

HELPING POULTRY BREEDERS RAISE POULTRY IN AN URBAN AREA

By Bart Pals (An edited version from the 1996 APA yearbook)

Raising poultry within the city limits can be a fun and rewarding experience for everyone involved, but much planning is required. Many people are very successful in raising poultry in a residential area. All types of poultry are being bred successfully and without problems in urban settings.

This article is designed to be an aid in helping people protect their right to raise poultry within city limits. Please remember that it is not the birds that you keep but how you keep them that is important. Check local ordinances to know what is allowed.

The first thing that must be considered are the rights of your neighbours. Your birds must fit in with the neighbourhood and the city. Cleanliness is the most important requirement for raising poultry in town. Your birds must be kept clean. Keeping the area neat and tidy will help with the general feeling towards your birds. It doesn't matter what you raise or what type of facilities you have, keep everything clean. Keeping pens fresh, keeping things picked up, and keeping the area swept will all aid in the general feeling of your neighbours towards your birds.

Insect control goes hand in hand with cleanliness. Backyard poultry breeders must control insects and rodents. Parasites must be kept off the birds and flies must be controlled around the poultry house. Keeping pens clean will aid in insect control but spraying or other measures may also be needed. Secure a place to dispose of waste and have a backup place secured in case the first one fails. Feed should be stored in containers that will help prevent rodents.

The type of building you use must fit in with the neighbourhood. Take into consideration the type of siding, roofing, fencing, size, and the height of the building. This structure should blend in with the existing buildings. When designing the building, you must make sure that your birds are not going to wake the neighbourhood at 5:00 A.M. Individual doors for each pen, that can be opened and shut at reasonable times, should be built into the structure to help minimize noise problems. The type and size of pens that you will be able to use may determine what type or types of poultry you will be able to raise. Your birds will have to be confined. Very few people will appreciate birds running around the neighbourhood. Security measures may also have to be taken. Stray dogs, varmints, and vandals should be guarded against. Security lights, gates, fences, and strong wire will all help to protect your birds. Included in your building should be an area designed for show boxes, extra feeders and waterers, etc.

Plant shrubs or build a fence that will help deaden the sounds that the birds will make. Shrubs and fences also help the building blend in with the neighbourhood. Planting flowers around the building also helps make the structure—and your birds—look more attractive to the neighbours.

Starting small and setting goals are essential. Start out with a pair or trio of birds and know how many birds you can easily handle. A trio of birds can produce a lot of chicks and these chicks will grow into adults. Know exactly how many birds your facility can handle and always remember not to overcrowd your birds. One must realize that not every chick hatched will be a "winner," so if you plan on hatching many chicks be prepared to cull and have an outlet for the culls. When raising birds in town, you can not keep the culls. Realizing this fact before hatching will help keep things under control.

You must consider what species of poultry to raise. It is pretty difficult to raise Toulouse geese in a residential area. Standard birds can be raised but in a limited area. Remember that you can not keep as many as you might like because of limited space. Remember that noise is a factor and that large fowl have a lower-pitched crow that travels farther than the sharp, high-pitched crow of a bantam. Ducks can be raised in town, but they are messy and rather noisy. Ducks can be raised in town but remember that there will be extra work involved in keeping the area clean. Extra precautions may have to be implemented to help control the extra sound from waterfowl as well.

What particular breed of poultry you raise should be considered. Docile breeds should be considered. Many breeds are known for their wild or tenacious behavior. These should be steered away from. Breeds that are not "flighty" and are not aggressive are the breeds that should be considered. Some breeds mature much faster and can be culled much sooner than others. Japanese Bantams can be culled for long legs from the incubator. Slower maturing breeds mean that the young birds must be kept that much longer before you can cull, which means that fewer chicks can be hatched. Faster maturing breeds mean that you can cull sooner and hatch a few more chicks. It is very easy to get wrapped up in setting eggs and hatching chicks and in a few months you're out of room and don't know what to do with all of the young birds. You must always remember that you are dealing with limited space and manage your birds accordingly.

What variety of poultry you raise is yet another aspect that should be considered. Solid colored birds will give you a higher percentage of adult birds to pick from.

Laced birds will provide more culls due to color problems. Some varieties will produce multiple colors of offspring. The blue variety will produce blue, black, and splash offspring.

Choosing the particular species, breed, and variety are very important aspects to consider before you begin raising poultry within the city limits. It doesn't matter what kind of poultry you raise. Be sure you understand everything that may be involved in raising that breed or variety of birds.

Investigate the breed that you are going to raise. Read and talk with other breeders about the breed and the variety that you have chosen. Many of these breeders have seen and dealt with some of the problems involved with a particular breed or variety. Learn from their experiences and perhaps you will have an easier time.

