

Fourteen

HEALTH -  
Humane Treatment of Livestock

That Chapter 17, Health, of the Code of Ordinances of the City of Burlington be and hereby is amended by adding new Sections 17-11 thru 17-72 thereto to read as follows:

ARTICLE I. - IN GENERAL

Sec. 17-11. - Definitions.

The following definitions shall apply to this article:

At-large. At-large shall mean not under the control of the owner, or another individual either by leash, lead-line, cord, rope, chain, or other similar means of physical restraint that is attached to the animal and held by the owner or another individual to whom the animal has been entrusted.

Aggressive animal. Aggressive animal shall mean an animal who attacks, bites, gores or kicks a person or other domestic pet while the animal is at large, and the person or pet injured requires medical attention.

Camelids. Camelids shall mean camels, llamas, and alpacas.

Cruelly. Cruelly shall mean designed to inflict pain or performed severely and/or mercilessly regardless of intent.

Enforcement official. Enforcement official shall mean any animal control officer, police officer, community service officer of the Burlington Police Department, humane agent, code enforcement officer, health officer, deputy health officer, or other individual specifically designated by the city council to enforce the provisions in this chapter.

Livestock. Livestock shall include cattle, horses, sheep, donkeys, goats, swine, rabbits, poultry and camelids.

Livestock husbandry. Livestock husbandry means the raising, management and using of Livestock animals to provide humans with food, fiber, companionship, therapy or transportation in a manner consistent with husbandry practices set forth for the species within this chapter.

Poultry shall mean meat and egg-producing chickens, exhibition chickens, turkeys, domestic ducks, geese, pheasants, dove, partridge and coturnix quail.

Torture. Torture or torment shall mean an act by any person whereby physical pain, suffering or death is caused or permitted to be caused to an animal, excluding an act of slaughter conducted in compliance with the provisions of Burlington Code of Ordinances, Chapter 17, Health, Sec. 17-10. –  
REGULATION OF THE SLAUGHTER OF LIVESTOCK AND POUNTRY.

Sec. 17-12. - At-large prohibited.

(a) Prohibition. Except as exempted below, no owner or guardian of livestock shall allow said livestock to be at-large as defined in section 1-1 or to trespass upon the property of another, public or private.

(b) Exemptions. Livestock may be at-large if it is safely and securely retained:

1. On the premises of its owner;
2. On the premises of its guardian;
3. On the premises of another person as long as that person has given permission for the livestock to be at-large.

Sec. 17.13. - Registration  
(to be completed by Burlington City Attorneys)

Sec. 17.14. - Registration fee  
(to be completed by Burlington City Attorneys)

Sec. 17-15. - Commercial and non-commercial use allowed.

The City of Burlington allows livestock to be raised and kept for both personal and commercial purposes when undertaken in full compliance with all applicable Federal, State, and City regulations.

Sec. 17-16. - Handling, storage, and disposal of wastes.

(a) Livestock manure shall be handled and stored in a manner that prevents it from:

1. being transported by or into stormwater runoff or surface waters, or
2. spilling on to a neighboring property

(b) All stored manure shall be covered by a fully enclosed container or compost bin. No more than one twenty (20) gallon container of manure shall be stored on any one property housing livestock.

(c) All other manure shall be removed from the property where it originates and disposed (in compliance with all applicable City and Central Vermont Solid Waste Management District requirements.

(d) The livestock enclosures and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

Sec. 17-17. - Dead animal removal.

If an animal dies, it must be removed promptly and disposed of in accordance with all Federal, State, and local Solid Waste District regulations.

Sec. 17-18. - Predators, rodents, insects and parasites.

The livestock owner shall take all reasonable action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites that may result in unhealthy conditions to human habitation. Violations of this section may result in impoundment of the livestock by the City, through the Burlington Police Department and/or City authorized animal control designee, and the cost of the same shall be borne by the livestock owner as provided in section 17-31.

1. Food stores. Food stores for livestock shall be kept in containers designed to deny access to domestic animals such as dogs and cats, wild animals (including but not limited to coyote, fox, weasels, opossums, raccoons, rats, mice, or wild birds), and insects.
2. Protection from predators. The structures and fencing used to house and contain all livestock must be constructed according to generally recognized best management practice standards to exclude predators on the ground and in the air.
3. Live trapping. In the event that predator removal by exclusion is not possible or unsuccessful, live trapping may be used. Live traps must be checked twice daily. All other forms of traps are prohibited, including snares and leg-hold traps. Please note that it is illegal to relocate skunks, raccoons, woodchucks, bats and foxes in the State of Vermont.
4. Poisons. The use of poisons against animal predators is prohibited.
5. Glue boards. The use of glue boards for the control of rodents is prohibited.
6. Lethal control. In the event that predator removal by exclusion or live trapping is not possible or unsuccessful, then as a last resort lethal control of specific predators may be carried out when these are causing an immediate threat to farm livestock. Lethal control or euthanasia of predators (including rodents) must result in instantaneous irreversible unconsciousness and death.

Section 17-19. - Shelters and housing.

All livestock shall be provided continuous access to shelter. All shelters and housing required by this chapter shall meet the following criteria:

- (a) Protection from the elements. Housing or shelter shall protect livestock from weather extremes, including high winds, heat and cold, rain, sleet and heavy snows, and sun.
- (b) Fresh air. Shelters and housing shall be well-ventilated and allow fresh air to enter.
- (c) Dry footing. Livestock shall have at all times a sheltered area available that provides dry footing so they are not forced to stand in mud or manure. Manure shall be removed as stipulated in section 1-6 of this article. The shelter or house shall be managed to eliminate ammonia, dampness and mold.
- (d) Natural light. Shelters and housing shall allow natural light to enter. Livestock shall not be subjected to dim and/or continuous lighting or kept in permanent darkness.
- (e) Solid floor. Shelters and housing shall have solid floors. Floors may be natural or artificial. An area of wire or slat under a drinker or other water source shall be deemed drainage, not a floor.
- (f) Heat provided. In cold temperatures, heat shall be provided as necessary to keep animals comfortable.
- (g) Location of enclosures. All enclosures and fenced areas shall be kept no less than ten (10) feet from all property lines. This requirement may be reduced to five (5) feet from a property line with written approval from the neighboring property owner.
- (h) Condition of enclosures. Enclosures shall be clean, dry and odor-free, kept in a neat and sanitary

condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to no odor or other adverse impacts.

- (i) Access to electrical wiring prevented. Livestock must be safely and securely protected from direct access to electrical wiring and heat sources and other dangerous hazards.
- (j) No livestock are permitted to shelter in areas intended for human habitation whether currently inhabited by humans or not. Rabbits and baby chicks are an exception to this rule, and may be sheltered in human living areas.

#### Sec. 17-20. - Bedding.

Within livestock housing or shelter, livestock shall have continuous access to species-appropriate bedding. Livestock bedding shall be clean, dry and free of mold. Consistent with the needs of specific species as set forth below in articles III-VIII, livestock shall have a sufficient amount of bedding to accommodate the number of animals sharing it comfortably and to insulate against the cold in the cold months. Bedding shall be maintained in a manner that prevents discomfort or harm to the animals. Bedding from timber-based products sourced from chemically-treated wood is prohibited.

#### Sec. 17-21. - Fencing.

When an outdoor pen, paddock or pasture is required, fencing and gates shall be sturdy, secure and well-maintained. Barbed wire is prohibited. Electric fencing shall only be used as an interior fence. All electric fencing shall have warning signs affixed at likely points of public contact.

#### Sec. 17-22. - Handling.

- (a) Gentle handling. Handling of livestock by the owner and caretakers may be considered in the assessment of humane treatment by law enforcement. Livestock handling shall be gentle and shall not cause the animal fear or discomfort.
- (b) Good traction. All areas regularly accessed by livestock shall provide good traction and be kept well-drained and free of ice.
- (c) Hot prods and electric shocks. The use of hot prods or electric shocks on any livestock for any purpose is prohibited.
- (d) Loading facilities. All chutes and facilities for loading shall be designed to minimize stress to livestock including restricted breathing.
- (e) Sport. Livestock shall not be used for sport.
- (f) Mulesing. Mulesing of any livestock is prohibited.

#### Sec. 17-23. - Veterinary record-keeping.

In the interest of public health and safety, and the health and safety of the livestock, the livestock owner shall keep complete records of the administration of veterinary medical products, including:

1. Name of product.
2. Date of purchase of product.
3. Quantity purchased.
4. Identity of all livestock treated.
5. Symptoms or illness treated.
6. Dates of start and finish of treatment.

Sec. 17-24. - Mutilations.

Any mutilations or physical alterations including but not limited to de-horning, de-tusking or castrations shall be performed under anesthesia by a Vermont-licensed veterinarian. Tail-docking, nose ring de-beaking, declawing, de-spurring, de-toeing, hole punching, pinioning, notching, wattle trimming, and comb trimming are prohibited.

Sec. 17-25. - Euthanasia.

Any livestock experiencing pain or suffering from which they are unlikely to recover shall be immediately and humanely euthanized. Euthanasia shall be performed in a manner that renders the animal immediately insensible to pain. Downed livestock shall be euthanized where they lie in a manner that renders them immediately insensible to pain.

Section 17-26. - Livestock welfare audit.

