

Testimony of the Maine Municipal Association

In Opposition to

LD 1655 - *An Act to Allow the Keeping of Chickens on Private Residential Property*

April 23, 2025

Senator Talbot Ross, Representative Pluecker, and esteemed members of the Agriculture, Conservation, and Forestry Committee, my name is Rebecca Graham, and I am here on behalf of the Maine Municipal Association's Legislative Policy Committee (LPC) to strongly and unanimously oppose LD 1655, *An Act to Allow the Keeping of Chickens on Private Residential Property*.

Municipal ordinances are adopted in the community they impact with direct community input and agency from the residents who agree to them. Every individual in a community has the right and the ability to support or oppose initiative and in rural communities, ordinances are debated openly and frequently with animosity but all attempting to accomplish the same thing; a balance between the rights of individuals and the impact of those rights on others when they extend beyond property boundaries. They balance being a good neighbor. They are just as important to upholding and protecting existing farming operations from new neighbors who move in January from nuisance complaints of farm related smells in May, as they are to allowing the expansion of backyard farming and ability for communities to adopt food sovereignty values.

There are many reasons for a municipality to restrict raising chickens in certain areas of a community such as areas that are in resource protection district with vital streams and wetlands in urban areas that must be monitored for excessive phosphorus runoff to adjacent waterbodies for the protection of vital water sheds and shared waters of Maine.

Municipalities adopt ordinances that limit the number of chickens on a lot, but also require 25-foot setbacks in many areas like Augusta. This bill would limit that to 15. Most ordinances also limit the slaughter of chickens and selling of eggs for commercial use in those same areas as the allowance on intown lots is intended to be for personal use. Ordinances also address nuisance smells, and noise from multiple roosters. They do not prohibit the keeping of chickens writ large, but rather limit flock size, require permits and restrict operations that lead to neighbors filing cease and desist orders on neighbors.

Officials are also concerned by the limits of chickens proposed by the bill which would restrict the number kept for personal use to 36 on lots that may be suited for more. Some residents who raise chickens make conscious decisions not to cull aging chicken stock who are no longer productive and allow them to die of old age. Additionally, some individuals with land capacity choose to raise both meat and egg laying varieties, accept rescue chickens, or raise chickens to sell to other neighbors for the same. This could be impaired by a statutory limitation as drafted.

For these reasons, municipal officials ask that you respect the home rule principles enshrined in the Constitution and the sensible ordinances already adopted that balance the needs of neighborhoods and

communities with measured ability to keep chickens. Officials welcome guidelines for their care and maintenance that balance animal welfare and address nuisances that include rodent and other pests the activity attracts.