



Bill No. 24-09

Concerning: Backyard Chicken Regulations

Introduced May 21, 2024

Revised: July 2, 2024 Draft No. \_\_\_\_\_

Enacted: \_\_\_\_\_

Effective: \_\_\_\_\_

Expires: August 19, 2024

Frederick County Code, Chapter 1-19

Section(s) 8

## COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council Member Mason Carter

**AN ACT** to: Amend the Accessory Uses on Residential Properties by providing guidance on the keeping of 8 or fewer chickens.

Date Council Approved: \_\_\_\_\_ Date Transmitted to Executive: \_\_\_\_\_

Executive: \_\_\_\_\_ Date Received: \_\_\_\_\_

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

Vetoed: \_\_\_\_\_ Date: \_\_\_\_\_

Date returned to Council by County Executive with no action: \_\_\_\_\_

By amending:

Frederick County Code, 1-19 Section(s) 8

Other: \_\_\_\_\_

**Boldface**  
Underlining  
[Single boldface brackets]  
\* \* \*

*Heading or defined term.*  
*Added to existing law.*  
*Deleted from existing law.*  
*Existing law unaffected by bill.*

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2 The County Council of Frederick County, Maryland, finds it necessary and appropriate to  
3 amend the Frederick County Code § 1-19-8.240. ACCESSORY USES ON RESIDENTIAL  
4 PROPERTIES to include guidance for keeping 8 or fewer chickens on a residential property.

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6 NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF  
7 FREDERICK COUNTY, MARYLAND, that the Frederick County Code be, and it is hereby,  
8 amended as shown on the attached Exhibit 1.

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Brad W. Young, President  
County Council of Frederick County,  
Maryland

## § 1-19-8.240. ACCESSORY USES ON RESIDENTIAL PROPERTIES.

(A) Customary accessory uses permitted on residential properties include the following.

(1) Accommodations for bona fide servants or guests, including unattached guest houses.

(2) (a) Keeping of not more than 9 domestic animals; however, a commercial stable or kennel is not an accessory use. Farm parcels are exempt from this limitation.

(b) Keeping of farm animals in residential districts on a lot containing 3 acres or more provided no pens, stalls or runs will be located closer than 50 feet of any lot line, unless approved as a limited agricultural activity as provided in § 1-19-5.310 and § 1-19-8.325.

(c) Keeping of 8 chickens or fewer, provided the following conditions are met:

1. Lots must be at least 30,000 sq. feet;
2. Roosters are prohibited; and
3. ~~[[No pen, stall, run, coop or structure from any lot line; and]]~~

3. Chickens must be confined to the backyard of the premises at all times.

**4. CHICKENS SHALL BE CONFINED WITHIN A SECURE OUTDOOR  
ENCLOSED AREA.**

- i. THE ENCLOSED AREA SHALL INCLUDE A COVERED, VENTILATED, AND PREDATOR-RESISTANT CHICKEN COOP THAT IS TO ENCOMPASS NO MORE THAN HALF OF THE ENCLOSED AREA.
- ii. THE COOP SHALL HAVE A MINIMUM FLOOR AREA OF AT LEAST TWO (2) SQUARE FEET PER CHICKEN.
- iii. IF THE PORTION OF THE BACKYARD WHERE THE CHICKENS ARE KEPT IS ENCLOSED BY A FENCE AT LEAST FOUR FEET HIGH, THE CHICKENS MAY BE

Underlining indicates entirely new matter added to existing law.

[Single boldface brackets] indicates matter deleted from existing law.

\*\*\* - indicates existing law unaffected by bill

Double underlining boldface indicates matter added by Amendment.

[[Double bracket]] boldface and strikethrough indicates matter deleted by Amendment

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**PROVIDED WITH A CHICKEN RUN BUT ARE NOT  
REQUIRED TO BE CONFINED TO THE RUN.**

5. THE COOP SHALL BE LOCATED IN THE BACKYARD AT LEAST TWENTY FIVE (25) FEET FROM ANY PROPERTY LINE AND SIX (6) FEET FROM ANY DWELLING.

i. **NO CHICKEN SHALL BE PERMITTED TO ROAM  
OUTSIDE THE COOP OR ENCLOSED BACKYARD AREA.**

**6. CHICKEN FEED SHALL BE STORED AND DISPENSED IN RODENT-AND PREDATOR-PROOF CONTAINERS.**

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