

currently drop their egg cartons off at his door with their names and addresses that he has to supply. He also supplies school systems in Fulton, Cobb and Gwinnett counties with hatching eggs because their budgets have been cut and they are no longer able to purchase eggs for \$50 a dozen to have for their classrooms.

Sarah Winner asked Wordes if he sells his eggs. Wordes stated that he accepts no money from the school systems whatsoever. Does he sell eggs? Wordes stated that he did not. All of his eggs are given away. How large is Wordes' piece of property that he owns? Wordes stated that he lives on an acre. His neighbors were here in support. Two of the people that were here live directly next door and were here to support him. All of his neighbors in his sub-development have been to all of the council meetings and all of the court hearings to support him. There are no complaints against the chickens.

How does Wordes feel about the fact that this proposed text amendment has a certain number of chickens but not relative to the lot size? One could have 25 chickens on an acre or two acres or three acres or he could have 25 chickens on 6000 square feet. Wordes stated that honestly he thinks they are wasting tax dollars trying to regulate a problem that doesn't even exist. There is no problem. Winner clarified that there was no problem with having potentially...Wordes stated that there is no problem with them potentially having an elephant on a piece of property but they don't have a law against it until they have the problem. Until there is a problem why is the Commission trying to make regulations when there isn't one.

Laura Light stated because there has been a problem. Wordes asked where? Light stated that the lawsuit was a problem. Wordes stated that there was no lawsuit. There was a charge against him for having chickens and when the law was read, the judge read it and said chickens are legal in Roswell. The complaint was issued by a non-resident of Roswell and it was an anonymous complaint. There have been no complaints against Wordes chickens. The only reason he is here is because this has moved forward and gotten so much media attention that now they are trying to regulate and find regulations for a problem that doesn't exist. Light asked if Wordes was the only person in the city of Roswell who has ever had a complaint against them about chickens. Wordes stated that he is sure there are probably some others. He has 12 roosters at this time who go into an insulated barn at night. There has never been any complaint against them in four years. He has lived here for 15 years and prior to moving to Roswell full time he commuted for 10 years. One of the reasons he chose Roswell is because it is a quaint rural community. It hurts him to see the city wasting its money when they have so many other issues facing the community that they should not have been there for the last hour and a half or hour discussing this. Wordes thinks as far the number goes, Fulton County Animal Control, if there is an issue with safety or sanitation, the citizens pay them tax dollars to regulate that. All they need to do is pick up the phone and have Fulton County Animal Control come out. They will



determine if the animals are not being kept safely or sanitarly and they will deal with it. The city of Roswell doesn't need to delve into that area.

Sarah Winner stated that she certainly understands that from the standpoint of the animals and the safety and care of the animals. What about the people who live in the surrounding community or the surrounding house or lot who might be being woken up by a rooster at 2 a.m. because that particular person is not taking personal responsibility for their rooster. It is just like someone who does not take personal responsibility for bringing their dog in. These are the things that are going to happen and that is why Winner thinks they are being targeted.

Andrew Wordes stated that the city of Roswell already has a noise ordinance. They already have a nuisance ordinance. So why do they need to have a rooster ordinance. They don't have a chain saw ordinance. They don't have a weed whacker ordinance and Wordes does not file a complaint on Sunday morning when his neighbor decides he wants to weed whack his lawn at 8 a.m. and he is trying to sleep. Sunday is his rooster sleep-in day, they don't have to get up until 10 a.m. He will let them stay in, normally they get up around 8 or 9 a.m. and he takes them from their pens and out them in with the girls and then when he comes home from work...during his breaks he comes home and left different groups out of their pens and let the rooster and the hens run through the yard, eat the blueberries, eat out of the garden and have a good time, eat the bugs and things like that. When he comes home he shoos them into the cage and let another group out and at the end of the night as it starts to get dark, the roosters go to roost on their roost. He picks them up and puts them all in the barn and locks them in for the night so they are safe and he locks the cages where the girls are so they are safe.

There are noise ordinances, they have nuisance ordinances. If Roswell is going to make a rooster ordinance they need to make a boom box ordinance. They need to make a chain saw ordinance; they need to make a weed whacker ordinance. These are just issues that can be resolved by a neighbor knocking on one's door and saying, "hey, by the way, your rooster woke me up the other day" and a responsible neighbor will take care of it. If the neighbor doesn't, the city has ordinances in place that do.

