

ORDINANCE NO. 7919-23

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 6, ANIMALS AND FOWL, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE I. IN GENERAL, SECTION 6-2, LOCATION AND MAINTENANCE OF POULTRY AND ANIMAL YARDS.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

That Chapter 6, Animals and Fowl, of the Code of the City of Newport News, Virginia, Article I. In General, Section 6-2, Location and maintenance of poultry and animal yards, be, and the same hereby is, amended and reordained as follows:

CHAPTER 6

ANIMALS AND FOWL

ARTICLE I. IN GENERAL

Sec. 6-2. Location and maintenance of poultry and animal yards.

(a) It shall be unlawful for any person to maintain in the city any poultry or animal yard within one hundred seventy-five (175) feet of any buildings used for residential purposes, or within two hundred fifty (250) feet of any church or school building; provided, however, that the person maintaining such a yard may do so within one hundred seventy-five (175) feet of such person's own personal residence, and further provided, that this subsection shall not apply to the keeping of pigeons.

(b) Notwithstanding the requirements contained in subsection (a) above, keeping up to six (6) chickens shall be allowed under the following conditions:

- (1) Chickens shall be kept and raised for domestic purposes and no commercial activity such as selling eggs or selling chickens for meat shall be allowed;
- (2) No roosters shall be allowed;
- (3) Chickens shall be provided with a covered, predator-proof shelter that is thoroughly ventilated, provides sun, shade, protection from the elements and is designed to be easily accessed and cleaned;
- (4) All pens, coops or cages shall be located in the rear yard only;
- (5) Pens, coops or cages shall be situated at least twenty-five (25) feet from adjoining property lines;

- (6) Pens, coops or cages shall be kept in a neat and sanitary condition at all times. No person shall store, stockpile or permit any accumulation of chicken litter and waste in any manner whatsoever that, due to odor, attraction of flies or other pests, or for any other reason diminishes the rights of adjacent property owners to enjoy reasonable use of their property; and
- (7) All feed for the chickens shall be kept in a secure container or location to prevent the attraction of rodents and other animals.
- (8) Any person desiring to keep chickens pursuant to this subsection shall obtain a permit to do so from the department of planning for a fee of twenty-five dollars (\$25.00).

(c) For the purpose of this section, the term “poultry or animal yard” shall include every yard, pasture, enclosure, shed or structure used to house:

- (1) Live fowl, including in the term “fowl” chickens, ducks, geese and other poultry, except as provided otherwise herein; or
- (2) One or more of the following animals: Cattle, horses, sheep, goats or other domestic animals, other than cats or dogs.

(d) Every person maintaining a poultry or animal yard shall keep the same clean and sanitary, and free from all refuse, decaying food and excrement.

(e) Every poultry or animal yard, except when located in an area zoned agricultural under any existing zoning ordinance, shall be adequately enclosed and free from any rodents. The presence of any rodent in any poultry or animal yard shall be prima facie evidence that such yard is maintained in violation of this section.

(f) Nothing contained in this section shall be construed to authorize the keeping of animals of any kind at any place, irrespective of distances from any buildings, when the keeping of such animals is prohibited by any other ordinance. Conversely, nothing in this section shall be construed to prohibit the keeping of animals of any kind at any place, irrespective of distances from any buildings, when the keeping of such animals is permitted by any other ordinance.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON JUNE 27, 2023

Mabel Washington Jenkins, MMC
City Clerk

Phillip D. Jones
Mayor

A true copy, teste:

City Clerk