

ARTICLE II. HUMANE TREATMENT OF ANIMALS

DIVISION 1. IN GENERAL

17-11 Definitions.

The following definitions shall apply to this article:

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.

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.

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

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

Husbandry means the raising, management and using of 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.

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 Section [17-73](#), Regulation of the slaughter of chickens, rabbits, goats, and sheep.

(Ord. of 10-13-15(1))

17-12 At-large prohibited.

(a) *Prohibition.* Except as exempted below, no owner or guardian of rabbits, chickens, sheep, and goats shall allow said animals to be at-large as defined in Section [17-11](#) or to trespass upon the property of another, public or private.

(b) *Exemptions.* The animals listed in subsection (a) of this section 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 animal to be at-large.

(Ord. of 10-13-15(1))

17-13 Registration.

(a) The owner(s) of the chickens, goats, sheep, or rabbits subject to the registration fee required by Section [17-14](#) shall file a complete annual registration form with the health officer on or before January 1, 2016, and pay the fee to the health officer at the time of filing. The registration form shall ask for information that the health officer

deems is necessary to enforce the provisions related to the humane treatment of animals subject to the code of ordinances.

(b) The certificate shall be in effect for two (2) years following the registration deadline. There is a continuing obligation to notify the health officer of any changes in the information required in the registration during the periods between the required filings of the registration applications.

(c) Upon issuance, a certificate of registration shall be issued by the health officer. It shall be posted in clear view on the outside of the animal's shelters or houses. Certificates shall be protected from the elements and must remain legible throughout the term of the registration period.

(Ord. of 10-13-15(1))

17-14 Registration fee.

Owners shall be charged a registration fee as follows:

(a) Five (5) or more chickens: twenty-five dollars (\$25.00);

(b) Two (2) or more goats, seven (7) or more kids, or one (1) doe or more with two (2) or more kids: fifty dollars (\$50.00);

(c) Two (2) or more sheep, seven (7) or more lambs, or one (1) ewe with two (2) or more lambs: fifty dollars (\$50.00);

(d) Nine (9) or more adult rabbits, or four (4) or more does with a litter: twenty-five dollars (\$25.00).

(Ord. of 10-13-15(1))

17-15 Commercial and noncommercial use allowed.

The City of Burlington allows chickens, goats, sheep, or rabbits to be raised and kept for both personal and commercial purposes when undertaken in full compliance with all applicable federal, state, and city regulations. Roosters are prohibited except as allowed pursuant to Section [17-72](#).

(Ord. of 10-13-15(1))

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

(a) Chicken, goat, sheep, or rabbit 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 onto a neighboring property.

(b) All stored manure shall be covered by a fully enclosed container or compost bin. No more than one (1) twenty (20) gallon container of manure shall be stored on any one (1) property housing a chicken, goat, sheep, or rabbit.

(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 chicken, goat, sheep, or rabbit enclosures and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

(Ord. of 10-13-15(1))

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.

(Ord. of 10-13-15(1))

17-18 Predators, rodents, insects and parasites.

The chicken, goat, sheep, or rabbit 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 chicken, goat, sheep, or rabbit by the city, through the Burlington police department and/or city authorized animal control or humane officer designee, and the cost of the same shall be borne by the owner as provided in Section [17-31](#).

(a) *Food stores.* Food stores for chickens, goats, sheep, or rabbits shall be kept in containers designed to deny access to domestic animals such as dogs and cats, wild animals (including but not limited to coyotes, foxes, weasels, opossums, raccoons, rats, mice, or wild birds), and insects.

(b) *Protection from predators.* The structures and fencing used to house and contain all chickens, goats, sheep, or rabbits must be constructed according to generally recognized best management practice standards to exclude predators on the ground and in the air.

(c) *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.

(d) *Poisons.* The use of poisons against animal predators is prohibited.

(e) *Glue boards.* The use of glue boards for the control of rodents is prohibited.

(f) *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 chickens, goats, sheep, or rabbits. Lethal control or euthanasia of predators (including rodents) must result in instantaneous irreversible unconsciousness and death.

(Ord. of 10-13-15(1))

17-19 Shelters and housing.

All chickens, goats, sheep, or rabbits 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 chickens, goats, sheep, or rabbits 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.* Chickens, goats, sheep, or rabbits 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 [17-16](#). 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. Chickens, goats, sheep, or rabbits 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 noise, odor or other adverse impacts.

(i) *Access to electrical wiring prevented.* Chickens, goats, sheep, or rabbits 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.

(Ord. of 10-13-15(1))

17-20 Bedding.

Within housing or shelter, chickens, goats, sheep, or rabbits shall have continuous access to species-appropriate bedding. Chickens, goats, sheep, or rabbits bedding shall be clean, dry and free of mold. Consistent with the needs of specific species as set forth below in Divisions 3 through 6 of this article, chickens, goats, sheep, or rabbits 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.

(Ord. of 10-13-15(1))

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.

(Ord. of 10-13-15(1))

17-22 Handling.

(a) *Gentle handling.* Handling of chickens, goats, sheep, or rabbits 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 chickens, goats, sheep, or rabbits 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 chickens, goats, sheep, or rabbits for any purpose is prohibited.