Karen Geiger asked what the industry standard for a number of eggs per chicken per week. Wordes stated that there is no industry standard. Every chicken is different. He stated that he has chickens that lay three or four eggs a week. He has chickens that lay one egg a week. He has friends that have chickens that are asking him why their chicken is a year and a half old and has never laid an egg. The production chickens...the eggs that one buys in the store are coming from a chicken that is genetically altered to produce an egg every 24 hours. But these chickens are also housed 23 to 26,000 chickens in a 20,000 square foot building, which is less than one square foot per chicken. All of the responsible chicken owners allow their chickens free range in their yard and give them good feed.



Wordes stated that he personally has his feed made to his specifications from a farm co-op in Tennessee because he is not satisfied with the feed that he can buy commercially.

Sarah Winner stated that Wordes has right now 40 chickens, 12 of which are roosters. Wordes stated that he has 40 hens, 12 roosters. Winner clarified that he has 52 chickens with 40 hens. She asked how many eggs Wordes has been getting in the last few weeks. Wordes stated that he had four eggs in the last three weeks since the flood. Because of the stress the birds have quit laying.

Laura Light asked on average, say last June. Wordes stated that last June he didn't have this many because he didn't have that many because he didn't have so many requests.

Sarah Winner asked prior to the flood how many eggs was Wordes getting. Wordes stated that on average if one has six chickens, he will probably get three to four eggs a day during the best of times. But also, as a chicken gets older they lay less and less eggs.

So other than telling them they have to go murder their chickens, one are going to have hens that retire that he is going to have to replace with younger hens if he want to keep getting eggs. At the end of 12 years one are going to have 15 or 20 hens but only three of them might be laying. But, because one's dog doesn't protect him and doesn't bark anymore doesn't mean he is going to go put it down because it is not as good of a dog when he bought it and it was a year old. For someone to suggest that Wordes should go kill his chickens because they no longer produce eggs he takes as an insult.

Sarah Winner asked if Wordes thinks it is appropriate to have any kind of limits on how many dogs a person can have. Wordes stated that he thinks there needs to be laws....actually he thinks that animal control should be able to limit what is safely on a property and what can be safe housed there without disturbing any of one's neighbors. His neighbors were here and they are up at 5 a.m. swimming in six feet of sewer water helping save his chickens. He does not think a number is what is important. Providing safe and sanitary housing for them and not infringing on one's neighbor's rights is what is important.

Susan Baur stated that this was not personal. No one is disputing that Wordes takes good care of his chickens and that his neighbors think he is an upstanding great neighbor to have. But, in general the Commission looks at 100,000 people in Roswell. What would he suggest as a way to ensure that the chickens are kept in a safe number based on lot size, based on...what would he suggest that they do? Just say have as many as one wants unless somebody complains? What would Wordes' recommendation be?



Andrew Wordes stated that he would have to say exactly what Baur just said. Unless there is an issue why should they deal with it? He would suggest that they start limiting how many chickens and they also pass an ordinance to limit hippopotamuses, elephants and giraffes because that could potentially be a problem at some point in the future also. Susan Baur stated that she thinks there are already things that limit those but she understands Wordes point.

Wordes stated that Fulton County Animal Control will address any issues as far as safety or sanitation. Roswell has noise, nuisance and smell ordinances on the books already that address all of these other issues.

Sarah Winner asked Wordes if he would want someone living next door to him to have a coop where each of the chickens only had 12 inches to work around but the chickens were quiet. They never made any noise, the neighbors weren't complaining. But they had coops where they had 60 chickens in their backyard and each of them got a 12-inch....Wordes stated absolutely not. Winner asked how would the city of Roswell control that. Wordes stated they could call Fulton County Animal Control and let them know. Winner stated that the chickens are being well-fed, they are producing eggs. Wordes stated that if they are not safely housed....Winner stated that one could argue that is safe. The Commission is just trying to do something that will ensure that they don't have someone that is either cruel to chickens or cramming too many in too tight of a spot. It is not a personal thing for Wordes. It is the same reason they said that Roswell in its wisdom has said three dogs because if one starts getting more than that, it is more than he can care for in a loving way. Wordes stated that he does not know that there is a way to deal with that other than hoping people are responsible and hoping that Fulton County will step in. He has had Fulton County out to his property because when his ex-employee got made, she called Fulton County.