Educate your neighbours about the birds you are raising. Frequently people think of poultry as either broilers or layers. They have no idea that there is such a wide variety of poultry. Educating your neighbours can have a very positive effect on your venture.

Being involved with your poultry club can help educate your city. Organize shows through your club, set up displays at malls, print educational material, and do whatever they can to help promote exhibition poultry. Getting involved can help the local club, community—and you. Many people give talks in elementary schools and take live birds with them. All of these things help educate the community about poultry.

THINGS TO CONSIDER BEFORE YOU BEGIN

Know the laws and ordinances pertaining to birds. Know the restrictions the city may have. Many cities have restrictions requiring poultry to be a certain distance from the property line, house, street, and alley. They also may restrict the number of birds you can have.

Know the laws and ordinances pertaining to other pets. Compare their restrictions with those for poultry.

Consider your birds as pets, not livestock, and treat them the same way a pet would be treated.

Follow the enclosed guidelines and remember that keeping poultry in a city is a privilege.

IF YOU HAVE A PROBLEM

If things go wrong, isolate the problem as soon as possible and correct it if possible. Make sure the problem is yours. One individual was accused of having a bad odor coming from his chickens. In fact, the odor problem was caused by a neighbour who had spread cow manure on his garden. It was mistakenly thought that the chickens were the cause of the odor.

Always remain calm, cool, and collected. When you become upset is when you are the most likely to make mistakes. Never accuse a city official of being wrong. Rather, suggest they “consider” your idea. One city official's idea of being “grandfathered in” was that the city leg band all the birds. As the birds die, then the individual would turn in the leg band and would not be able to replace that bird. When all of the birds were dead then the grandfathered-in individual would no longer be able to raise poultry. The official was asked to listen, compare, and consider the following. If the individual were a business and the chickens were the inventory, the business would have to close when the inventory was depleted. Usually a business is grandfathered in until that person dies, moves, or the business is sold—not until the inventory is gone. The officials saw their error and accepted the individual's idea.

Invite the city's health inspector to come to your place and see first hand your operation. Without the support of the city's health inspector, you will have a very difficult time trying to pursue the matter any further. Show the health inspector your pens and explain to him/her how often the pens are cleaned and how you dispose of waste. Explain your insect and rodent control methods. Show the health inspector how clean your operation really is.

Make your birds a benefit to the neighbourhood. Offer extra eggs to the neighbours. Most people find the fresh eggs to be a treat. If the neighbourhood children want to see your birds, take the time to go with them and let them see and touch the birds. Let them feel that they are part of your poultry program. If the neighbourhood children don't like your birds, their parents probably won't either.

If a petition is filed against you please remember that most people will sign anything. You can get a copy of the petition from city hall and carefully go through it. Check names and addresses to make sure that they are actual and not invented. Check to make sure the addresses are within your area. One petition had the forged signature on it of the sister of one of the city officials.

Come up with your own petition. It is simply a matter of writing your point of view on a piece of paper and having people sign below it. Take your petition to all of your neighbours within a two-block radius of your place. If a neighbour will not sign it, then perhaps you have located the person making the complaint. If so, ask him/her what the problem is and correct it as soon as possible.

Try to secure as much local support as possible. If there is a council meeting scheduled, then make sure to attend it, along with as many other people as you can muster up. Sometimes there is strength in numbers.

Just because you have raised poultry in a particular area for many years does not guarantee that you will always be able to enjoy that privilege. Simply because you are “grandfathered in” does not mean that the privilege cannot be taken away.

Invite city officials and council members to your house. Show them your facilities and explain to them how your birds are cared for.

Explain to the city officials what you are trying to accomplish. If you raise birds to be exhibited, then show them your awards. Explain the achievements that you have made through your hobby.

If the city officials and/or council members can not or will not come to your place, then send them a packet of information. Include pictures of your building, your birds, and an explanation of what you are trying to accomplish. Include a brief summary of how the birds are judged. Explain that you are trying to follow a standard of perfection. Include in this packet written support statements from city leaders and other people who are aware of your accomplishments, your petition, and any other information that you may feel important for them to know about.

HINTS

Consider your birds as pets, not livestock. When a bird lives for ten or more years and is cared for the way many people care for their birds, then they are more than simply farm livestock; they are pets.

Most cities allow poultry.

Most cities have no ordinances against crowing roosters. Most noise ordinances refer to barking dogs and loud vehicles.

Petitions do not generally hold much weight with city officials but they do usually thoroughly go over them to see if the people who have signed them are legitimate.

City officials also realize that some people will sign anything. If a petition is signed by a limited number of people, all of whom live in the neighbourhood, then the city officials will take them more seriously.

Make sure the complaint has come from within the neighbourhood. Most cities will not consider a complaint except from a neighbour. A neighbour is usually within a two-block radius of your home.

