

2025 -- H 6108

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO AGRICULTURE AND FORESTRY -- RIGHT TO FARM

Introduced By: Representative Joseph J. Solomon

Date Introduced: March 19, 2025

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 2-23 of the General Laws entitled "Right to Farm" is hereby amended
2 by adding thereto the following section:

3 **2-23-8. Domestic chickens.**

4 (a) The keeping of chicken hens ("hens") pursuant to this section shall be primarily for the
5 purpose of raising hens and collecting the eggs produced. This section shall not be construed to
6 allow for the commercial slaughter and sale of any hens for any purpose.

7 (b) As used herein, "lot" means one or more parcels of land which are contiguous and are
8 under the same ownership according to the tax assessor's records and which are zoned residential
9 or are residential as a legal nonconforming use pursuant to the zoning ordinance.

10 (c) The owner of any dwelling may keep or permit to be kept on the lot containing the
11 dwelling, one hen per eight hundred square feet (800 sq. ft.) of total lot area, with a maximum of
12 ten (10) on any lot; provided that, they comply with each and every provision of this section.

13 (d) The owner of the hen(s) shall be a resident of said dwelling.

14 (e) No person shall keep any rooster.

15 (f) The raising of hens shall be restricted to backyards or side yards; and hens shall not be
16 permitted at any time on the part of the property directly abutting a main road or a street.

17 (g) No hen house ("coop") shall be built onto any shared fence, and the coop shall not be
18 more than eight feet (8') in height and a maximum of sixty-four square feet (64 sq. ft.) in area.

19 (h) The coop and hen run shall not be located closer than twenty feet (20') to any residential

1 structure on an adjacent property and shall comply with zoning setback requirements of each city
2 or town.

3 (i) All hens shall be provided with both a coop and a fenced outdoor enclosure ("run"),
4 subject to the following provisions:

5 (1) The coop shall provide the hens with adequate protection from the elements, inclement
6 weather and provide for the hens' good health and prevent unnecessary or unjustified suffering;

7 (2) The coop shall be covered, predator resistant, and well ventilated;

8 (3) All above ground openings in the coop, such as windows and ventilation holes shall be
9 covered with half inch (1/2") hardware cloth to prevent predator/rodent access;

10 (4) The coop shall have a floor and be surrounded by half inch (1/2") hardware cloth, buried
11 at least twelve inches (12") into the ground to prevent unwanted access from below;

12 (5) The coop shall provide a minimum of two square feet (2 sq. ft.) per chicken;

13 (6) The coop shall be located upon a permeable surface that prevents waste runoff;

14 (7) The fencing of the run shall be surrounded on the sides and the top and shall adequately
15 contain the hen run.

16 (8) The run shall be kept clean and sanitary at all times and manure shall be composted in
17 enclosed bins; and

18 (9) All enclosures shall be so constructed or repaired as to prevent predators or rodents
19 from being harbored.

20 (j) All hens shall be fed regularly and the feed shall be stored securely.

21 (k) All hens shall be confined within the coop from sunset to sunrise.

22 (l) Notwithstanding the terms of this section, private restrictions on the use of property
23 shall remain enforceable and take precedence over this section. Private restrictions include, but are
24 not limited to, deed restrictions, condominium master deed restrictions, neighborhood association
25 by-laws, and covenant deeds. The interpretation and enforcement of the private restrictions shall
26 be the sole responsibility of the private parties involved.

27 (m) Individual cities and towns have the authority to modify, by ordinance, any limits
28 established by this section.

29 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO AGRICULTURE AND FORESTRY -- RIGHT TO FARM

1 This act would allow the possession of chickens ("hens") throughout the state subject to
2 the provisions of this section, local ordinances and any deed restrictions or neighborhood
3 association by-laws.

4 This act would take effect upon passage.

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