Wordes stated that he is more than happy to provide the inspector's name because he was so happy with his chickens. He wanted to buy them because he lives in Atlanta where they are allowed. For every city that allows three or four chickens, Wordes stated that he will be able to provide the Commission with 50 to 75. The city of New York allows 75 chickens per household. At last notice the city of John's Creek allowed 75 chickens per household. Under certain circumstances the city of Roswell allows 75 chickens. He does not think it is a matter of a number. He thinks it is a matter of responsible ownership. He does not know that there is an easy way to deal with the issue. But he does not think trying to make regulations solves a problem they haven't had yet. He thinks that once it becomes a problem, then it is time to deal with it and find a solution for it. But they are trying to find solutions for problems that don't exist.

Susan Baur thanked Andrew Wordes for his time.



**CARMEN FORD**  
**585 Upper Hembree Road**

Ford stated that she lives on land that has been in her family since before Roswell was here. She is kind of put out by this in general. She agrees with Andrew Wordes in that it is not a problem. One would not know that Ford had chickens if she tells him. She feels, however that she is a bit of an anomaly in that situation. She does not know what she is zoned currently but she owns a good bit of land over there still in an area where there is a subdivision down the street and other houses that are on an acre and plus in the other direction. Her neighbors are fine with her having chickens. Everyone is cool with that. She thinks in response to Sarah Winner's question to Andrew Wordes as far as the number of dogs one can have. She does not think it should be an issue, but that has already been said. Homeowners' Associations will also govern the allowances of gnomes in one's front yard of that is the case. Some of those people are going to put the kibosh on having bird feeders in one's yard if that is necessary or not. To address egg production, as Wordes mentioned it is not consistent all year long. Chickens typically do not start laying eggs until they are at least six months old and then they don't lay forever and ever as he said.

Ford stated that she has 10 chickens currently. Also, the age of the eggs that one gets in the store are already about a month old. For her to have 10 chickens and get a bunch of eggs everyday is not a big deal. She has four dozen sitting in her refrigerator right now. She has friends on her tennis team that beg her for them. It is not a problem.

Ford stated that she hates to say this but if the Commission is going to have to come up with some way to provide a guideline for the number of chickens then it should be according to acreage she would think and not zoning. She does not know what she is zoned but she has enough land to have 400 chickens, which is absurd in her opinion. She also has part of that property that is not completely in where a chicken tractor is necessary and beneficial as she does have a garden. Put them in here, move them here, eat this grass, move them here, eat this grass tomorrow and off one goes around and around and one fertilizes the ground and gets good vegetables that way.

Ford stated that her family has been here a long time. They have had chickens a long time. One would not know it if she didn't tell him. Why is it a problem? Why should she have to be constricted to suddenly all of these rules that were never in place up until now?

Those are Fords' thoughts and she is happy to answer any questions. If anyone wants to come see her hens, they are welcome.



Sarah Winner asked if Ford had roosters. Ford stated that she does not currently. Winner asked if she had had them in the past. Ford stated that she has not. She just got these chicks in April so they have just started laying eggs. Winner asked if she has problems not having a rooster. Ford stated that she did with hawks. But her hens are let out every day. They free range around her backyard all day. When it is time for bed, they climb the ramp and go to bed. They are pretty happy.

Susan Baur thanked Ford for her time. She asked if there was anyone else from the public who would like to speak.

**Jennifer Kutz**  
**650 Saddlecreek Circle**

Jennifer Kutz stated that she was president of the Saddlecreek Homeowners' Association. Personally she does agree with Andrew Wordes and she is not sure that Roswell necessarily needs a poultry ordinance. She thinks they need more of a pet ordinance. Another thing to note is ordinances are for the masses not for the few. Wordes seems like a great chicken keeper. Kutz's fear is that people would see something like this and say, "Oh, I can have 25." Go get them and be horrid pet owners. Wordes says that it is not a problem but obviously we all do know that it is a problem now, now that it has been in the media. They have had homeowners calling and saying, "Hey, can I have chickens?" So, it is really picking up steam so she does think it is a problem that does need to be addressed.

Kutz stated that she was here tonight for two reasons. One is to relay the concern they have about chickens but also they had sent an email because they have a big problem with cats. There is no current limit on the number of cats. To Kutz it is almost kind of silly that they are sitting there talking about limiting poultry and all of these things but her neighbors, she can't recall what their religion is but they don't believe in spaying or neutering. Therefore they have a huge stray cat problem in their neighborhood which is bringing in lots of large coyotes. So here they are in a subdivision, a residential area, they all have decent size lots. She thinks the average is  $\frac{3}{4}$  they have lots that are an eighth of an acre and higher. But they are having all of these issues related to it. Kutz thinks that it would be better to address it as a pet ordinance rather than specifically poultry. That is one recommendation that she has.