The city may conduct, at any time, an audit of livestock by a city designee who is recognized as an expert in livestock husbandry and waste management. The audit may examine, among other things, the livestock husbandry practices of Burlington livestock owners to monitor urban agriculture livestock trends, treatment and the general welfare of livestock, and adherence to the provisions of this ordinance. Owners of livestock shall cooperate fully with the designated livestock welfare auditor. Failure to do so may result in penalties as set forth in Sec. 17-27.

## ARTICLE II. - ENFORCEMENT AND IMPOUNDMENT

Section 17-27. - Penalties.

An offense of any provision of this chapter by any person shall be deemed a civil ordinance violation and shall be punishable by the following penalties:

1. First offense. A first offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than one hundred dollars (\$100) and no more than one hundred fifty dollars (\$150.00). The waiver fine shall be one hundred dollars (\$100.00).
2. Second offense. A second offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than one hundred fifty dollars (\$150.00) or no more than two hundred fifty dollars (\$250.00). The waiver fine shall be one hundred fifty dollars (\$150.00).
3. Third and subsequent offenses. A third or subsequent offense of any provision of this chapter shall be punishable by a fine for no less than two hundred fifty dollars (\$250.00) and no more than five hundred dollars (\$500.00). The waiver fine shall be two hundred fifty dollars (\$250.00).

In addition to the penalties provided in this section, any animal found in violation of this chapter may be impounded as provided in section 17-31 of this chapter.

Sec. 17-28. - Enforcement.

Any violation of this ordinance may be enforceable by injunction or other action available at law.

Sec. 17-29. - Separability.

In the event that any section, subsection or portion of this chapter shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or portion of this ordinance.

Section 17-30. – Zero Tolerance Policy for inhumane treatment.

The City of Burlington holds a Zero Tolerance Policy for inhumane treatment of any livestock: Any person who shall torture, torment or neglect to provide with necessary care as outlined in relevant sections of this chapter (including but not limited to failing to provide protection from predators), or shall cruelly beat, needlessly mutilate or illegally kill any animal, or any person who shall cause any animal to be tortured, tormented, or fight with other animals, or deprived of necessary sustenance or to be cruelly beaten or needlessly mutilated or illegally killed shall be subject to the penalties set forth in Sec. 17-27 and to any of the following additional remedial measures:

1. Mandatory education. Any owner or guardian of livestock who treats their livestock inhumanely shall be mandated to attend a City-approved education course on proper humane treatment of livestock, and thereafter deemed fit to retain ownership of his or her livestock by a City-designated humane educator. The humane educator shall make a formal report to the City regarding this decision.
2. Impoundment or seizure. Inhumane treatment of livestock may result in impoundment of the offender's livestock as provided in section 17-31 of this chapter, or seizure of the animal in which the offender immediately loses ownership of the livestock.

Section 17-31. - Impoundment.

(to be completed by Burlington City Attorneys)

Section 17-32. – Notice and Permission and Responsibility of Property Owner

- (a) Any livestock owner raising any livestock or poultry animal on property not owned by the livestock owner must notify in writing the property owner on which the livestock is to be housed or grazed that such animal husbandry activity is being planned.
- (b) Written permission from the property owner must be obtained by the livestock or poultry animal owner before any livestock or poultry animal may be housed or grazed on land owned by the property owner.
- (c) The livestock or poultry owner shall assume full legal responsibility for all aspects of animal ownership. The property owner may, however, also be held legally liable for any livestock or poultry activity that takes place or occurs on property owned by the property owner.

ARTICLE III. - POULTRY

The purpose of this article is to provide standards for the keeping of domesticated poultry. It is intended to enable residents to keep poultry while creating standards and requirements that ensure that domesticated poultry are cared for humanely and do not adversely impact the neighborhood surrounding the property on which the poultry are kept.

Sec. 17-33. - Number and type of poultry allowed.

- (a) The maximum number of poultry allowed per lot shall be determined by square footage of the animal enclosure, in order to comply with the enclosure provisions of section 17-34.
- (b) Species of poultry allowed are meat and egg-producing chickens, exhibition chickens, turkeys, domestic ducks, geese, pheasants, partridge and cotarnix quail. There is no restriction on gender.

Sec. 17-34. - Enclosures.

- (a) Poultry pen. Poultry shall be kept in an enclosure, chicken tractor, or fenced area (poultry pen) at all times during daylight hours. The minimum space requirement for each chicken is three (3) square feet of pen space. The minimum space requirement for each duck or goose is twenty (20) square feet of pen space. For other species, owners shall explore (and adhere to) best management practices for space requirements with various reputable agricultural extension, agricultural organization, and/or Federal or State agricultural agency resources. The poultry pen shall provide adequate sun and shade and shall be impermeable to rodents, wild birds, and predators, including dogs and cats. It shall be constructed with predator- and bird-proof sturdy wire fencing buried at least twelve (12) inches in the ground or securely wrapped on all sides and the bottom. The pen must be covered with wire, aviary netting, or solid roofing.
- (b) Poultry coop. Poultry shall be secured within a coop during non-daylight hours. The minimum space requirement for each chicken is one and one half (1.5) square feet of coop space. The minimum space requirement for each duck or goose is six (6) square feet of coop space. The coop shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator- and bird-proof sturdy wire fencing.
- (c) Perches. All perching birds (chickens, pheasants, partridges and quail) shall have access to an aerial perch that is at minimum seven (7) inches long, is non-slip, has no sharp edges, and allows the bird to grip it securely.
- (d) Nest boxes. Nest boxes shall be provided in the quantity of at minimum one (1) box for every five (5) laying hens. The minimum space requirement for communal nest boxes is twenty (20) square inches. Nest boxes shall be dark and located in a secluded area. Nest boxes shall be weatherproof, dry and ventilated.
- (e) Nesting material. Laying hens shall be provided friable nesting material within nest boxes. All other poultry shall be provided a nesting area that is protected from the elements and contains friable nesting material.
- (f) Coops shall not be located in any part of a home.

Sec. 17-35. - Feed and water.

- (a) Water. Fresh, clean water shall be available to all poultry at all times. Poultry shall not be required to break through ice or eat snow for their water.
- (b) Feed. Poultry must be minimally provided access to commercially-produced species-specific feed at all times in a sufficient quantity to maintain the health and well-being of all poultry. All feed shall be rotated and kept dry.
- (c) Calcium. A source of calcium, such as crushed oyster shells, shall be provided for daily consumption.
- (d) Gravel. Poultry shall be provided daily access to gravel to aid with food digestion.

Section 17-36. - Aggression between birds.

Passive birds shall be provided a secluded place to hide from aggressive birds. Feather-pecking and cannibalism shall be deterred.

Section 17-37. - Enrichment.

- (a) Normal behaviors. Poultry shall be provided opportunity to engage in normal species-specific behavior. Chickens shall be given daily opportunity for scratching at the ground, pecking, dust bathing, walking, and perching.
- (b) Socialization. Poultry are social birds and shall not be kept in isolation, unless ordered by a veterinarian or for the purpose of quarantine.
- (c) Water access. During daylight hours, waterfowl (ducks and geese) shall have access to a clean standing water source sufficient for bathing, preening and foraging.

Sec. 17-38. - Health.

- (a) Deworming. Poultry shall be dewormed at minimum once per year.
- (b) Veterinary care. It is prohibited to withhold veterinary care from an injured, sick or lame animal.
- (c) Forced egg laying. Starvation and forced molting is prohibited.
- (d) Lameness. An owner shall not purchase poultry stock known to develop lameness or malformed bones.
- (e) Mutilations prohibited. The following physical alterations are prohibited in applicable species: De-beaking, declawing, de-spurring, de-toeing, hole punching, pinioning, notching, wattle trimming, and comb trimming.
- (f) Wing clipping. Wing clipping shall only be performed humanely by those with training and experience to do so without pain or stress.

Sec. 17-39. - Catching poultry.

Any routine catching shall be performed avoiding all undue stress and physical harm to birds. Poultry shall be caught and carried around the body or by both legs. Single leg catching of poultry is prohibited. Any injuries caused by chasing or catching poultry shall be treated immediately. Sick, injured and/or suffering birds discovered during the catching process that are not expected to recover shall be euthanized.

#### ARTICLE IV. – GOATS

The purpose of this article is to provide standards for the keeping of domesticated goats. It is intended to enable residents to keep goats while creating standards and requirements that ensure that domesticated goats are cared for humanely and do not adversely impact the neighborhood surrounding the property on which the goats are kept.

Sec. 17-40. - Number and type of goats allowed.

- (a) The maximum number of goats allowed per lot shall be determined by square footage of the animal enclosure, in accordance with the enclosure provisions of section 1-31.
- (b) There is no restriction on goat species or gender.

Sec. 17-41. - Enclosures.

- (a) Housing. Goats shall have access to a goat house or barn that is dry, shaded and clean, and provides adequate light and ventilation. The following minimum space allowances are required for an indoor bedding area:

1. Goats (buck/doe): sixteen (16) square feet.

2. Kids: four (4) square feet.
3. Doe with one kid: twenty two (22) square feet.
4. Any additional kid: four (4) square feet.

Overcrowding or an insufficient feeding area are prohibited, as such offenses may cause weaker goats to be excluded from the food source.

(b) Outdoor pen. Goats shall be allowed daily access to an outdoor, fenced-in pen for grazing. The minimum space allowance in the outdoor pen for each goat is one hundred fifty (150) square feet.

