

AN ORDINANCE AMENDING THE SMITHFIELD ZONING ORDINANCE, ARTICLE 4 ENTITLED, "USE REGULATIONS," SECTIONS 4.3 AND 4.4.A-4 ENTITLED, "ANIMAL RAISING, NON-COMMERCIAL, OUTDOOR." THIS ORDINANCE ALSO AMENDS THE SMITHFIELD CODE OF ORDINANCES, CHAPTER 126-3 ENTITLED "PERMITTED DISPOSAL OF DEAD ANIMALS."

Summary Explanation

This ordinance amends Article 4, §4.4.A-4 to clarify and consolidate the Town's standards for non-commercial outdoor animal raising.

1. It retains §4.4.A-4.A — Animals (large animals such as horses and similar livestock) without substantive change other than conforming cross-references.
2. It strikes the prior small-animal language and replaces it with a single, consolidated subsection §4.4.A-4.B — Fowl (Chickens and Other Domesticated Fowl).
3. It adopts objective, enforceable standards for fowl through Tables A-4-1 (Maximum Number by Lot Size), A-4-2 (Minimum Setbacks), and A-4-3 (Minimum Space & Housing), and clarifies measurement and definitions (including "fowl," "rooster," and application per zoning lot).
4. It clarifies dual applicability and roles: activities regulated in §4.4.A-4 are subject to both the Smithfield Animal Control Ordinance and the additional limitations and regulations in this section; the Zoning Official enforces §4.4.A-4, and the Animal Control Officer enforces the Animal Control Ordinance.
5. It makes conforming edits to the Table of Uses (Section 4.3) to reflect the updated fowl subsection and district permissions.

Notes: The prior phrase "Other Species" is deleted; there is no separate "small species" subsection. The subsection lettering is (A) Animals and (B) Fowl (Chickens and Other Domesticated Fowl), consistent with Article 4 formatting.

THE TOWN OF SMITHFIELD HEREBY ORDAINS:

Section 1. Amendment to Article 4, "Use Regulations," Section 4.3, "Table of Uses."

Article 4, "Use Regulations," Section 4.3, "Table of Uses," of the Smithfield Zoning Ordinance is hereby amended by replacing the existing entry for "A-4 Animal Raising, Non-Commercial, Outdoor" with the following revised entries. (Additions shown in underline; deletions shown in strikethrough.)

Section 2. Amendment to Article 4, "Use Regulations," Section 4.4.A-4, "Animal Raising, Non-Commercial, Outdoor."

Article 4, "Use Regulations," Section 4.4.A-4, "Animal Raising, Non-Commercial, Outdoor," of the Smithfield Zoning Ordinance is hereby amended by striking the existing subsection relating to "fowl or small animals" and replacing it with B. Fowl (Chickens and Other Domesticated Fowl) as set forth below.

4.4 SUPPLEMENTARY USE REGULATIONS

The following list of "Use Code Numbers" is to be used in conjunction with §4.3 - "Table of Uses" of this Ordinance. Each *Use Code Number* corresponds with a specific line in the Table of Uses, provides detailed descriptions where needed, and provides conditions and other specific requirements. Accessory uses, where appropriate, are also indicated.

A. AGRICULTURAL USES

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A-4. Animal Raising, Non-Commercial, Outdoor - The non-commercial raising and keeping of outdoor animals (including horses, cattle, ponies, sheep, or goats and specified fowl) for personal, recreational, or educational purposes by a resident or owner of a lot. Swine, pigeons, pets, watchdogs, and apiaries are excluded from this section and are regulated under the Smithfield Animal Control Ordinance and other applicable codes. The livestock and fowl governed by this section are subject both to the Smithfield Animal Control Ordinance and to the additional limitations and regulations set forth below. The Zoning Official administers and enforces this section; the Animal Control Officer administers and enforces the Animal Control Ordinance. Additional limitations and regulations are as follows:

A. Horses, cattle, ponies, sheep, or goats shall be housed not less than fifty (50) feet from any property line, and are limited to a total two (2) such animals, in any combination, on a parcel that shall have at least three (3) acres, with one (1) additional such animal for each additional acre.

B. Fowl (Chickens and Other Domesticated Fowl).

(1) Definitions (this subsection only). For the purposes of §4.4.A-4.B:

(a) **Fowl**

(i) Domesticated galliformes and anseriformes, including chickens, ducks, geese, turkeys, guinea fowl, peafowl, and quail.

(ii) Fowl *does not include* psittacines (parrots, parakeets, macaws), songbirds, or other pet birds.