Kutz stated that she has a concern when someone says something like 25 because then they have people saying, "oh, my gosh I am going to go buy 25." She is not sure what the answer is and how they can address that rather than just limiting it to the nuisance and that type of thing.

She does agree also that they need to talk about the limits with the zoning. Parts of her subdivision, she thinks they are R-5 and a couple of homes are even E-2s.



So, those larger lots it makes more sense to her that if the city is going to do a number that they do it based on lot size.

That is all Kutz has to say today other than the fact that they would really love to have limits based on pets rather than just something as specific as poultry to address current issues that they have in Roswell. She bets the Commission could go to code enforcement and look at the number of complaints there have been against cats versus the number of complaints there are against poultry and they will see that it is a much larger issue in Kutz's community.

Sarah Winner asked if the homeowners' association plans to address this by changing the covenants in their subdivision. Kutz stated that they do but there is an issue with Saddlecreek in that it is an older subdivision. It was built in the late 70's into the 80's. They were not allowed to enforce permanent in to HOAs at that time. So out of the 509 homes they have in their subdivision, 240 fall under covenants. So people who are members they can enforce. But for example, Kutz could have a next door neighbor who has one of the smaller lots that could be .4 acres and they could have chickens whereas Kutz could not because she is part of the homeowners' association. So a lot of the times they do rely on city ordinances in Roswell to help enforce the quality of life in their subdivision. It is very common. Looking to HOAs to help enforce these issues is not always the way they go and they are in an urban area. These are subdivisions. Not everyone has three plus acres without neighbors nearby. Kutz thinks they really need to look at this that if the city is going to do some type of ordinance that they do this correctly because it is just going to open up the flood gates.

Susan Baur asked if there was anyone else from the public who would like to speak.

**Carol Vetton**  
**195 Saddlecreek Drive**

Vetton stated that she is the vice-president of the Saddlecreek homeowners' association and it is wonderful job to enforce their covenants, which isn't a lot of fun but it needs to be done. She has a couple of concerns and she does not want to take any of Andrew Wordes' chickens away. She does not know where he is, she is not anti-him but she is here anti the problem that she foresees coming in their future if they don't take care of it. As Jennifer Kutz said they only have half of their neighborhood that is involved in their covenants and they will deal with their covenants accordingly. But they have a number that don't and these people already don't take care of their property. They are the people the neighbors are calling the city of Roswell for to get them to cut their grass and to make sure that the house is at least kept up enough so that other property values are kept up. That is kind of their issue is where their property values are going to fall and in trying to maintain these covenants. Vetton stated that she is not a real big rule person but if the grass is this tall it takes away the value of the guy next door.



And that is what their issue is. One of these people that is not a member is interested in having chickens. They are one of the people they have to call code enforcement on already. She can't imagine the nightmare she is going to have with her phone ringing when these people don't have two chickens but 25. She agrees that something needs to take place with size of lots in the subdivision that it is in. She thinks it needs to be a much larger lot size that would fall under almost agriculture. She is not necessarily meaning a farm but where the initial intent of the subdivision that was built was more farm oriented and not in these developments that have ¼ to 1-acre lots, they are not meant for chickens. They are not meant for pigs, rhinoceroses are giraffes either. That is part of the problem.

Roosters, forget the noise. Vetton stated that her grandparents were farmers and she went back to the farm all of the time in the summer. It was a wonderful experience with the exception of the roosters. Roosters are aggressive. If one happens to be in the wrong place at the wrong time they can do a lot of damage to an individual especially a small child. The thought of any of these neighbors who don't control what they have going on right now and have a rooster, Vetton is going to be concerned for the little kids in the neighborhood because she was harmed pretty good by a rooster. Roosters peck for a while and they can scratch like crazy with their claws or talons or whatever they are.

Vetton would also be concerned about what an ordinance would be for overhead fencing if one didn't have roosters because the roosters do protect the hens and she is aware of that. In farming, if one does not allow the roosters then there are hawk issues and now what are people going to do to protect from the hawks? That is a whole other thing that becomes a sight nuisance in a subdivision. She does not have a problem with it being in a large-lot residential community. But if lots in one's development are between ¼ and 1½ acres or whatever that is a small subdivision and that is not meant to be a farm community. She thinks that this ordinance opens up all kinds of issues.