(d) *Loading facilities.* All chutes and facilities for loading shall be designed to minimize stress to chickens, goats, sheep, or rabbits, including restricted breathing.

(e) *Sport.* Chickens, goats, sheep, or rabbits shall not be used for sport.

(f) *Mulesing.* Mulesing (the removal of strips of wool-bearing skin from around the breech (buttocks) of a sheep to prevent flystrike (myiasis)) of any sheep is prohibited.

(Ord. of 10-13-15(1))

17-23 Veterinary record-keeping.

In the interest of public health and safety, and the health and safety of the chickens, goats, sheep, or rabbits, the chickens', goats', sheep's, or rabbits' owner shall keep complete records of the administration of veterinary medical products, including:

(a) Name of product.

(b) Date of purchase of product.

(c) Quantity purchased.

(d) Identity of all livestock treated.

(e) Symptoms or illness treated.

(f) Dates of start and finish of treatment.

(Ord. of 10-13-15(1))

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 rings, de-beaking, de-clawing, de-spurring, de-toeing, hole punching, pinioning, notching, wattle trimming, and comb trimming are prohibited.

(Ord. of 10-13-15(1))

17-25 Euthanasia.

Any chickens, goats, sheep, or rabbits 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 chickens, goats, sheep, or rabbits shall be euthanized where they lie in a manner that renders them immediately insensible to pain.

(Ord. of 10-13-15(1))

17-26 Chickens, goats, sheep, or rabbits welfare audit.

The city may conduct, at any time, an audit of chickens, goats, sheep, or rabbits by a city designee who is recognized as an expert in chickens, goats, sheep, or rabbit husbandry and waste management. The audit may examine, among other things, the chickens, goats, sheep, or rabbits husbandry practices of Burlington chickens, goats, sheep, or rabbits owners to monitor urban agriculture trends, treatment and the general welfare of chickens, goats, sheep, or rabbits, and adherence to the provisions of this chapter. Owners of chickens, goats, sheep, or rabbits shall cooperate fully with the designated chickens, goats, sheep, or rabbits welfare auditor. Failure to do so may result in penalties as set forth in Section [17-27](#).

(Ord. of 10-13-15(1))

DIVISION 2. ENFORCEMENT AND IMPOUNDMENT

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:

- (a) *First offense.* A first offense of any provision of this chapter in any twelve (12) 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).
- (b) *Second offense.* A second offense of any provision of this chapter in any twelve (12) 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).
- (c) *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](#).

(Ord. of 10-13-15(1))

17-28 Enforcement.

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

(Ord. of 10-13-15(1))

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 chapter.

(Ord. of 10-13-15(1))

17-30 Zero tolerance policy for inhumane treatment.

The City of Burlington holds a zero tolerance policy for inhumane treatment of any chickens, goats, sheep, or rabbits. 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 or 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 Section [17-27](#) and to any of the following additional remedial measures:

- (a) *Mandatory education.* Any owner or guardian who treats their chickens, goats, sheep, or rabbits inhumanely shall be mandated to attend a city-approved education course on proper humane treatment of chickens, goats, sheep, or rabbits, and thereafter deemed fit to retain ownership of his or her chickens, goats, sheep, or rabbits by a city-designated humane educator. The humane educator shall make a formal report to the city regarding this decision.

(b) *Impoundment or seizure.* Inhumane treatment of chickens, goats, sheep, or rabbits may result in impoundment of the offender's chickens, goats, sheep, or rabbits as provided in Section [17-31](#), or seizure of the animal in which the offender immediately loses ownership of the chickens, goats, sheep, or rabbits.

(Ord. of 10-13-15(1))

17-31 Impoundment.

(a) *Authority to impound.* Animals in violation of any provision of this chapter may be taken by the enforcement officer or code enforcement official and impounded according to the procedures set by the director of code enforcement and confined in a humane manner.

(b) *Impoundment fees.* Any animal(s) impounded under the provisions of this chapter shall be released only on payment of fifty dollars (\$50.00) impoundment fee.

(c) *Boarding fee.* In addition to the impoundment fee charged herein there shall be an additional charge per day for board for each day the animal is impounded. The boarding fee shall be set annually by the director of code enforcement based on a fee schedule set by contract with the boarding agency.

(d) It shall be the duty of the boarding agency to collect all pound and board fees before releasing an animal.

(e) *Disposition of unredeemed animals.* If any impounded domestic farm animal is not redeemed within seven (7) days of its impoundment, it shall be sold or given away.

(f) *Interference with impoundment.* Any person who interferes with the impounding of an animal under provisions of this article or releases, or who attempts to release, an impounded animal contrary to this article shall be in violation of this chapter.

(g) *Notice of impoundment.* Within twenty-four (24) hours of the impoundment of any animal under this chapter, the enforcement officer shall make every reasonable attempt to notify the owner of the impounded animal of such impoundment. Such notice shall include either personal contact with the owner or a written notice posted at the dwelling house of the owner.

(Ord. of 10-13-15(1))

17-32 Notice and permission and responsibility of property owner.

