

CITY OF CALAIS

DOMESTICATED LIVESTOCK ORDINANCE

**Sec. 1. - Purpose.**

The purpose of this Domesticated Livestock Ordinance (“the Ordinance”) is to provide standards for the keeping of domesticated livestock within certain designated areas in the City of Calais. The Ordinance is intended to enable residents of single-family homes to keep a small number of domesticated farm animals on appropriately sized lots while limiting the potential adverse impacts on the surrounding neighborhood.

**Sec. 2. - Definitions.**

**Domesticated farm animals:** bovine, horses, donkeys, mules, sheep, goats, swine, llamas, alpacas, and all fowl including ducks, geese, guinea, chickens, turkey and the like.

**Barns, stables, and other enclosures:** any structure designed to provide safe and healthy living conditions for domesticated farm animals while minimizing adverse impacts to neighboring lot owners. The use of scrap, waste board, sheet metal, or similar materials as construction material is prohibited.

**Trespass:** An owner or keeper of an animal may not allow, without permission, any domesticated farm animals to enter onto and/or remain on the property of another or on any local, county, or state road or highway.

**Removal:** The owner or keeper of a domesticated farm animal is responsible, at the owner's or keeper's expense, for removing any animal found trespassing.

**Household pets:** Unless their numbers and variety qualify their keeping as a kennel or pet breeder, household pets such as dogs, cats, exotic birds, and reptiles may be kept on property in the City of Calais.

**Animal Unit:** The equivalent of: 1 bovine, horse, or llama; 2 donkeys, swine, or alpacas; 4 goats, sheep, geese, ducks, guinea fowl, turkeys, or rabbits; or 6 chickens (no roosters).

**City Officials:** City Animal Control Officer, Code Enforcement Officer, Local Health Officer and/or Calais Police Department.

**Sec. 3. – Applicability.**

This Ordinance applies to all property located in Calais as described: beginning at the mile marker on Main Street heading south and west to the traffic circle, then following the boundary of the international border to the boundary of Calais following the St. Croix River to the place of beginning. The applicable area of the Ordinance is further outlined in the map titled “Calais Domestic Livestock Ordinance”, incorporated herein.

#### **Sec. 4. – Lot Sizes, Animal Units, and Setbacks.**

For any property subject to this Ordinance, the following limitations apply for domesticated farm animals, excluding fowl:

- a) A single-family residence having a minimum lot area of 2 acres is required for the keeping of domesticated farm animals.
- b) No more than 2 Animal Units (“AU”) shall be kept on a lot with a single-family dwelling, except for lots totaling 3 acres or more may keep an additional 2 AUs for each additional acre.
- c) Minimum setback: Any barns, stables, or other enclosures or structures used to house domesticated farm animals must be at least 35 feet from a property line and at least 50 feet from any residential dwelling located on an abutting property. Securely enclosed roaming or grazing areas must be at least 20 feet from any property line and at least 30 feet from any residential dwelling located on an abutting lot. Existing enclosures in place as of the date of this ordinance enactment shall be exempt.

#### **Sec. 5. Domesticated Fowl.**

For any property subject to this Ordinance, the following limitations apply for domesticated fowl. Domesticated fowl is intended to mean chickens, ducks, geese, turkeys, guinea fowl, and the like.

- a) No more than one AU shall be kept on a lot with a single-family dwelling. The minimum lot size required is ½ acre and the minimum setback for fowl enclosure structures on the side and rear is 20 feet from abutting property owners. Fowl enclosure structures are not allowed on the front side or street side of a lot.
- b) A fowl enclosure structure shall be provided to provide safe and healthy living conditions for the fowl while minimizing adverse impacts to other residents in the neighborhood. An existing shed or garage, or portion of an existing building can be used if it meets the standards of this section.
- c) A building permit is required for a new fowl enclosure structure.
- d) Fowl enclosure structures must be enclosed on all sides and have a roof and doors. Access doors must be able to be shut and locked at night.
- e) A roaming pen must have a minimum of 10 sq. feet per fowl and must be constructed to not allow the fowl to get out without human assistance.

