

Maureen,

I have read the draft ordinance concerning the insertion of chickens and roosters in Chapter 12 Sec. 12-1-2.

Here are my concerns:

In subsection (a) chickens and roosters are included in the same category as animals that are larger and usually behind a barrier such as a fence. Chickens and roosters often run open on the property of the owner without barriers.

Once in a while our Department has had the above larger animals roam because their fence has broken. Animals, such as these, since they are more expensive and usually kept at an easily identifiable establishment, a farm or stable, the owners readily round the animals up themselves.

With chickens and roosters not being limited to an area, the smaller and unsupervised animals could be owned by anyone in any neighborhood. If the chickens or roosters were at large and an owner not located, residents may ask the Police Department to remove them from the neighborhood.

The Department does contract out with South Portland for animal control, but we have no location to house chickens or roosters safely until the owner is found. If the owner does not come forward, what happens to the chickens and roosters then? At least with dogs, we contract with a shelter to provide the animal a home.

In subsection (b) this has been added to deal with noise from the chickens and roosters. Roosters in a residential area are going to cause noise issues. Roosters, by their nature, crow and usually early in the morning. Therefore, should a neighbor complain to the point where the owner of the rooster is summonsed to court under this ordinance for disturbing the peace, it would be unlikely that we could be successful in prosecution. The feeling is the judge would agree that roosters are going to crow by their nature.

As I wrote in an email to the Town Planner on December 23, 2010, most communities restrict roosters to areas with larger parcels, and typically do not allow roosters in compact neighborhoods. The enforcement is then under Code Enforcement and not a Police Department, because Code Enforcement typically handles land use restrictions.

Respectfully,  
Neil

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