#### Sec. 17-42. - Feed and water.

(a) Water. Fresh, clean water shall be available to all goats at all times. Goats should not have to break through ice or eat snow for their water.

(b) Feed. Goats shall have good quality forage or mixed ration available or be able to graze on adequate pasture in a sufficient quantity to maintain the health and well-being of all goats. Supplemental grain shall be provided if needed to meet the additional nutritional demands of lactation, gestation, growth, cold weather, or to compensate for poor forage or pasture quality. To ensure proper rumen function, goats shall be provided with seventy (70) percent long fiber roughage/forage in their diet on a daily basis from weaning onwards.

(b) Salt. Salt blocks of either white salt or trace mineralized salt (red blocks) shall be available.

#### Sec. 17-43. - Enrichment.

(a) Food-seeking. In order to satisfy a goat's food-seeking behavior, goats shall be allowed to explore their natural environment on a daily basis.

(b) Socialization. Goats thrive in herds, and livestock management should support such arrangements. It is prohibited to keep a goat in constant isolation. Goats living in isolation from other goats shall receive at least one (1) hour of interaction with a human or compatible animal daily.

#### Sec. 17-44. - Health.

(a) Vaccinations. Goats shall be vaccinated for rabies and other routine vaccinations as recommended by a Vermont licensed veterinarian.

(b) Deworming. Goats shall be de-wormed at least twice a year.

(c) Veterinary care. It is prohibited to withhold veterinary care from an injured, sick or lame animal.

(d) Hoof care. Goats' hooves shall be trimmed as least once a year or as needed.

### ARTICLE V. – SHEEP

The purpose of this article is to provide standards for the keeping of domesticated sheep. It is intended to enable residents to keep sheep while creating standards and requirements that ensure that domesticated sheep are cared for humanely and do not adversely impact the neighborhood surrounding the property on which the sheep are kept.

#### Sec. 17-45. - Number and type of sheep allowed.

(a) Number. The maximum number of sheep allowed per lot shall be determined by square footage of the animal enclosure, in accordance with the enclosure provisions of section 17-46.

(b) Type. There are no restrictions on sheep breed or gender.

Sec. 17-46. - Enclosures.

(a) Shelter. Sheep shall be provided a barn or three-walled, roofed shelter (such as a lean-to) that is dry, shaded and clean and provides adequate light and ventilation. The following minimum space allowances are required for an indoor bedded lying area:

1. Sheep (ram/ewe): sixteen (16) square feet per sheep.
2. Lamb: four (4) square feet per lamb.
3. Ewe with one lamb: twenty two (22) square feet per pair.
4. Any additional lamb: four (4) square feet per additional lamb.

Overcrowding or an insufficient feeding area are prohibited, as such offenses may cause weaker sheep to be excluded from the food source.

(b) Outdoor pen. Sheep shall be allowed daily access to an outdoor, fenced-in pen for grazing. The minimum space allowance in the outdoor pen for each goat is one hundred fifty (150) square feet.

Sec. 17-47. - Feed and water.

(a) Water. Fresh, clean water should be available at all times. Sheep should not have to break through ice or eat snow for their water.

(b) Feed. Sheep shall have good quality forage or mixed ration available in a sufficient quantity to maintain the health and well-being of all sheep, or be able to graze on adequate pasture that is free of manure. Supplemental grain shall be provided if needed to meet the additional nutritional demands of lactation, gestation, growth, cold weather, or to compensate for poor forage or pasture quality. Feed mixture must be specifically formulated for sheep, as other feed may poison sheep. All feed shall be rotated and kept dry.

(c) Salt. White salt block shall be available at all times. It is prohibited to feed sheep red salt block, as red salt may poison sheep.

Sec. 17-48. - Enrichment.

(a) Foraging. Sheep shall have daily access to the ground to satisfy their natural desire to forage.

(b) Socialization. Sheep thrive in herds, and livestock management should support such arrangements. It is prohibited to keep a sheep in constant isolation. Sheep living in isolation from other sheep shall receive at least one (1) hour of interaction with a human or compatible animal daily.

Sec. 17-49. - Health.

(a) Vaccinations. Sheep shall be vaccinated for rabies and any other routine vaccinations as recommended by a Vermont-licensed veterinarian.

(b) Deworming. Sheep shall be dewormed at minimum twice a year to prevent disease.

(c) Veterinary care. It is prohibited to withhold veterinary care from an injured, sick or lame animal.

(d) Hoof care. Sheep shall have their hooves trimmed once a year.

(e) Shearing. Sheep shall be sheared each spring to prevent matting and infestation with maggots (fly strike).

ARTICLE VI. - RABBITS

The purpose of this article is to provide standards for the keeping of domesticated meat and fur rabbits. It is intended to enable residents to keep rabbits while creating standards and requirements that

ensure that domesticated rabbits are cared for humanely and do not adversely impact the neighborhood surrounding the property on which the rabbits are kept.

Sec. 17-50. - Number and type of rabbits allowed.

- (a) The maximum number of rabbits allowed per lot shall be determined by square footage of the animal enclosure, in accordance with the enclosure provisions of section 17-51.
- (b) There are no restrictions on rabbit species or gender.

Sec. 17-51. - Enclosures.

(a) Housing. Rabbits shall be provided with a house or hutch that is roofed and contains a solid, non-wire surface to stand on. The following minimum space allowances are required for a rabbit house or hutch:

- 1. Male or female adult: three (3) square feet per rabbit.
- 2. Doe and litter: eight and one half (8.5) square feet per doe and litter.
- 3. Rabbit from weaning to eight (8) weeks: one and one half (1.5) square feet per rabbit.
- 4. Rabbit from eight (8) weeks to slaughter: two and one half (2.5) square feet per rabbit.

(b) Fenced-in pen. Rabbits shall be provided with a fenced-in pen that is impermeable to rodents, birds of prey, and predators, including dogs and cats. It shall be constructed with sturdy wire fencing buried at least twelve (12) inches in the ground or securely wrapped on all sides and the bottom. The pen must be covered with wire, aviary netting, or solid roofing. The minimum space allowance for a rabbit pen is twenty-five (25) square feet per rabbit.

(c) Enclosed pens. Fully enclosed (covered) pens shall only be used when there is a predator risk that cannot be controlled by other means. The minimum height allowance for the roof of a fully enclosed pen is four (4) feet high.

(d) Nest boxes. Does about to give birth shall be provided with individual burrows in the form of nest boxes. The minimum space allowance for each nest box is eighteen (18) inches long by ten (10) inches wide by nine

(9) inches high. The following standards also apply:

- 1. Nest boxes shall be located in a dark and secluded area.
- 2. Nest boxes shall be weatherproof.
- 3. Nest boxes shall be clean.
- 4. Nest boxes shall be located in an area that provides ventilation.
- 5. Nest boxes shall make it possible for littering does to seclude themselves, as infanticide may otherwise result.
- 6. Prior to kindling, nest boxes shall be amply bedded with fresh, dry bedding that the doe can manipulate.

(e) Areas of retreat. Areas of retreat or cover shall be available to the rabbits and provided in a manner that allows maximum use of the ranging and foraging areas available.

Sec. 17-52. - Feed and water.

(a) Water. Rabbits shall have access to fresh, clean water at all times. Rabbits should not have to break through ice or eat snow to get their water.

(b) Feed. Rabbits shall be fed commercially-produced pellets in a sufficient quantity to maintain the health and well-being of all rabbits. All feed shall be rotated and kept dry.

- (c) Hay. Rabbits shall have constant access to dry grass hay. Hay shall be free of dust and mold.
- (d) Leafy greens. Rabbits shall be provided one (1) cup of fresh leafy greens for every four (4) pounds of body weight per day.

Sec. 17-53. - Enrichment.

- (a) Normal behaviors. Rabbits shall be allowed to engage in their normal physical and social behaviors every day, including self-isolation, running, hopping and digging.
- (b) Foraging. Rabbits shall be allowed to explore the ground and their natural environment every day.
- (c) Ranging and Foraging. Continuous ranging and foraging area access is required for all rabbits from the age of twenty-one (21) days onward.
- (d) Does. Does shall not be confined within individual nest boxes either before or after kindling.

Sec. 17-54. - Health.

- (a) Deworming. Rabbits with outdoor access shall be dewormed at least twice a year or as recommended by a Vermont-licensed veterinarian.
- (b) Veterinary care. It is prohibited to withhold veterinary care from an injured, sick or lame animal.
- (c) Birthing age. Young does from small breeds shall not give birth before eight (8) months of age. Young does from large breeds shall not give birth before ten (10) months of age.
- (d) Rebreeding. Does shall only be rebred after weaning.
- (e) Plucking. Plucking rabbit hair is prohibited.
- (f) Shearing. Rabbits may not be sheared more than four (4) times a year. Rabbits shall have from one quarter (.25) to one half (.5) inch of wool left on the body and shall not be sheared during particularly cold months.
- (g) Cold. When temperatures drop to thirty-five (35) degrees Fahrenheit or less, rabbits shall be provided with warm quarters and a nest box until their wool has reached at least one (1) inch in length.

Sec. 17-55. - Catching rabbits.

Any routine catching shall be performed avoiding all undue stress and physical harm to rabbits. Rabbits shall be caught upright and carried round the body. Catching or holding a rabbit by the legs or ears is prohibited. Any injuries caused by chasing or catching rabbits shall be treated immediately. Sick, injured and/or suffering rabbits discovered during the catching process that are not expected to recover shall be euthanized.