## **Sec. 6. Waste Storage and Removal.**

- a) Provisions must be made for the storage and removal of domesticated farm animal waste, including manure. All stored waste and manure shall be covered and not consist of more than 3 cubic yards on lots of 2 acres or less. All other manure not used for composting or fertilizing shall be removed and legally disposed of.
- b) No manure shall be stored within 300 feet of the normal high-water mark of a water body, wetland, brook, stream, vernal pool, or well that supplies water for human consumption.
- c) Excessive odors from domesticated animals, manure, or other related substances shall not be perceptible at the property lines of abutting landowners.
- d) Manure storage must meet all applicable Maine Department of Agriculture, Conservation and Forestry Best Management Practices or similar State or Federal guidelines.

## **Sec. 7. Rodents, Insects and Parasites.**

- a) The property owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.
- b) Feed and water shall be unavailable to rodents, wild birds, and predators by way of rodent proof containers.
- c) Animals found to be infested with insects and parasites shall be removed by the City Official.

## **Sec. 8. Licensing Requirements.**

A person who keeps domesticated animals shall obtain a license from the City Clerk for a fee of \$15.00. The license shall expire annually on the 1st day of April. The license shall be issued after favorable inspection of a property's compliance with this Ordinance by a City Official. The license fee is non-refundable if the license is not approved. There will be a late fee assessed to licenses that have expired, in the amount of \$25.00.

## **Sec. 9. Complaints.**

When any person files a complaint with a City Official that this Ordinance is being violated, the City Official shall respond within 5 working days. All complaints and the action taken will be kept on file. It is at the discretion of the City Official whether a complaint is valid.

## **Sec. 10. Penalty.**

Any person who violates any provision of this Ordinance commits a civil violation punishable by a civil penalty as set out in 30-A MRS § 4452 for each day the violation continues beyond the allotted correction period. In addition, the City may pursue all remedies and relief available at law and/or in equity, including without limitation the remedies and relief provided under 30-A MRS § 4452.

## **Sec 11. Severability.**

If any section, subsection, clause, paragraph, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed to be a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

## **Sec 12. Authority.**

This Ordinance is adopted as a local building code ordinance pursuant to 30-A MRS §3001 and 30-A MRS § 3007.

## **Sec 13. Non-Conforming Uses**

- a) Property owners who legally kept domesticated farm animals and/or fowl prior to the enactment of this Ordinance are permitted to continue keeping those animals until they naturally die, are harvested, or otherwise removed from the property, provided they comply with all other provisions of this Ordinance, with the exception of keeping roosters, which is prohibited regardless of prior use.
- b) Property owners claiming grandfathered rights must provide evidence of the existence and age of the domesticated farm animals and/or fowl prior to the enactment of this Ordinance. Acceptable evidence may include dated photographs, receipts for livestock or feed, and/or sworn affidavits.
- c) All enclosures, structures, and practices must comply with the current provisions of this Ordinance. Grandfathered animals must be kept in conditions that meet the requirements for waste storage, setback distances, and other standards set forth in this Ordinance.
- d) Once a grandfathered animal or fowl naturally dies, is harvested, or is otherwise removed from the property, the property owner may not replace it unless the property conforms to the current Ordinance regulations regarding lot size, setbacks, animal units, and other requirements.
- e) Grandfathered rights do not transfer with the sale or transfer of property. New property owners must comply with all provisions of this Ordinance without exception.
- f) If a non-conforming use activity ceases beyond 7 days, property owners must comply with all provisions of this Ordinance without exception.

**Sec 14. Effective Date.**

This Ordinance shall be effective upon adoption by the City Council of the City of Calais pursuant to the City Charter authorization.

ADOPTED: June 13, 2024, by the City Council of the City of Calais



Calais Domestic Livestock Ordinance