Raising poultry is a hobby not a business. If you call it a business, you may be opening up a whole new can of worms.

Most elections are decided by a very small percent of the people so the more support you can show at a council meeting or public meeting the more influence you will have with the city officials.

If city officials receive more than four letters regarding a particular problem, they will take it seriously.

If your city allows dogs, cats, and other small pets, then they should allow bantams as pets. Some city governments have been challenged on this discrimination and have lost. Restrictions may apply, but they should be allowed.

Some cities have tried to include poultry with wolves, alligators, and other animals that may be dangerous to other people. If you are raising exhibition birds, you are not raising dangerous animals.

All cities have different laws and ordinances. Simply because one city does something one way does not mean that another city will do it the same way.

**EXAMPLE: CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY
PUBLIC HEALTH BY-LAWS**

CHAPTER 15

KEEPING OF ANIMALS

Definitions

117. In this Chapter, unless the context otherwise indicates -

- “agricultural holding” means the same as defined in the applicable Town Planning Scheme;
- “animal” means any cattle, sheep, goat, horse, mule, donkey, pig, rabbit and wild animal;
- “aviary” means an enclosure used for the keeping of birds, other than poultry but does not include a portable cage;
- “battery system” means the method of keeping poultry or rabbits in cages in either single rows or tier formation within a building or structure;
- “enclosure” in relation to an animal, means any kraal, pen, paddock, cage or other fenced or enclosed area erected to confine an animal from escaping or roaming freely on the remainder of the premises;
- “keeper” means –
 - (a) in relation to any animal, the owner of the animal or any other person responsible for feeding and caring for the animal;
 - (b) in relation to a battery system, cattery, kennels, pet parlour or pet shop means the person who owns the business of which it forms part of and the person in charge of the premises in which the animals are kept;
- “livestock” means horses, cattle, sheep, goats, pigs, mules, donkeys and poultry;
- “pet” means a domestic animal, bird or poultry kept in a household for companionship or amusement
- “poultry” means fowls, ducks, muscovy ducks, geese, turkeys, pigeons, peacocks and domestic guinea-fowls;
- “poultry house” means any roofed-over building or structure in which poultry is kept, other than one in which a battery system is operated;
- “poultry run” means any unroofed wire mesh or other enclosure in which poultry is kept, whether or not it is attached to a poultry house;
- “proclaimed township” means an approved township as contemplated in sections 79, 103, 111 and 141(4) of the Town Planning and Townships Ordinance, 1986, (Ordinance No. 15 of 1986), or a township approved in terms of any prior law relating to townships;

Part 1: General provisions relating to the keeping of animals

Application of Chapter

118. (1) Subject to the provisions of subsection (2), the provisions of this Chapter do not apply to –
- (a) any agricultural show where animals are kept on a temporary basis; and
 - (b) any laboratory where animals are kept for research purposes.
- (2) The provisions of section 144 apply to the keeping of animals at any agricultural show and at research laboratory.
- (3) No person may, subject to the provisions of section 121, keep or allow to be kept, any animal other than an approved pet on an erf in a proclaimed township, provided the keeping of such pet does not create or constitute a nuisance
- (4) If at any time it appears to an authorized official that the keeping of poultry or rabbits on an erf or agricultural holding, in respect of which a permit has been granted, is likely to constitute a nuisance or danger to the public health, that official may -
- (a) cancel the permit; or
 - (b) prohibit the keeping of such poultry or rabbits.
- (5) An authorized official must serve a notice on the permit holder or the owner of the erf or agricultural holding concerned, informing him or her of a decision in terms of subsection (1) and instruct the owner to comply with the requirements within the period stated in such notice, which must be at least 48 hours.
- (6) An authorized official must as soon as a permit has been cancelled, notify the permit holder of that fact in writing.
- (7) An authorized official may, subject to the foregoing provisions of this section, issue a new permit if he is satisfied that the reason for the cancellation no longer exists or that there is no reason why a new permit should not be issued.

Part 4: Keeping of poultry

Application

124. The provisions of sections 126(d), (f), (g) and 127(e), do not apply to any person keeping ten or less poultry.

Permit requirement

125. No person may keep more than 10 poultry on an erf in a proclaimed township or 100 poultry on premises zoned for agricultural purposes except in terms of a permit authorizing that activity.