Sec. 17-56. - Weaning.

Husbandry systems shall allow kits to remain in the herd with their mothers until weaning occurs naturally. Newly weaned kits shall be kept with their litter mates. Separation of the rabbit from the doe shall involve methods designed to cause as little stress as possible. After separation, rabbits and does shall either be kept in adjacent pens where they can see, hear and sniff/lick each other or be completely out of sight and hearing of each other. Kits shall be consuming solid food by the time of weaning. Weaning small breed kits at less than six (6) weeks of age is prohibited. Weaning large breed kits at less than eight (8) weeks of age is prohibited.

## ARTICLE VII. - DONKEYS

The purpose of this article is to provide standards for the keeping of domesticated donkeys. It is

intended to enable residents to keep donkeys while creating standards and requirements that ensure that domesticated donkeys are cared for humanely and do not adversely impact the neighborhood surrounding the property on which the donkeys are kept.

Sec. 17-57. - Number and type of donkeys allowed.

- (a) Number. The minimum lot size required for donkeys is one (1) acre of pasture land per donkey. The minimum lot size required for miniature donkey is one half (.5) of an acre of pasture land per donkey.
- (b) Type. There is no restriction on donkey breed or gender.

Sec. 17-58. - Enclosures.

- (a) Housing. Donkeys shall be provided a barn or three-walled, roofed shelter (such a lean-to) that is dry, shaded and clean, and provides adequate light and ventilation. The shelter shall be watertight to prevent rainscald in the donkeys. The minimum space requirement for the donkey house or shelter is twenty (20) square feet per donkey. The walls of the donkey house or shelter shall be solid from the ground up.
- (b) Fenced pasture. Donkeys shall have daily access to a fenced-in pasture. The minimum space allowance for a pasture is one (1) acre per full-sized donkey or one half (.5) acre per miniature donkey.

Sec. 17-59. - Feed and water.

- (a) Water. Fresh, clean water shall be available to all donkeys at all times. Donkeys should not have to break through ice or eat snow for their water.
- (b) Feed. Donkeys shall have good quality forage available in a sufficient quantity to maintain the health and well-being of all donkeys, or be able to graze on adequate pasture. Supplemental grain, hay or pasture shall be provided if needed to meet the additional nutritional demands of lactation, gestation, growth, cold weather, or to compensate for poor forage or pasture quality. Alfalfa is prohibited. Hay shall be free of dust and mold.
- (c) Feeding method. Hay shall be fed from a manger or hay rack. It is prohibited to feed hay from the ground, which can cause sand colic in donkeys.
- (d) Salt. White or trace mineralized (red) loose salt shall be available at all times.

Sec. 17-60. - Enrichment.

- (a) Roll hole. Donkeys roll in the dust on the ground as part of their normal behavior to control external parasites. All donkeys shall have daily access to bare dirt or a sandy patch to roll in.
- (b) Exposure to sunshine. Donkeys are desert animals and require generous exposure to sunshine. All donkeys shall be turned out to pasture daily.
- (c) Socialization. Donkeys thrive in herds, and livestock management should support such arrangements. It is prohibited to keep a donkey in constant isolation. Donkeys living in isolation from other donkeys shall receive at least one (1) hour of interaction with a human or compatible animal daily.

Sec. 17-61. - Health.

- (a) Vaccinations. Donkeys shall be vaccinated once a year for rabies and any other routine vaccinations as recommended by a Vermont-licensed veterinarian.
- (b) Deworming. Donkeys shall be dewormed at minimum twice a year.
- (c) Veterinary care. It is prohibited to withhold veterinary care from an injured, sick or lame animal.
- (d) Hoof care. Donkeys' hooves shall be checked at minimum every eight (8) weeks and trimmed when

necessary by a qualified farrier.

(e) Dental care. Donkeys' teeth shall be checked annually and floated when necessary by a Vermont-licensed veterinarian.

(f) Coat care. Donkeys shall be regularly brushed to prevent lice infestation and maintain coat health.

#### ARTICLE VIII. – SPECIFIC CAMELIDS – LLAMAS AND ALPACAS

The purpose of this article is to provide standards for the keeping of domesticated llamas and alpacas. It is intended to enable residents to keep camelids while creating standards and requirements that ensure that domesticated camelids are cared for humanely and do not adversely impact the neighborhood surrounding the property on which they are kept.

Sec. 17-62. - Number and type of camelids allowed.

(a) Number. The minimum lot size required for camelids is one fifth (.2) of an acre of pasture land per camelid.

(b) Type. There are no restrictions on llama or alpaca breed or gender.

Sec. 17-63. - Enclosures.

(a) Shelter. Camelids shall have access to a stable or three-walled, roofed shelter (such a lean-to) that is dry, shaded and clean, and provides adequate light and ventilation. The sheltered area must allow for all camelids to stand, lie down, rest, turn around, and reasonably move about.

(b) Pasture. Camelids shall have daily access to fenced-in pasture. The minimum space allowance for a pasture is one-fifth (.2) of an acre per camelid.

Sec. 17-64. - Feed and water.

(a) Water. Fresh, clean water shall be available to all camelids at all times. Camelids should not have to break through ice or eat snow for their water.

(b) Feed. Camelids shall have good quality forage available in a sufficient quantity to maintain the health and well-being of all camelids, or be able to graze on adequate pasture. Supplemental hay shall be provided if needed to meet the additional nutritional demands of lactation, gestation, growth, cold weather, or to compensate for poor forage or pasture quality. Hay shall be free of dust and mold.

(c) Feeding method. Hay shall be fed from a manger or hay rack. Grain shall be fed from a bucket or other suitable container. It is prohibited to feed hay or grain from the ground, as such practice promotes infection or reinfection from parasites.

(d) Minerals. Free choice minerals shall be available to all camelids at all times.

Sec. 17-65. - Enrichment.

(a) Browsing. Camelids shall be allowed to browse and graze daily.

(b) Socialization. Camelids thrive in herds, and livestock management should support such arrangements. Llamas and alpacas fail to thrive in isolation. All camelids shall live in association with other herd animals. It is prohibited to keep a camelid in isolation for more than twelve (12) hours per day.

(c) Crias. A cria (a baby llama or alpaca under six (6) months of age) shall not be raised apart from other llamas or alpacas.

(d) Exercise. Camelids shall be allowed to exercise daily.

Sec. 17-66. - Health.

- (a) Vaccinations. Camelids shall be vaccinated once a year for rabies and any other routine vaccinations as recommended by a Vermont-licensed veterinarian.
- (b) Deworming. Camelids shall be dewormed at least twice a year.
- (c) Veterinary care. It is prohibited to withhold veterinary care from an injured, sick or lame animal.
- (d) Shearing. Camelids shall be sheared at least once a year to prevent heat stress.
- (e) Dental care. Camelids shall have their teeth checked annually by a Vermont-licensed veterinarian. Teeth filing shall be performed under anesthesia by a Vermont-licensed veterinarian. It is prohibited to remove fighting teeth.
- (f) Toenail trimming. Camelids shall have their toenails trimmed as needed.
- (g) Coat health. Regular grooming shall be provided to prevent matting of the coat.

ARTICLE IX. – HORSES AND PONIES

The purpose of this article is to provide standards for the keeping of domesticated horses. It is intended to enable residents to keep horses while creating standards and requirements that ensure that domesticated horses are cared for humanely and do not adversely impact the neighborhood surrounding the property on which the horses are kept.

Sec. 17-67. - Number and type of horses allowed.

- (a) Number. The minimum lot size required for horses is one (1) acre of pasture land per horse. The minimum lot size required for ponies is one half (.5) of an acre of pasture land per pony.
- (b) There is no restriction on horse or pony breed or gender.

Sec. 17-68. - Enclosures.

- (a) Shelter. Horses and ponies shall be provided with a stable or three-walled, roofed shelter (such as a lean-to) that is dry, shaded and clean, and provides adequate light and ventilation. Box stalls, straight stalls or tie stalls are also permitted.
- (b) Box stalls. Box stalls shall be at minimum ten (10) feet by ten (10) feet per horse or pony. The minimum roof height of the box stall is eight (8) feet.
- (c) Confinement. Horses or ponies confined to straight or tie stalls shall be turned out daily.
- (d) Manger space. Horses shall be provided enough manger space to ensure the weakest animals have access to food.
- (e) Pasture. Except in the case of severe weather, horses and ponies shall be given daily access to a fenced-in pasture. The minimum size requirement for a fenced-in pasture is one (1) acre per horse or one half (1/2) acre per pony.
- (f) Fencing. All fencing shall be visible to horses and ponies.

Sec. 17-69. - Feed and water.

- (a) Water. Fresh, clean water shall be available at all times to all horses. Horses should not have to break through ice or eat snow for their water.
- (b) Feed. Horses shall be fed either quality pasture grass or a complete hay diet consisting of good quality hay; or a partial hay diet consisting of a sufficient supply of good hay in combination with oats, sweet feed, or other grain; or a commercially-produced "complete" grain feed for horses who cannot eat hay in sufficient

quantity to maintain complete health and well-being. All feed shall be rotated and kept dry. Hay shall be free of dust and mold.

(c) Feeding method. Hay shall be fed from a manger or hay rack. Grain shall be fed from a bucket or other suitable container. It is prohibited to feed hay or grain on the ground, as such practice promotes infection and reinfection from parasites.

