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I encourage you to reject An Act to Allow Keeping of Chickens on Private Residential Property.

I respect the intent behind this legislation but at the heart of it there lies a violation of Maine residents' Constitutional Right to Food that must be addressed but this misworded, misguided legislation is not the answer.

While true that this bill explicitly prevents municipalities from prohibiting chicken raising or setting a lower maximum number than 36, it also negates that intent through its other text.

By allowing stricter requirements on space (or other conditions like coop placement or security), the bill indirectly permits municipalities to limit the number of chickens through those requirements, even to the point of making it financially oppressive and unattainable for MOST Maine landowners.

The proposed legislation (Sec. 1. 7 MRSA §287) as written undermines our constitutional Right to Food by allowing municipalities to impose excessively burdensome regulations that make raising even 1 or 2 chickens impractical. For example, a municipality could require 400 to 800 square feet of indoor coop space per chicken, forcing someone to build a 20ft by 40ft coop—larger than many homes—just to house 1 or 2 chickens.

They could also mandate 16,335 to 32,670 square feet of outdoor space per chicken, meaning 3/4 of an acre for 1 to 2 chickens, which many residents don't have.

Distance from Property Lines:

The bill requires coops to be at least 15 feet from property lines.

The bill, as written, ("Notwithstanding subsection 1, a county or municipality may adopt a regulation or ordinance that is stricter than the requirements of this section, but may not restrict a person from raising chickens on private residential land.") allows for stricter regulation.

If the municipality increases this 15 feet to 100 feet, a small lot (e.g., 50ft by 100ft, or 5,000 square feet) couldn't accommodate a coop at all, as no part of the lot would be 100 feet from all property lines.

This would effectively prevent chicken raising on small lots.

Predator-Proofing Costs:

The bill requires predator-proof mesh for the coop and outdoor space.

If the municipality mandates an expensive material (e.g., stainless steel mesh at \$10 per square foot) for the entire outdoor space of 16,335 - 32,670 square feet (as calculated above):

16,335 ft x \$10= \$163,350

32,670 ft x \$10= \$326,700

This would make the cost of fencing the outdoor space for 1-2 chickens prohibitively expensive at \$163,350 - \$326,700 for a FENCE.

Nuisance Mitigation:

If the municipality defines "nuisance" as any chicken noise audible at the property line, a person might need to soundproof an 800-square-foot coop, adding significant costs (e.g., soundproofing materials could cost \$5-\$10 per square foot, or \$4,000-\$8,000 for the coop).

They could also impose daily odor inspections with fees, further increasing the burden.

These regulations, while not outright banning chicken raising, effectively prevent it by imposing unreasonable costs and space requirements.

These regulations would infringe on the Right to Food by making chicken raising impractical, thus restricting personal liberty to produce food.

Our Right to Food guarantees us the liberty to grow and raise our own food, but this bill allows municipalities to strip away that freedom through backdoor restrictions, disproportionately harming those who rely on small-scale chicken raising for sustenance.

In the above scenario, and in the very setting we are being presented the "need" for this legislation, we are told of municipalities that are not allowing Maine residential landowners to grow and raise chickens to produce food including eggs and meat for their own sustenance.

Thus it is reasonable to assume a municipality that has prohibited ALL chickens at this point WILL exploit this legislation and create regulations that only allow for 1 chicken or make it so oppressive that you will NOT own chickens.

The Maine Constitution has an adopted Amendment enshrining the Right to Food, which these municipalities are in violation of.

The APPROPRIATE action in response to this violation of the Maine Constitution is legal action to right this grievous wrong, not more legislation that can and will be ignored at whim because we allow local governed to ignore our Constitutional Rights.

Thank you,

Donna Stevens