(a) Any chicken, goat, sheep, or rabbit owner raising any such animal on property not owned by the animal owner must notify in writing the property owner on which the animal 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 animal owner before any such animal may be housed or grazed on land owned by the property owner.

(c) The animal owner shall assume full legal responsibility for all aspects of animal ownership. The property owner may, however, also be held legally liable for any animal activity that takes place or occurs on property owned by the property owner.

(Ord. of 10-13-15(1))

DIVISION 3. CHICKENS

The purpose of this division is to provide standards for the keeping of chickens. 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.

17-33 Number and type of poultry allowed.

The maximum number of chickens, excepting roosters which are prohibited, 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](#).

(Ord. of 10-13-15(1))

17-34 Enclosures.

(a) *Chicken pen.* Chickens 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 pen shall provide adequate sun and shade and shall be reasonably protective against rodents, wild birds, and predators, including dogs and cats. Pens housing chickens shall be constructed to be reasonably predator- and bird-resistant to keep predators out and the chickens in.

(b) *Chicken coop.* Chickens shall be secured within a coop during nondaylight hours. The minimum space requirement for each chicken is one and one-half (1.5) 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-resistant sturdy wire fencing.

(c) *Perches.* Chickens shall have access to an aerial perch that is at minimum seven (7) inches long, is nonslip, 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.

(f) Coops shall not be located in any part of a home.

(Ord. of 10-13-15(1))

17-35 Feed and water.

(a) *Water.* Fresh, clean water shall be available to all chickens at all times. Chickens shall not be required to break through ice or eat snow for their water.

(b) *Feed.* Chickens must be minimally provided access to commercially-produced species-specific feed at all times in a sufficient quantity to maintain their health and well-being. 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.* Chickens shall be provided daily access to gravel to aid with food digestion.

(Ord. of 10-13-15(1))

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.

(Ord. of 10-13-15(1))

17-37 Enrichment.

(a) *Normal behaviors.* Chickens shall be provided opportunity to engage in normal species-specific behaviors and given daily opportunity for scratching at the ground, pecking, dust bathing, walking, and perching.

(b) *Socialization.* Chickens are social birds and shall not be kept in isolation, unless ordered by a veterinarian or for the purpose of quarantine.

(Ord. of 10-13-15(1))

17-38 Health.

(a) *De-worming.* Chickens shall be de-wormed 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) *Lame stock.* An owner shall not purchase stock known to develop lameness or malformed bones.

(e) *Mutilations prohibited.* The following physical alterations are prohibited in applicable species: de-beaking, de-clawing, 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.

(Ord. of 10-13-15(1))

17-39 Catching chickens.

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

(Ord. of 10-13-15(1))

DIVISION 4. GOATS

The purpose of this division 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.

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 [17-41](#).

(b) There is no restriction on goat species or gender.

(Ord. of 10-13-15(1))

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 bedded lying area:

- (1) Goats (buck/doe): sixteen (16) square feet.
- (2) Kids: four (4) square feet.
- (3) Doe with one (1) 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.

(Ord. of 10-13-15(1))

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.

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

(Ord. of 10-13-15(1))

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.

(Ord. of 10-13-15(1))

17-44 Health.

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

(b) *De-worming.* 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.

(Ord. of 10-13-15(1))

The purpose of this division 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.

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.

(Ord. of 10-13-15(1))

17-46 Enclosures.

(a) *Shelter.* Sheep shall be provided a barn or three (3) 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 (1) 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.

(Ord. of 10-13-15(1))

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.

(Ord. of 10-13-15(1))

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.

(Ord. of 10-13-15(1))

17-49 Health.

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

(b) *De-worming*. Sheep shall be de-wormed 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).

(Ord. of 10-13-15(1))

DIVISION 6. RABBITS

The purpose of this division 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.

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.

(Ord. of 10-13-15(1))

17-51 Enclosures.

(a) *Housing*. Rabbits shall be provided with a house or hutch that is roofed and contains a solid, nonwire 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.

(Ord. of 10-13-15(1))

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.

(Ord. of 10-13-15(1))

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.

(Ord. of 10-13-15(1))

17-54 Health.

- (a) *De-worming.* Rabbits with outdoor access shall be de-wormed 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 (0.25) to one-half (0.5) 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.

(Ord. of 10-13-15(1))

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.

(Ord. of 10-13-15(1))

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.

(Ord. of 10-13-15(1))

17-57—17-71 Reserved.

DIVISION 7. ANIMALS NOT TO BE RAISED IN CITY

17-72 Species prohibited from being raised in the city.

Unless these species are being raised in a zoning district where agriculture is a permitted or conditionally permitted use, roosters, ostriches, emu, cattle, swine, and camels are prohibited from being raised in the city due to the size and behavioral issues associated with these animals.

(Ord. of 10-13-15(1))

The Burlington Code of Ordinances is current through Ordinance 8-7-17, passed August 7, 2017.

Disclaimer: The City Clerk's Office has the official version of the Burlington Code of Ordinances. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.burlingtonvt.gov/> (<http://www.burlingtonvt.gov/>)