(d) Salt. White or trace mineralized (red) salt block shall be available at all times.

(e) Change in diet. Horses shall be conditioned to all changes in diet.

#### Sec. 17-70. - Enrichment.

(a) Grazing. Horses should be allowed to graze for up to eighteen (18) hours a day. Horses stabled for two (12) hours or more per day shall be provided with a substitute activity, such as toys or food puzzles.

(b) Socialization. Horses thrive in herds, and livestock management should support such arrangements. It is prohibited to keep a horse in constant isolation. Horses living in isolation from other horses shall receive at least one (1) hour of interaction with a human or compatible animal per day.

(c) Exercise. Except in cases of extreme weather, horses shall be turned out for at least three (3) hours a day.

#### Sec. 17-71. - Health.

(a) Vaccinations. Horses shall be vaccinated once a year for rabies and any other routine vaccinations as recommended by a Vermont-licensed veterinarian.

(b) Coggins test. Horses shall be administered a coggins test at least once a year and within two weeks of traveling.

(c) Deworming. Horses shall be dewormed at least twice a year, in the spring and fall.

(d) Veterinary care. It is prohibited to withhold veterinary care from an injured, sick or lame animal.

(e) Hoof care. Horses' hooves shall be trimmed every six (6) to twelve (12) weeks. Shoeing shall be provided when needed based on the condition of the horse's foot, the type of work it does, the surface it travels on, and how often it travels.

(f) Dental care. Horses shall receive proper dental care. Horses' teeth shall be checked annually and floated when necessary by a Vermont-licensed veterinarian.

(g) Coat care. Horses shall be brushed regularly to prevent lice infestation and maintain coat health.

(h) A horse that is downed for three (3) hours must be immediately and humanely euthanized.

### ARTICLE X. – LIVESTOCK ANIMALS NOT TO BE RAISED IN CITY

#### Sec. 17-72. – Livestock species prohibited from being raised in the city

(a) Ostrich, emu, cattle, swine, and camels are prohibited from being raised in the city due to the size and behavioral issues associated with these animals.

\* Material underlined added.

HEALTH  
Regulation of the Slaughter of Livestock and Poultry

That Chapter 17, Health, of the Code of Ordinances of the City of Burlington be and hereby is amended by adding a new section, Sec. 17-10, Regulation of the Slaughter of Livestock and Poultry, thereto to read as follows:

**(a) Purpose.**

The purpose of this section is to establish minimum standards for the humane and sanitary slaughter of livestock and poultry, and sanitary post-mortem meat and waste management of both commercial and non-commercial livestock and poultry within the City. The slaughter of livestock and poultry is intended to be permitted within the city of Burlington only when it is for the purpose of harvesting the animal for use as food or euthanizing an animal raised for food or fiber production, and only when conducted in strict compliance with all other provisions of this section.

**(b) Standards for the slaughter of livestock.**

The slaughter of livestock and poultry for commercial purposes and/or the personal consumption by the animal's owner the animal owner's household, non-paying guests or employees shall be undertaken in accordance with all applicable federal statutes and regulations, including but not limited to chapter 48 of Title 7 of the United States Code (Humane Methods of Livestock Slaughter) and 9 CFR Part 313 (Humane Slaughter of Livestock), all applicable Vermont statutes and regulations, including but not limited to 6 V.S.A. chapters 102, 201 and 204 and the regulations promulgated by the Agency of Agriculture, and any other laws that are applicable to the slaughter for commercial purposes of livestock and poultry and the was

## HEALTH - Regulation of the Slaughter of Livestock and Poultry

management of animal remains.

**(c) Appropriate waste disposal for both commercial and non-commercial livestock and poultry.**

(1) Livestock and poultry remains following slaughter are the sole responsibility of the livestock or poultry owner and shall be disposed of in accordance with applicable Vermont Department of Environmental Conservation Waste Management Procedures, Chittenden Solid Waste District regulations, and city of Burlington sewer, waste water, storm water and solid waste ordinances and regulations. Such waste shall be disposed of in a way which does not adversely affect groundwater or surface water quality (including stormwater runoff into private or municipal separate storm sewer systems), air quality, or the residential or urban character of the City or become a nuisance to the surrounding properties, the local neighborhood and the environment which is safe and healthy for humans, wild and domestic animals and the environment.

(2) Slaughtered livestock remains shall be packaged in leak-proof, odor-proof, and puncture-resistance containers and/or bags and delivered by the livestock owner to the appropriate Chittenden Solid Waste District drop-off site.

(3) Livestock and poultry remains shall be disposed of immediately following livestock slaughter.

(4) Livestock or poultry found to carry any highly infectious disease may require biosecure incineration based on Vermont State Veterinarian recommendation.

(5) All disposals of livestock remains shall be the livestock or poultry owner's responsibility and shall be at the owner's expense.

(6) Composting and/or burial of livestock and poultry remains within the City of Burlington is prohibited.

**(d) Nuisances; Slaughter out of sight and sound of other people and animals.**

Livestock and poultry slaughter shall not be conducted in a manner that constitutes a nuisance and shall occur out of sight and sound from all neighbors, tenants, passers-by and other livestock, poultry, and pets.

## HEALTH - Regulation of the Slaughter of Livestock and Poultry

**(e) Penalties**

(1) First offense. A first offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than one hundred dollars (\$100.00) and no more than one hundred fifty dollars (\$150.00). The waiver fine shall be one hundred dollars (\$100.00).

(2) Second offense. A second offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than one hundred fifty dollars (\$150.00) and no more than two hundred fifty dollars (\$250.00). The waiver fine shall be one hundred fifty dollars (\$150.00).

(3) Third and subsequent offenses. A third or subsequent offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than two hundred fifty dollars (\$250.00) and no more than five hundred dollars (\$500.00). The waiver fine shall be two hundred fifty dollars (\$250.00).

(4) In addition to the above civil penalty, livestock and poultry owners shall be liable for the damages caused as a direct result of the violation that are suffered by the city and or any other person so damaged, including but not limited to all costs for clean-up and legal fees.

(5) Any property owner holding property upon which regulated slaughter of livestock or poultry is conducted may be held liable to the above civil penalty, and may be held liable for the damages caused as a direct result of the violation that are suffered by the city and or any other person so damaged, including but not limited to all costs for clean-up and legal fees.

\* Material underlined added.



# **Burlington Comprehensive Development Ordinance**

## **PROPOSED: ZA-14-08 – Urban Agriculture**

*As approved by the Planning Commission on March 11, 2014*

Changes shown (underline to be added, ~~strike-out~~ to be deleted) are proposed changes to the Burlington Comprehensive Development Ordinance.

Purpose: Refine definitions and provide further allowances for urban agriculture activities to take place on private properties as per the Urban Agriculture Task Force report prepared on September 2012.

### **Sec. 3.1.2 Zoning Permit Required**

Except for that development which is exempt from a permit requirement under Sec. 3.1.2(c) below, no development may be commenced within the city without a zoning permit issued by the administrative officer including but not limited to the following types of exterior and interior work:

#### **(a) Exterior Work:**

As written.

#### **(b) Interior work:**

As written.

#### **(c) Exemptions:**

The following shall be exempt from the requirements of this Ordinance and shall not be required to obtain a zoning permit:

1. Exterior modifications to a single family dwelling in a non-design review portion of the RL zoning district lawfully in existence prior to the adoption of this ordinance on a conforming lot, and not on or eligible for listing on the State or National Register of Historic Places. Such an exemption shall not be applicable to any of the following changes, which do require a zoning permit:
  - A. Increased lot coverage;
  - B. Increased habitable living space;
  - C. Changes in setbacks or building footprints; and
  - D. Construction of additional stories to an existing structure.
  - E. Improvements in a Special Flood Hazard Area.
2. The removal of trees from any lot containing a single family home or duplex which consists of no more than three-quarters (3/4) of one acre.

#### **From Article 13 – Definition**

**Development:** Any building, construction, renovation, mining, extraction, dredging, filling, excavation, or drilling activity; any operation; any material change in the structure or appearance of any structure or in the land itself; including but not limited to: division of land into parcels; any change in the intensity or use of land, such as an increase in the number of dwelling units in a structure or a change to a commercial or industrial use from a residential intensive use; any human activity that alters a shore, beach, river, stream, pond, canal, marsh, woodlands, wetlands, rare or endangered species habitat, aquifer or other resource area, including shoreland construction or other activity.

