
Memo

DATE: 5/1/2018

TO: Williston Selectboard

FROM: Erik Wells, Assistant to the Town Manager

RE: CONSIDERATIONS FOR THE REGULATION OF POULTRY

This memo will address considerations for the regulation of poultry for the Selectboard to discuss as part of a larger conversation related to backyard chickens.

The proposed amendment to the Williston Unified Development Bylaw includes language that would allow the keeping of female poultry on lots sized under an acre in residential zoning districts in Town. The draft chicken ordinance, enabled by the bylaw amendment, is meant to regulate the keeping of female chickens (hens), a type of poultry, on these lots sized under an acre.

The term “poultry” refers to a number of species, including chickens, turkeys, geese and ducks. The bylaw amendment language as written would allow the keeping of any of these female poultry species on a residential lot under an acre in size. The Planning Commission when drafting the language focused on male vs. female and not the specific species types of poultry.

A question for the Board to consider is to what degree it would like to regulate the broader keeping of poultry on residential lots under an acre in Town. There are three possible paths for consideration:

- Adopt the Bylaw Amendment as presented and redefine the Ordinance to regulate all poultry types that could be kept. Additional staff work will be needed to outline conditions to keep other types of poultry (i.e. establish standards for structures to keep other poultry types like turkeys and ducks that may have differing best practices for their overall welfare than chickens).
- Reword the Bylaw Amendment to specify that female chickens are permitted to be kept on residential lots under an acre in size, but other poultry types are not. The chicken ordinance would maintain its current scope (see further note below).
- Proceed with both regulatory documents as presented. Poultry species, except for chickens, would be regulated by the provisions of the bylaw. Chickens would be regulated by the Ordinance.

If the Board chooses to make a substantive change to the Bylaw Amendment as presented with language that further defines the keeping of poultry, that change would be required to go back to the Planning Commission for comment and a new public hearing held before it can be adopted. If the Board is ready to adopt the Bylaw

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Amendments, except for the section related to poultry, staff suggests that the issues are separated. This scenario was run by Attorney Paul Gillies and he confirmed that the Board could go this route. The following motion is suggested to separate the sections of the Bylaw Amendments for adoption:

MOVE to adopt amendments to the Williston Unified Development Bylaw as presented, excluding sections 20.10.2.1 through 20.10.2.4 that relate to female poultry.

The Board can then reach consensus on amended language for the poultry section of the Bylaw at this meeting or at a future meeting and make a motion to amend the language and send back to the Planning Commission for further comment. A second public hearing for the substantive changes made would also be required to move forward.