Requirements for premises

126. No person may keep poultry in premises which do not comply with the following requirements

(a) In relation to a poultry house –

- (i) every wall must be constructed of brick, stone, concrete or other impervious material and must have a smooth internal surface;
- (ii) the floor must be constructed of concrete or other impervious material brought to a smooth finish;
- (iii) the upper floor of a two or more story structure must be constructed of an impervious and easily cleanable material;
- (iv) the minimum floor area must be –
 - (aa) 0,20 m² for each grown fowl, duck, muscovy duck or guinea fowl;
 - (bb) 0,5 m² for each grown goose, turkey or peacock; and
 - (cc) 0, 14 m² for each grown pigeon; and
- (v) the minimum aggregate floor area must be 4 m²;

(b) a poultry run, if provided, must be enclosed with wire mesh or other durable material;

(c) in relation to a building or structure housing a battery system –

- (i) every wall, if provided, must be at least 2,4 m high, must be constructed of concrete, stone, brick or other impervious material and must have a smooth internal surface;
 - (ii) if walls are provided, the building must be ventilated and lighted by means of mechanical ventilation and artificial lighting or by obtaining natural ventilation and light through openings or opening windows of an area not less than 15% of the floor area of the building or structure;
 - (iii) the floor must be constructed of concrete or other impervious material brought to a smooth finish and if required by an environmental health officer, the floor surface must be graded and drained by means of a channel drained in terms of section 143;
 - (iv) if no walls are provided, or the walls are made of metal, the floor must be provided with a curb at least 150 mm high around its edges;
 - (v) the cages of the battery system must be made of an impervious material; and
 - (vi) if required by an environmental health officer, a tray of an impervious material must be fitted under every cage for the collection of manure;
- (d) a water supply adequate for drinking and cleaning must be provided in or next to every poultry house and poultry run and in or next to a building or structure housing a battery system;
- (e) no poultry house, poultry run, or building or structure housing a battery system, may be constructed within 3 metres of –
- (i) any dwelling or other building or structure used for human habitation; and
 - (ii) any place where foodstuffs are stored or prepared for human consumption; or
 - (iii) the nearest boundary of any land;
- (f) feed must be stored in an adequate rodent-proof storeroom;
- (g) adequate washing facilities must be provided for the cleaning of the cages;
- (h) if required by an environmental health officer, due to the amount of manure stored on the premises awaiting removal, a storage area complying with the following requirements must be provided:
- (i) A roofed platform constructed of concrete or other impervious material;
 - (ii) the platform's outside edges must have a minimum curb of 100 mm high;
 - (iii) the platform must be graded and drained in terms of section 143; and
 - (iv) the roof of the platform must extend a minimum of 1 metre beyond the edges of the base of the platform.

Duties of keeper of poultry

127. Any person who keeps poultry must -

- (a) ensure that all poultry is kept within a poultry house, poultry run or building or structure housing a battery system;
- (b) maintain the premises and any equipment, apparatus, container or receptacle used in connection with keeping the poultry, in a clean, sanitary condition and in good repair;
- (c) maintain the premises and every poultry house, poultry run or building or structure housing a battery system and all cages clean and free from pests;
- (d) ensure that the poultry do not disturb or hinder the comfort, convenience, peace or quiet of the public;
- (e) provide portable manure storage receptacles of an impervious material and with close fitting lids and keep the manure storage receptacles on a platform;
- (f) remove all manure and other waste from a poultry house and poultry run at least once every 48 hours and once every four days from a building or structure housing a battery system;
- (g) place the manure and other waste matter in manure storage receptacles;
- (h) remove the contents of the manure storage receptacles from the premises at least once every seven days and dispose of the manure in a way which will not create a public health nuisance; and
- (i) take adequate measures to keep the premises free of flies, cockroaches and rodents and to prevent offensive odours arising from the keeping of poultry on the premises.

Part 11: General provisions

Drainage

143. Any person keeping animals must ensure that all sinks, wash hand basins, baths, shower-baths, troughs, floor surfaces, channels and washing platforms required to be drained in terms of this Chapter, are drained in accordance with the provisions of the National Building Regulations and Building Standards Act.

Illness attributable to animals, poultry or birds

146. (1) The illness of any person, which may be attributed to any animal, poultry or bird kept or handled by that person, must be reported to an environmental health officer within 24 hours of diagnosis, by the person making the diagnosis.
- (2) An environmental health officer may order the removal of an animal, poultry or bird from premises if he or she reasonably believes that the animal poses a public health nuisance or public health hazard.

CONCLUSION

Please consult your lawyer in all cases and remember that it is your complainants that must open a case against you, not the other way round. They must also be willing to testify under oath against you. Neighbours can make themselves guilty of malicious prosecution if they continuously make complaints against you without legal action. If they want to be successful in prosecuting you, they will also need to measure the noise levels originating from your property and this must be done by trained people using equipment verified by the SABS . These noise levels must be measured over a period of time and not only in one night. They must prove that the noise is constant and/or continuous and therefore a health risk.

Be on the right side of the law and respect your neighbours.

FOR EVERYONE OUT THERE: POULTRY MAKES GREAT PETS