3. Individual tree removal projects that are included under an approved and valid "tree maintenance plan".
4. The maintenance or repair of any exterior architectural feature, or its replacement in-kind, which does not involve a change in the location, design, material, or the outward appearance of the feature;
5. Temporary ramps to serve the handicapped or disabled, for a period of not more than 90 days.
6. Public utility power generating plants and transmission facilities regulated under 30 V.S.A. §248.
7. Accepted agricultural and silvicultural practices, including the construction of farm structures, as those practices are defined by the secretary of agriculture, food and markets or the commissioner of forests, parks and recreation, respectively, under 10 VSA §1021(f) and 1259(f) and 6 VSA §4810. Prior to the construction of farm structures the farmer must notify the Administrative Officer in writing of the proposed activity. The notice must contain a sketch of the proposed structure including setbacks.
8. The temporary stabilization and securing of any structure, site, or building feature required to address an unsafe or dangerous condition which poses an imminent threat to public safety pursuant to a written order of the same issued under the authority of the city building inspector.
9. Where temporary stabilization is not reasonably available the emergency demolition of any structure, site, or building feature required to address an unsafe or dangerous condition which poses an imminent threat to public safety pursuant to a order of the same issued under the written authority of the city building inspector and with the written concurrence of the city engineer. This exemption does not extend beyond the required demolition, clearing of debris, securing or filling cellar holes, and related erosion control and stormwater management.
- ~~9.10.~~ All structures of 24 square feet or less, as long as they are located in compliance with applicable setbacks. This exemption is limited to 1 such structure, or multiple structures in aggregate up to 24 square feet, per property. This exemption does not apply to properties located within the Special Flood Hazard Area.
- ~~10.11.~~ Children's play structures.
- ~~11.12.~~ Temporary Structures or Uses as per Sec. 5.1.2 (f).
- ~~12.13.~~ Urban agricultural exemptions:
  - A. Cold frames of 6 feet in height or less. This exemption does not apply to properties located within the Special Flood Hazard Area.
  - B. Up to 2 seasonal hoop houses, each 200 square feet or less, without foundations and as long as they are located in compliance with applicable setbacks. This exemption applies only to seasonal hoop

houses that are sheathed in translucent plastic or similar material for a maximum of 9 months per year and are maintained in an intact condition. The frame may remain in place year-round. This exemption does not apply to properties located in the Special Flood Hazard Area.

- C. Urban agricultural uses or structures located on building rooftops.
- D. Sale of food produced onsite or at an individual's community garden plot not to exceed \$1,000 per year. Food may be processed within the individual's residential kitchen.

**(d) Determination of Non-Applicability:**

As written.

#### **Sec. 4.4.5 Residential Districts**

**(a) Purpose:**

As written.

**(b) Dimensional Standards and Density**

As written.

**(c) Permitted and Conditional Uses:**

As written.

**(d) District Specific Regulations:**

The following regulations are district-specific exceptions, bonuses, and standards unique to the residential districts. They are in addition to, or may modify, city-wide standards as provided in Article 5 of this ordinance and district standards as provided above.

**1. Setbacks**

As written.

**2. Height**

As written.

**3. Lot Coverage**

As written.

**4. Accessory Residential Structures and Uses**

An accessory structure and/or use as provided under Sec. 5.1.12 and 5.1.2 customarily incidental and subordinate to a principal residential use, including but not limited to private garages, carriage houses, barns, storage sheds, tennis courts, swimming pools, cabanas for swimming pools and detached fireplaces may be permitted as follows:

- A. Accessory Structures shall meet the dimensional requirement set forth in the district in which they are located pursuant to Sec. 4.4.5(b) of this Article and related requirements in Art 5, Part 2;
- B. Any accessory structure that is fifty percent (50%) or greater of the ground floor area of the principle structure shall be subject to the site plan and design review provisions of Art. 3, Part 4 and the applicable standards of Art 6;
- C. Private garages shall be limited to as many stalls as there are bedrooms in the dwelling to which it is accessory, provided that the ground floor area is less than fifty percent (50%) of the ground floor area of the principle structure; and,
- D. The outdoor overnight storage of commercial vehicles not otherwise associated with an approved home occupation or made available for the exclusive use of the residential occupants, or the outdoor storage of more than one unregistered vehicle, shall be prohibited. Any and all vehicles shall be

stored in an approved parking space; and,

- ~~E. Accessory structures such as doghouses, doll houses, or tree houses less than or equal in the aggregate to a total of sixteen (16) square feet in area shall not require a zoning permit.~~

## **5. Residential Density**

As written.

## **6. Uses**

As written.

## **7. Residential Development Bonuses.**

The following exceptions to maximum allowable residential density and dimensional standards in Tables 4.4.5-2 and 4.4.5-3 may be approved in any combination subject to the maximum limits set forth in Table 4.4.5-8 at the discretion of the DRB. Any bonuses that are given pursuant to this ordinance now or in the future shall be regarded as an exception to the limits otherwise applicable.

- A. Inclusionary Housing Requirement. *As written***
- B. Senior Housing Bonus. *As written***
- C. Adaptive Reuse Bonus. *As written***
- D. Residential Conversion Bonus. *As written***
- E. Urban Agriculture Bonus.**

Development in excess of the limits set forth in Tables 4.4.5-2 and 4.4.5-3 may be permitted by the DRB subject to conditional use review for the provision of new community garden(s), subject to the following:

- (i) The garden shall be made available to residents of the property. Where appropriate, the garden may be accessible to members of the surrounding area managed as a neighborhood garden by the Burlington Area Community Gardens program operated through the Department of Parks and Recreation.
- (ii) At least one community garden plot of at least 4' X 8' (kitchen garden plot size), with additional space afforded for walkways between garden plots, for 2/3 of the dwelling units constructed shall be provided; and,

(iii) Lot coverage and residential density shall not exceed:

**Table 4.4.5-78: Urban Agriculture Bonus**

| <u>District</u> | <u>Maximum Coverage</u>                        | <u>Maximum Density</u>                            |
|-----------------|------------------------------------------------|---------------------------------------------------|
| <u>RL, RL-W</u> | 50%<br>(62% with<br>inclusionary<br>allowance) | 8 du/ac<br>(8.75 with inclusionary<br>allowance)  |
| <u>RM, RM-W</u> | 60%<br>(72% with<br>inclusionary<br>allowance) | 30 du/ac<br>(37.5 with inclusionary<br>allowance) |
| <u>RH</u>       | 80%<br>(92% with<br>inclusionary<br>allowance) | 60 du/ac<br>(69% with inclusionary<br>allowance)  |

**F. Limitations on Residential Development Bonuses. *As written***

**Sec. 4.4.2 Neighborhood Mixed Use Districts**

**(a) Purpose:**

*As written*

**(b) Dimensional Standards and Density:**

*As written*

**(c) Permitted and Conditional Uses:**

*As written*

**(d) District Specific Regulations:**

*As written.*

**3. Development Bonuses/Additional Allowances**

The following exceptions to maximum allowable base building height and FAR in Table 4.4.2-1 above may be approved in any combination subject to the maximum limits set forth in Table 4.4.2-2 below at the discretion of the DRB. The additional FAR allowed shall correspond to the proportion of the additional building height granted to the maximum available.

**A. Inclusionary Housing:**

As written

**B. Senior Housing:**

As written

**C. Urban Agriculture:**

A maximum of an additional 10-feet of building height, and corresponding FAR, may be permitted at the discretion of the DRB for the provision of community garden space per the following criteria:

- (i) The garden shall be made available to residents of the property. Where appropriate, the garden may be accessible to members of the surrounding area managed as a neighborhood garden by the Burlington Area Community Gardens program operated through the Department of Parks and Recreation and
- (ii) At least one community garden plot of at least 4' X 8' (kitchen garden plot size), with additional space afforded for walkways between garden plots, for 2/3 of the dwelling units constructed shall be provided.

**D. Maximum Bonus:**

In no case shall any development bonuses or allowances granted, either individually or in combination, enable a building to exceed the maximum FAR and maximum building height permitted in any district as defined below:

| <b>Table 4.4.2 -2: Maximum FAR and Building Heights with Bonuses</b> |                    |                       |
|----------------------------------------------------------------------|--------------------|-----------------------|
|                                                                      | <b>Maximum FAR</b> | <b>Maximum Height</b> |
| <b>NAC</b>                                                           | 3.0 FAR            | 45 feet               |
| <b>NAC-Riverside</b>                                                 | 3.0 FAR            | 45 feet               |

### **Sec. 5.1.1 Uses**

Except as otherwise provided by law or by this ordinance, no land or structure in any district shall be used or occupied except as specified under the provisions of this ordinance and the requirements of the zoning district in which such land or structure is located as specified in Article 4 and in Appendix A-Use Table.

**(a) through (f) as written**

#### **(g) Accessory Uses:**

1. Accessory Dwelling Units. Accessory dwelling units as mandated by 24 VSA 4412 (1)(E) shall be regulated as set forth in Sec. 5.4.5 hereof.
2. Accessory Residential Uses: Except as specified in 1 above and subject to the restrictions of 3 below, accessory residential uses shall also be governed by Sec. 4.4.5(d)4.
3. Other Accessory Uses. Except as specified in 1 above, any use may be ~~authorized as an accessory use by the DRB subject to conditional use review as provided in Article 3, Part 5~~ provided each of the following standards are present:
  - A. The accessory use is subordinate and customarily incidental to the principal use;
  - B. The accessory use is reasonably necessary to the conduct of the principal use;
  - C. Except for home occupations as regulated by Sec. 5.4.6, no accessory use, or combination of accessory uses, shall occupy more than twenty-five (25%) per cent of the total gross area dedicated to the principal use;
  - D. The accessory use shall not include the outdoor storage of more than one unregistered vehicle;
  - E. The accessory use does not result in, or increase the extent of, any pre-existing non-conformity or violation of the provisions of this ordinance; and,
  - F. The combination of uses on any given property shall meet all of the other provisions of this ordinance.