(b) **Rooster**

(i) An adult male chicken.

(c) Zoning lot has the meaning provided for the definition of "Lot" in Article 2 of this Ordinance; where multiple dwelling units occupy a single zoning lot, all numerical limits in Tables A-4-1 to A-4-3 apply to the zoning lot as a whole, not per dwelling unit.

- (2) **Purpose.** The keeping of domesticated fowl for personal, non-commercial purposes is permitted to support Smithfield's agricultural heritage while ensuring compatibility with surrounding residential uses and public health.
- (3) **Applicability.** These standards apply to the keeping of chickens and other non-commercial domesticated fowl (including ducks, geese, turkeys, guinea fowl, peacocks, and quail).
- (4) **Table A-4-1 – Maximum Number of Fowl by Lot Size**
- (a) Table A-4-1 establishes the maximum number of fowl that may be kept on a residential zoning lot based on its size and the species of fowl. Where a range of lot sizes is shown, the greater number applies only when the minimum acreage for that tier is met. Roosters are prohibited on lots under five (5) acres.

Table A-4-1 – Maximum Number of Fowl by Lot Size

Species	Minimum Lot Size*	Maximum Number Permitted	Notes
Chickens (hens only)	< 1 acre**	6	
Chickens (hens only)	1–5 acres	12	
Chickens (hens only)	> 5 acres	24	Roosters permitted only on ≥ 5 acres
Quail	20,000 sq feet	12	Up to 24 on ≥ 1 acre
Ducks	1 acre	6	Up to 12 on ≥ 5 acres
Geese	2 acres	2	+1 per additional acre
Turkeys	2 acres	2	Up to 6 on ≥ 5 acres
Guinea Fowl / Peacocks	5 acres	6	Prohibited on smaller lots
<p>* Lot-size thresholds in Table A-4-1 are based on zoning lot area. Where multiple dwelling units occupy a single zoning lot (e.g., two-family, multi-family, or conservation developments), the numerical limits apply per zoning lot, not per dwelling unit.</p> <p>** For the purposes of Tables A-4-1 through A-4-3, 'one acre' means 43,560 square feet of zoning lot area</p>			

- (5) **Table A-4-2 – Minimum Setbacks for Fowl Housing**
- (a) Table A-4-2 identifies the minimum required distances between any fowl housing, run, or enclosure and adjacent property lines or dwellings. When more than one standard applies, the greater setback governs.

Table A-4-2 – Minimum Setbacks for Fowl Housing

Species	Setback From Property Line	Setback From Dwelling on Abutting Lot	Additional Conditions
Chickens	15 feet	25 feet	Coops in the front yard must be located at least 50 feet from front and side property lines
Roosters (where permitted)	50 feet	200 feet	(100 feet if in solid-wall coop with mechanical ventilation and auto-door 8 pm–8 am)
Quail	15 feet	25 feet	
All Other Fowl	50 feet	100 feet	

(6) Table A-4-3 – Minimum Space and Housing Standards

- (a) Table A-4-3 specifies the minimum enclosed and outdoor space required per fowl and the essential shelter characteristics needed to protect animal welfare and limit nuisance impacts.

Table A-4-3 – Minimum Space and Housing Standards

Species	Coop / Enclosed Shelter (sq ft per fowl)	Outdoor Run or Yard (sq ft per fowl)	Shelter Notes
Chickens (hens)	4	10	Elevated or ventilated coop, weather-protected
Roosters	6	15	Solid-wall coop with mechanical ventilation
Quail	1	3	Enclosed aviary or hutch; covered top
Ducks	6	15	Access to shallow water feature recommended; dry rest area required
Geese	10	25	Shelter must allow standing height; floor kept dry
Turkeys	8	20	Roosting poles ≈ 2 ft above ground; wind protection
Guinea Fowl / Peacocks	8	25	Secure enclosure with covered roost; noise mitigation encouraged

(7) General Housing and Care Requirements.

