 48 hours of receiving the hives.
 - Marking all hives with the name of the owner, either inside or outside, to be easily found by the inspector.
 - When moving bees between sunrise and sunset, they should be covered with wire mesh, screen, or net.





BEEKEEPING

CONTINUED

- Hives can be located on the ground or on rooftops, but they cannot be more than six feet in height or more than 25 cubic feet in size.
- Hives must be located at least five feet from the property line unless there is a solid wall or other barrier separating the hive from the abutting property.
- Hives must be at least ten feet from the lot line dividing the lot from a sidewalk or street.
- Hives that are within 20 feet of the doors and/or windows of residences on abutting lots must face the hive opening AWAY from the doors and/or windows, OR there must be a flyway of at least six feet in height. A flyway can be a solid fence, dense hedge, or similar barrier in front of the opening of the hive so that the bees fly upward and away from neighboring properties. The flyway must be located within three feet of the entrance to the hive and extend at least two feet on either side of the hive opening.
- Rooftop hives must be set back six feet from the edge of the roof.
- For rooftop hives within 20 feet of doors and/or windows of a residence on an abutting lot or a shared access space, the hive opening must face away from the doors or windows.





FARM STRUCTURES

There are a variety of structures that can be used to help grow fruits and vegetables in small spaces. Examples include arbors, greenhouses, hoop houses, and cold frames. These structures are allowed in Salem provided that the following conditions are met:

- Greenhouses, arbors, hoop houses, and cold frames are allowed in back and side yards. Greenhouses must be at least five feet from the property line. Arbors, hoop houses, and cold frames must be at least one foot from the property line.
- Structures cannot be taller than 15 feet and cannot be taller than the main building on the lot.





SOIL TESTING

A one-time Total Sorbed Metals Test is required for any resident growing directly in-ground who intends to sell their produce. Results must be submitted to the Salem Health Department for evaluation. Proof of soil testing must also be clearly posted at the point of sale. Lead levels must be below 200 ppm per the Massachusetts Contingency Plan (MCP), 310 CMR 40 requirement for S-1 soils.

Lead testing through a Routine Soil Analysis is required every three years after the initial Total Sorbed Metals test for in-ground growing. It is recommended that soils with elevated levels of extractable lead (>22 ppm) be re-tested for Total Sorbed Lead. Results must be submitted to the Salem Health Department and must be clearly posted at the point of sale.

Both the Total Sorbed Metals and Routine Soil Analysis tests are available through the UMass Soil & Plant Nutrient Testing Laboratory. (<https://ag.umass.edu/sites/ag.umass.edu>). All other lab tests must be approved by the Salem Health Department.

For raised beds, documentation from the soil supplier that the soil is free from contamination is required. Documentation must be submitted to the Salem Health Department and clearly posted at the point of sale. It is strongly recommended that landscape fabric be used as a barrier between the clean imported soil and the ground. A minimum of 12 inches of imported clean topsoil is recommended.



Photo courtesy of
Salem Community Gardens



RESOURCES

We encourage residents to use sustainable, organic practices to grow and produce food. Below are some of the best resources for organic growing, raising poultry and beekeeping. More resources can be found on the Salem Food for All webpage at salemma.gov/salem-food-policy-council or by using the QR code below.

MDAR Apiary Program

<https://www.mass.gov/apiary-program-honey-bees>

Essex County Beekeepers Association

<https://www.essexcountybeekeepers.org/>

MDAR Poultry Program

<https://www.mass.gov/service-details/poultry-program>

Northeast Organic Farming Association

<https://www.nofa.org>

UMass Extension

<https://ag.umass.edu/>



For any questions, or for additional information, please contact the City of Salem's Health & Wellness Coordinator, Kerry Murphy, at 978-619-5652 or by email at kmurphy@salem.com.





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