#### **(h) Temporary Uses:**

The administrative officer may approve a temporary use that is incidental and accessory to a principal use subject to the following:

| <b><u>No Review or Permit Required</u></b>                                                                      | <b><u>Site Plan Review:<br/>Zoning Permit &amp; COA</u></b>                                                      | <b><u>Review as per<br/>Underlying Zoning</u></b>                                                                                                    |
|-----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>A use in place for up to 10 consecutive days or 30 days within any 12-month period at the same location.</u> | <u>A use in place from 11-31 consecutive days or 31-60 days within any 12 month period at the same location.</u> | <u>A use in place for over 31 consecutive days or more within any 12 month period at the same location, is no longer considered a temporary use.</u> |

**(ih) Temporary Uses Incidental to Development**

The administrative officer may issue a zoning permit for a temporary use that is incidental and accessory to the development or redevelopment of a building and/or site, and where reasonably required for such development activity. Such permits for temporary uses shall not be issued for a period in excess of ninety (90) days in any consecutive twelve (12) month period unless such uses would otherwise conform to the applicable provisions of this ordinance.

**Sec. 5.1.2 Structures**

Except as otherwise provided by law or by this ordinance, no structure in any district shall be created, removed or altered except in conformance with the provisions of this Article and the requirements of the district in which such land or structure is located.

**(a) through (e)** *as written*

**(f) Temporary Structures:**

The administrative officer ~~may issue a permit for~~ approve a temporary structure that is incidental and accessory to a principal use subject to the following:

| <b>No Review or Permit Required</b>                                                                      | <b>Site Plan Review:<br/>Zoning Permit &amp; COA</b>                                                          | <b>Review as per<br/>Underlying Zoning</b>                                                                                                          |
|----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| A structure placed up to 10 consecutive days or 30 days within any 12-month period at the same location. | A structure placed from 11-31 consecutive days or 31-60 days within any 12 month period at the same location. | A structure placed over 31 consecutive days or more within any 12 month period at the same location, is no longer considered a temporary structure. |
| Tents used for recreational non-commercial camping purposes.                                             |                                                                                                               |                                                                                                                                                     |

### **Sec. 13.1.1      Miscellaneous.**

As written.

### **Sec. 13.1.2      Definitions.**

For the purpose of this ordinance certain terms and words are herein defined as follows:

Unless defined to the contrary in Section 4303 of the Vermont Planning and Development Act as amended, or defined otherwise in this section, definitions contained in the building code of the City of Burlington, Sections 8-2 and 13-1 of the Code of Ordinances, as amended, incorporating the currently adopted edition of the American Insurance Association's "National Building Code" and the National Fire Protection Association's "National Fire Code" shall prevail.

**Agriculture** (See ~~Farm~~ also Urban Agriculture): For the purposes of this ordinance, agriculture shall mean accepted agricultural practices, including the construction of farm structures, as defined by the Vermont Secretary of Agriculture, Food, and Markets under 10 V.S.A. Sec. 1021 (f) and 1259 (f) and exempted from zoning review under V.S.A. 24 Sec. 4413 (d):

- (a) ~~the cultivation or other use of land for growing food, fiber, trees, or horticultural and orchard crops; or~~
- (b) ~~the raising, feeding or management of livestock, poultry, equines, fish or bees; or~~
- (c) ~~the operation of greenhouses; or~~
- (d) ~~the production of maple syrup; or~~
- (e) ~~the on-site storage, preparation and sale of agricultural products principally produced onsite; or~~
- (f) ~~the on-site production of fuel or power from agricultural products or wastes produced onsite.~~

**Agricultural structure** (see Farm structure)

## Animal

- (a) **Boarding:** An establishment involving any structure, land, or combination thereof used, designed, or arranged for the keeping of five (5) or more domestic ~~animals-pets~~ more than three (3) months of age for profit or exchange, inclusive of equines but exclusive of other livestock used for agricultural purposes in areas approved for agricultural uses. The keeping of four (4) or less such animals more than three (3) months of age for personal enjoyment shall not be considered "boarding" for the purposes of this ordinance.
- (b) ~~**Domestic Animal:** Any animal, including, but not limited to mammals, reptiles, birds, livestock and domestic pets, that have been bred or raised to live in or about the habitation of humans, including, but not limited to mammals, reptiles and birds, and is dependent on people for food and shelter.~~
- (c) **Domestic Pet:** Any canine, feline, or European ferret (*Mustela putorius furo*) and such other domestic animals as the Secretary of the Agency of Agriculture, Food and Markets shall establish by rule and that has been bred or raised to live in or about the habitation of humans, and is dependent on people for food and shelter.
- (d) ~~**Livestock:** Cattle, sheep, goats, equines (including, but not limited to, horses, ponies, mules, asses, and zebra.), fallow deer, red deer, American bison, swine, water buffalo, fowl and poultry, pheasant, Chukar partridge, Coturnix quail, camelids (including, but not limited to, guanacos, vicunas, camels, alpacas and llamas), ratites (including, but not limited to ostriches, rheas, and emus), and cultured fish propagated by commercial fish farms Animals used for food production (including eggs, milk, honey, and meat) or fiber.~~
- (e) **Grooming:** Any establishment where domestic pets are bathed, clipped, or combed for the purpose of enhancing their aesthetic value or health.
- (f) **Hospitals:** An establishment for the care and treatment of the diseases and injuries of animals and where animals may be boarded during their convalescence. (See Veterinarian Office)
- (g) **Kennel:** Accessory building or enclosure for the keeping of domestic pets.
- (h) **Barn or coop:** Accessory building or enclosure for the keeping of livestock.
- (i) **Shelter:** A facility used to house or contain stray, homeless, abandoned, or unwanted domestic ~~animals-pets or livestock~~ for the purpose of providing temporary kenneling and finding permanent adoptive homes and that is owned, operated, or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and human treatment of animals.
- (j) **Store, Pet:** A retail sales establishment primarily involved in the sale of domestic pets, such as dogs, cats, fish, birds, and reptiles, excluding exotic animals and ~~farm animals such as horses, goats, sheep, and poultry~~ livestock.

**Cold Frame:** A temporary structure placed overtop of a garden bed typically made of, but not limited to, glass, plastic, fabric or other material used to extend growing season or protect seedlings and plants from the cold or heat.

**Community Garden:** A private, not for profit, or public common area used for gardening by a group of households by a group of households to grow and harvest food crops or non-food crops (e.g. flowers) for personal or group consumption, for donation, or for sale. Community gardens may be principal or accessory uses and may be located on a roof or within a structure.

**Farm(ing):** The use of land and/or structures for agricultural purposes. (See Agriculture and Urban Agriculture)

**Green House:** A permanent structure typically made of, but not limited to, glass, plastic, or fiberglass in which plants are cultivated.

**Hoop House:** A temporary structure typically made of, but not limited to, piping or other material covered with translucent plastic, constructed in "half-round" or "hoop" shape, for the purposes of growing plants.

**Open Air Market:** A building or site used for selling or offering for sale at retail of locally-grown vegetables or produce, occurring in a pre-designated area, where there is may be a collection of individual vendors or single vendor who have/has raised the vegetables or produce or have/has taken the same on consignment for retail sale. Also includes the incidental sale at retail of artisan-produced handicrafts, artwork, and baked goods.

**Urban Agriculture:** The production of food in a city at a household, community, or commercial scale; it can involve a range of activities including the cultivation of plants, keeping animals, and aquaculture. For the purposes of this ordinance, the term "urban agriculture" pertains to all agricultural activities not included in "agriculture" as defined in this ordinance.

**Appendix A-Use Table – All Zoning Districts**

|                  |   |   |    |   |    |     |     |     |   |   |                         |     |   |     |   |   |     |
|------------------|---|---|----|---|----|-----|-----|-----|---|---|-------------------------|-----|---|-----|---|---|-----|
| Open Air Markets | N | Y | NY | N | NY | NCU | NCU | NCU | Y | Y | (See<br>Sec.4.4.1(d) 2) | CUY | Y | CUY | Y | Y | CUY |
|------------------|---|---|----|---|----|-----|-----|-----|---|---|-------------------------|-----|---|-----|---|---|-----|

Fourteen

HEALTH -  
Smoking in outdoor places prohibited

NB: We've been asked to draft possible amendments that also bar the use of electronic cigarettes or other tobacco substitutes. Such amendments are indicated in bold with a double underline for additions and ~~double strike through~~ for deletions. Furthermore, in order to bring the definition of tobacco products in line with state statutes, the City Attorney recommends that the ordinance's definition adopt by reference the general state statutory definitions found in 7 V.S.A. § 1001, such amendments being similarly indicated.

NB2: Please note that this year the VT Legislature, in Act 135 (H. 217), enacted changes to the state's various smoking statutes. It prohibited the use of tobacco substitutes on public school grounds (sec. 4), child care facilities (sec. 5), and in motor vehicles when a child is present (sec. 7). It added an exemption to the definition of "tobacco substitute" for products approved by the FDA for tobacco cessation or other medical purposes (sec. 6). It did not expand the existing restrictions on smoking in the workplace or in public places to include tobacco substitutes but it did expand the ban on smoking in public places to State-owned areas within 25 feet of a State-owned building and office (sec. 3)

That Chapter 17, Health, of the Code of Ordinances of the City of Burlington be and hereby is amended by adding a new section, Sec.17-8B. Smoking in outdoor places prohibited, thereto to read as follows:

Sec. 17-8B. Smoking in outdoor places prohibited.

(a) Purpose. The purpose of this ordinance is to protect the health of residents and visitors by limiting and eliminating exposure to secondhand smoke in outdoor places.

(b) Definitions.

