

Benicia Municipal Code Regarding Chickens

6.32.040 Keeping birds, fowl and rabbits.

A. It is unlawful to keep birds, fowl and rabbits in the city, except:

1. In single-family detached residences in a residential district, a maximum combination of 20 birds or rabbits per legal lot are permitted, provided all of them are kept at least 20 feet from any neighboring house built or used for human habitation. In no case shall more than 10 chickens or other fowl be permitted.

2. For multifamily residences, a maximum total combination of six birds, fowl or rabbits per legal lot is permitted; provided, that all of them are kept at least 20 feet from any neighboring house built or used for human habitation.

B. Roosters or other fowl which constitute a nuisance by their loud cries are not allowed in any zone.

C. No person owning, having an interest in, harboring or having charge, control, or custody of any rabbit, bird, and/or fowl shall permit, allow, or suffer any animal to run or fly at large to go upon the premises of any person in the city.

D. Birds, fowl and rabbits being fostered as a part of a nonprofit agency's program shall not be included for the purposes of determining the number of household animals. The foster program shall be registered with the department and an individual foster animal shall be fostered in a particular residence for a period of no more than six months. (Ord. 07-72 § 4).