- (a) All housing and associated runs shall provide adequate shelter from weather, ventilation, and protection from predators and rodents.
- (b) Ventilation openings shall not face an abutting dwelling within fifty (50) feet unless baffled and screened with rodent-resistant material.
- (c) All feed shall be stored in sealed, rodent-resistant containers. Feed shall not be left accessible to rodents, including overnight or in uncovered feeders.
- (d) Coops and runs shall be constructed and maintained to materially reduce rodent entry and eliminate rodent harborage, including:
 - (i) sealing all gaps, joints, and penetrations 1/4 inch or greater;
 - (ii) tight-fitting doors with a maximum clearance of 1/4 inch at the threshold;
 - (iii) screening of vents, windows, and openings with galvanized hardware cloth or equivalent rodent-resistant material; and
 - (iv) a rodent-resistant floor or perimeter burrow barrier (e.g., slab or comparable barrier) to deter burrowing.
- (e) Water sources shall be maintained to minimize spillage and standing water and shall not be managed in a manner that attracts rodents or other pests.
- (f) Upon documented evidence of rodent activity (including burrows, droppings, gnawing, or other observable signs) associated with the coop, run, or feed storage area, the Zoning Official may require the owner to retain a licensed pest control professional to perform an inspection and implement a control plan, and to provide the Town with the written inspection findings and documentation of completed corrective actions.
- (g) The area within three (3) feet of the exterior of any coop, run, or enclosed feed storage area shall be kept free of brush, weeds, clutter, and stored materials, and grass shall be kept mowed to facilitate inspection and reduce rodent shelter.

(8) Sanitation and Nuisance Control.

- (a) Manure and soiled bedding shall be removed at least weekly or composted in a covered bin located not less than twenty (20) feet from any lot line.

- (i) Composting shall be managed to avoid attractants; meat, fish, eggs, and eggshells shall not be added to outdoor compost accessible to rodents.
 - (b) Fowl shall not be kept in a manner that creates noise, odor, or unsanitary conditions perceptible on abutting properties.
 - (c) Fowl shall not run at large; owners shall implement measures to prevent off-site roaming.
- (9) **Prohibited Uses.**
 - (a) Outdoor slaughtering, or slaughtering visible from neighboring properties, is prohibited.
 - (b) Commercial sale of eggs, meat, or related products is prohibited unless otherwise permitted in the zoning district.
 - (c) Keeping of fowl shall not be permitted on properties with shared or common open space, driveways, or ownership interests unless all owners of record consent in writing. Where such consent is provided, all fowl, coops, runs, and associated structures shall be located entirely within the exclusive-use area of the applicant and shall not rely upon, encroach into, or be located within any common or shared area.
- (10) **Enforcement.** The Zoning Official or Animal Control Officer shall enforce compliance with these standards. Violations are subject to penalties as provided in § 10.6 of this Ordinance.
 - (a) In addition to other enforcement remedies, the Town may issue an immediate stop-use order, including the temporary removal of animals and associated structures, where conditions present an immediate threat to public health, safety, or sanitation, including verified rodent infestation affecting abutting properties.
- (11) **Annual Ordinance Review.**
 - (a) This ordinance shall be reviewed by the Town Council by January 31, 2027, to evaluate its effectiveness and determine whether amendments are warranted.

Section 3. Amendment to Smithfield Code of Ordinances, Chapter 126-3 Entitled “Permitted Disposal Of Dead Animals.”

Chapter 126-3 Entitled “Permitted Disposal Of Dead Animals” of the Smithfield Code of Ordinances is hereby amended by adding Fowl (Chickens and Other Domesticated Fowl) as set forth below.

§ 126-3 Permitted disposal of dead animals.

The owner or person in charge of any horse, ox, mule, cow, sheep, dog, fowl (Chickens and Other Domesticated Fowl) or other domesticated animals which shall die shall, within 24 hours from the time

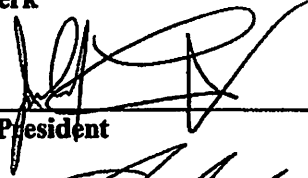
the owner or person in charge of said animal shall learn of the death of said animal, bury the carcass of said animal in such manner that every part thereof shall be at least three feet beneath the natural surface of the earth, or shall within said 24 hours remove said carcass from the Town, or cause the same to be removed from the Town.

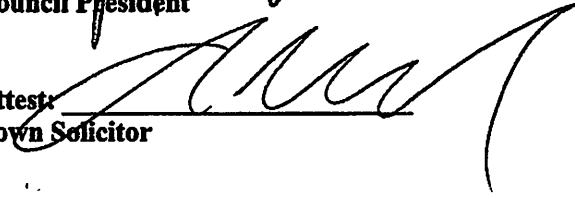
Section 4. Effective date.

This Ordinance shall take effect 30 days after passage by the Town Council and adoption in accordance with the provisions of the Smithfield Town Charter and the Rhode Island Zoning Enabling Act, R.I. Gen. Laws § 45-24-51 et seq.

Adopted by the Smithfield Town Council on January 6th, 2026.

Attest: 
Town Clerk

Attest: 
Council President

Attest: 
Town Solicitor