(1) "Tobacco products" and "Tobacco substitute" shall ~~mean cigarettes, cigars, cheroots, stogies, refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in a manner suitable for smoking in a pipe or otherwise or for smoking,~~ have the meanings given in 7 V.S.A. § 1001.

(2) "Smoking" shall mean possession of lighted tobacco products or possession and use of tobacco substitutes.

(c) Prohibited activity. Smoking shall be prohibited outdoors ~~everyday from 7:00 a.m. to 9:00 p.m.~~ in the Church Street Marketplace District which includes all of Church Street and the properties which have frontage thereon, bounded on the north by the northernmost property line of properties bounded by Church and Pearl Streets, and bounded on the south by the southernmost property lines of properties at the northern

## HEALTH - Smoking in outdoor places prohibited

corners of the Church and Main Street intersection, and more precisely shown on a plan entitled "Church Street Marketplace District" recorded with the chief administrative officer of the City of Burlington on July 27, 1979.

(d) Exceptions. The prohibition of smoking within the area designated for no smoking shall not apply to

(1) Private property.

(e) Posting; supervision. The city shall properly post and maintain "No Smoking" signs or the international "No Smoking" symbol (a picture of a burning cigarette inside a red circle with a red bar across it) clearly and conspicuously throughout the designated smoke-free areas. The color of such signs, when of the international type, shall have lettering that is distinct, contrasting to the background and easily read. These signs shall be placed so as to inform but not detract from the designated smoke-free areas.

(f) Enforcement. Any law enforcement officer may enforce the provisions of this ordinance. Prior to the issuance of a Vermont Municipal Complaint, a law enforcement officer shall warn the person to be issued the prohibition and ask the person to cease smoking. The failure to immediately stop smoking in the prohibited smoking area after such warning shall be a civil ordinance violation punishable by a penalty of fifty dollars (\$50.00), the waiver penalty for which shall be fifty dollars (\$50.00). Law enforcement officers do not need to issue additional warnings to any person who has been previously warned of the prohibition of this ordinance and a person so previously warned who engages in the activity prohibited by this ordinance shall be in violation of the ordinance, subject to a civil ordinance penalty of one hundred (\$100.00), the waiver penalty for which shall be fifty dollars (\$50.00).

\* Material underlined added.

City Council Ordinance Committee  
Thursday, October 30, 2014  
**MINUTES**

**Attendance**

Committee: Councilor Karen Paul (KP), Councilor Sharon Bushor (SB) (acting chair until CM arrives), Chip Mason (CM) (chair) (arrived at 545 pm).

Other City personnel: Bill Ward (Code Dir.) (BW), Scott Gustin (PZ Sr. Planner) (SG), Ron Redmond (Marketplace Dir.) (RR)

Staff: Sr. Asst. City Attorney Gene Bergman (GB)

Public: See list in file

SB convened the meeting at 5:37 pm

**1. Agenda & Minutes of 10/15/14**

KP moved approval of the agenda, SB 2d, and the adoption was unanimous (2-0).

They deferred consideration of the minutes until CM arrives. At 7:10 SB moved and KP 2d the minutes, which unanimously were adopted.

**2. Public Forum:**

No one choose to speak at this time.

**3. Smoking in Outdoor Places (Church St. Marketplace)  
BCO § 17-8B**

GB explained the possible amendments related to electronic cigarettes and other tobacco substitutes and the change to the definition of tobacco products to conform with the state's statutory definition and noted that the city has the authority to add tobacco substitutes to the ban but will double check.

CM explained why the amendments were drafted—it was based on a conversation with the City Attorney—and he moved referral back for 2d reading as amended with a recommendation for approval. KP 2d. RR explained that he supported the amendment although it was not asked about in the survey. SB said she doesn't know enough about tobacco substitutes. CM read the state statute. SB said she supports the expansion of the definition but still not the 24 hour ban.

**Action:** CM's motion was approved on a 2-1 vote with SB opposed.

**4. Urban Agriculture: Ordinances related to Livestock Husbandry, Slaughtering, and Related Zoning Amendments**

GB gave a brief overview of his advice on how to approach the discussion tonight (take an overview from the task force and staff on the proposals and the status of issues still to be worked on).

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David Casey, BOH member and chair of the board's Urban Ag working group that developed proposals, explained that councilor Kranichfeld had seen the need and introduced the original resolution creating the Urban Ag Task Force and requesting a report. In 2012, the resulting report recommended a livestock ordinance and that's when the working group that was convened by the Board of Health (BOH) started putting together the ordinance. When you consider the type of livestock, not one size fits all animals. Much of the ordinance is focused on structures, waste, etc. based on size of the animals, which is tied to the size of land, so it is tied into zoning, and with waste, so it is tied into stormwater, and so on. The working group, therefore, looked at each animal to deal with each of the issues. It brought in experts to inform it. It was an exercise on what is appropriate. The ordinance is detailed as a result.

CM noted that many of the animals are not present in Burlington currently. David said the idea is to be ahead of the curve, to be prepared. The group relied on the experts to come up with the list of prohibited animals in urban non-agricultural areas. It did talk about each of the animals on the list.

SB noted that the ordinance is very comprehensive and it seems it is a comprehensive guide to how to care for animals. Why go in that direction? As for enforcement, why not give a permit first and educate then instead of allowing and educating after—and before enforcement.

Bill Ward said one of the initiating concepts was that people want more than 4 chickens and so once you open the door we wanted to have the system in place. We thought that the main consideration should be the humane keeping of animals. We wanted to be thoughtful to give a full consideration to encourage the proper treatment. One specific change he will offer is to make the enclosure requirement "rodent and predator resistant" instead of "rodent and predator proof".

SB was looking for the reason for giving a permit first. BW explained.

Meghan Stearns (formerly of the Humane Society and working group member) said that cruelty laws were insufficient so the group tried to have the humane standards in the ordinance. David C said the details are essential to allow effective enforcement. As for permitting, we know that dogs have to be licensed but the percentage who do is low and that the higher the permitting requirements the lower the compliance rate and so we are not trying to replicate that. The group is also trying to support the movement for sustainable agriculture in a way that is safe. In talking to experts and owners, the group believes there is a direct relation between the health of the animal and the nuisances – if treat animals well, the number of nuisances will be less.

CM knows people in his neighborhood who are not complying with these standards and notes that roosters are problems.

Scott Gustin handed out a table and a PZ memo on the zoning ordinance changes. The thrust of the amendments is how to enable sustainable urban agriculture. He noted that the Planning

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Commission added some housekeeping things too. We are looking at non-accepted agricultural practices. The PC is proposing to add to the exemptions from a zoning permit the following: structures up to 24 sf, cold frames, 2 seasonal hoop houses, and rooftop structures. They recommend an incentive for community gardens—a bonus for density and coverage. Also, they conform the definition of “agriculture” to the State definition and create a new definition for urban agriculture. He recommends keeping the CDO definition more general than that in the health ordinances being proposed and recommends amending the CDO proposal to create height limit of 15’ to match other accessory use structures’ height limits. The 24 sf exception is a single structure; multiple structure would need a permit if the square footage exceeds 24 sf when all are added together.

KP recalls the initial urban ag discussion and acknowledges the complicated nature of this endeavor. SG said most CDO changes are to increase what does not need a permit. KP said the goal is to make agriculture accessible to residents with some regulations. She observed that there are likely to be many unintended consequences that they will have to take into account. SB agreed, noting her neighborhood experience.

Tom Corcoran & Linda Perry expressed concerns a while ago on the ZA 14-01 garage expansion ordinance that was referred back to the PC. His neighbor was developing a property and now is stopped as a result of that action. The urban ag zoning amendment that proposes to increase the density bonus would be another way to develop that neighbor’s property so he and his wife reviewed the Urban Ag enabling resolution and finds the current proposal to be an expansion of what was asked for. The original recommendation was to decrease parking for an increase in community gardens. He looks at CDO section 4.4.5(d)(7)(E) and finds it different in kind than the other bonuses listed in the ordinance. It creates a big loophole to stuff more people into structures and increase lot coverage.

SB asked SG if, when the changes were drafted, the complaint was discussed. SG said it was. He noted that even if decrease parking there is no way to enforce if the garden is being used.

Linda Perry said the garden is being incentivized over other uses like a screen of bushes.

Jess Hyman said the bonus issue is an unintended consequence. She read from the original intent and said that these ordinances are very innovative. As for the zoning piece, the goal was to incentivize green space for gardens or stormwater retention. Gardens require more infrastructure to sustain them, i.e. a garden shed. When talking about multi-unit housing there may be more work that needs to be done on the incentives.

Harris Roen of the PC noted that the City’s existing community gardens fill up quick.

CM noted the push and pull between reliance on the market and regulation at the council. He is not sure the market needs the incentive. SB said she doesn’t think developers will think about

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gardens, and nor will they think of parking, playgrounds and similar things. It was the people who demand these type of amenities in the review process.

GB noted the need to add the ag zone changes to allow the farming activities currently under way in the Intervale and other zoning districts where agriculture is permitted or conditionally permitted.

SB asked for comments on how essential the slaughtering ordinance is. Meghan said it was. SB said she has issues with it.

### **5. Any other business: Next Meetings & Items to Review**

The committee agree to meet next on Thursday, Nov. 13 @ 5:30 p.m. to discuss Housing Code changes and HBR changes and on Tuesday, Nov. 18 @ 530 to continue the Urban Ag. review.

### **6. Adjourned: 7:15 pm**