She does not know what the answer is to it but she thinks one of it would be the size of the lots. She does not think they should be allowed in the current subdivision with the smaller lot sizes even though they have larger sizes. Vetton, herself owns a little more than half an acre. She does not think they are in an area that was meant for farming and she considers chickens and roosters, as much as she loves them and has been involved with them, she can't see them being in her neighborhood. She is concerned about her property values.

Susan Baur stated that she would hear from one more speaker and then they are going to have to wrap this up. They are getting into their time limits.



**Dee Fent**  
**635 Weeping Willow Circle**

Fent asked if the Commission could tell him whether someone is allowed to keep a rooster as a pet. Can one keep a rooster as a pet?

Laura Light stated that she thinks that is the question that is at hand. That is what they are here is to discuss...right now they can because...at the current moment they can. Fent stated that was the question. He does not see the reason why...right now his neighbor and her daughter have roosters as pets. If the Commission rules against that, they do away with the rooster then that child whose pet is the rooster. Another thing, the Commission is indifferent toward them. So, all he knows is if one is inside his house, what could he hear more? A dog barking or a rooster crowing.

Sarah Winner stated that it depends on where the dog is. It depends.

According to Fent, where he comes from, there are others that are new to here. Unless one's door is open or his window it is hard for him to hear a crow-crow from far away or from 100 meters. What he wants to know is how can the rooster council know that? If it is Fent's neighbor complaining about the rooster, they have some people that don't have all these good living habits. How would one know that it is not about the rooster it is about their living? Making how improbable to him. Of course, Fent stated that it is not about the poultry or the chicken. For them to know he has the poultry or the chicken he has probably the rooster. Those who have complained it is about the rooster. It is not about the chicken. For they need to know whether they have the chicken or the poultry, the rooster has to be there for him to crow. Then when he crows at one's neighbor and he will say that there is a rooster there.

To Fent most of the families, he has traveled within Roswell, that have a rooster it is a pet for the children. If one has a dog as his pet and the child brags that the rooster is their pet, Fent does not see the reason why he or she, that child is not allowed to have the pet with him or her.

He understands there was a number. They have the regulation on the lights on the animals. So if maybe the veterinarian or the medical, animal doctor goes within an environment that these animals or the chicken are not in good condition. Yes, then Fent has a complaint. The number should depend on how responsible one is when keeping those chickens. Of course one can be keeping \_\_\_\_\_ by him. They are not taking care of them. You get me?

On the side of the minimum or the maximum it should be...he does not know the number they ask that can be found as \_\_\_\_\_ and then the minimum is the number that can be kept for \_\_\_\_\_.



**Cindy McIntyre  
Full Creek Park  
Alpharetta, GA**

McIntyre stated that she knows she is not a Roswell resident but she was for 15 years. She suggested that perhaps with Andrew Wordes' situation since there aren't any neighbors complaining, his immediate neighbors, perhaps maybe a grandfather for him because there is not anybody else in an issue with that many chickens, specifically for him. Meaning that....she hates to see him....she know how much he loves his animals and she hates to see him give up a pet. It would be like giving a dog up. Some of these animals are this size...they are not talking about a chicken this big; they are talking about really small. Some of them are really, really small. They have different sizes. When you go with a number and who are they to say what someone can keep in their backyard? If they want to keep a chicken, okay. As long as there are ordinances in effect, that is what code enforcement is for. She thinks it is ridiculous to just keep on with all of these laws just over and over and over.

She is certainly glad Alpharetta does not have this problem because they have absolutely not. Normally when they have a problem, someone knocks on the door and they try to handle it. She hopes that for Wordes' sake that they can p sort of a grandfather clause in effect for him. McIntyre stated that it would really be sad to see him get rid of his animals.

Susan Baur stated that at this time she would close the public portion of the hearing.

A speaker asked for a moment to add something that was said about \_\_\_\_\_.

Susan Baur stated that the Commission was through with the public portion of the hearing.

Susan Baur asked if there were any more questions for staff.

Laura Light asked if the city of Roswell has in its ordinances a definition of a pet.

Brad Townsend stated that he thinks in the regular code there is a companion animal definition.

Cheryl Greenway stated that she was looking in the definitions under 3.2 and there is no definition there of a pet.

Laura Light stated that Townsend was talking about the municipal code as opposed to the zoning code. Townsend stated that was correct. Light stated that she thinks what the Commission is hearing tonight is a very compassionate argument and she went back and she looked at the judge's ruling, in Judge