

Cooped up with Chickens

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As the costs of living continue to rise, and eco-consciousness is beginning to bloom in the developed world, urban farming, whereby residents of cities are using free space on their property to build gardens and raise farm animals, is emerging as a trendy alternative to super markets. In North America it isn't just aging hippies and new hipsters that are mucking out their backyard chicken coop – the investment banker, civil servant or taxi driver may be getting her hands dirty as well. Urban farming can also be seen in Bangkok, where people will use their limited land to raise a few chickens, a goat, or even a pig. However, before you go out and build a pen to raise fresh bacon and eggs, it is important to know what national and municipal regulations exist that govern this type of urban farming.



The ownership of animals in a residential area is regulated in large part by the Public Health Act 2535 (1992). Under Section 25 it shall be a source of nuisance, among other things, if:

- the raising of animals in a place or by any method or in too great a number causes impairment or may be harmful to health, or
- any action produces noise or odor to the extent that they may be harmful to health, or
- any building which is a dwelling to men or animals doesn't have adequate sewage disposal or adequate controls to prevent foul odors or toxic substances that may be harmful to health.

Section 29 empowers municipal officials to offer their own regulations in addition to the national legislation in order to maintain the living conditions of the population or to prevent danger from animal diseases. For example, many municipalities have prohibited residents from owning poisonous reptiles. Violations of these provisions of the Public Health Act by harboring a “nuisance” on your property could result in a fine of 2,000 baht and/or up to one month in jail.

Bangkok’s municipal legislation is similar to that found in other cities throughout the Kingdom as the number of animals must not be excessive, animals must not cause pollution, and the animals must be located in a place that does not cause nuisance to those living nearby. None of the regulations differentiate between those animals traditionally considered pets and those traditionally considered farm animals. A nuisance is a nuisance no matter the type or breed.

Interestingly, there was a court case from 2010 that found its way up to the Supreme Administrative Court that dealt with this exact issue. The claimant sued his neighbor for the alleged nuisance of a chicken coop the neighbor was keeping on his lawn. After the municipality had decided that the claimant was not violating any laws, the claimant then sued the municipality in addition to his neighbor, for dereliction of duty.

The claimant argued that the chickens keep him awake at night, that the chicken poo smells, and that chicken feathers get attached to his clothes when they are hung outside to dry; all together constituting an unbearable nuisance. After complaining to the local police, a municipal officer was sent to the neighbor’s home where it was concluded that since there were only six chickens the number was not excessive, the chicken coop was cleaned regularly, and the location of the coop was a sufficient distance away from the claimant’s home (in this case across the street). The claimant found the conclusions of the municipal officer unreasonable, and sued the municipality, requesting that it be ordered to force the neighbor to remove his chicken coop.

The Supreme Administrative Court took the case, and interpreted the “excessive number” provision of the Public Health Act to mean more than 20 chickens whereby the owner would then be considered to have a chicken business which could be harmful to the health of his neighbors. In addition, the Court concluded that it is natural for feathers and chicken poo to be present, and as long as the owner was taking reasonable care to ensure the sanitary conditions of the coop, he was within the law.

Finally, and most interestingly, the Court decided that chicken (rooster) crowing is considered a natural sound, and is therefore not a nuisance to locals living nearby. This point in particular highlights the cultural differences between Thailand and many Western countries where a rooster crowing at dawn everyday would definitely NOT be considered a natural sound for someone living in the city. In fact, many of the North American cities that have permitted the keeping of chickens have prohibited the keeping of roosters. This has proved challenging given that sexing a chicken is challenging work (requiring keen eyesight, we imagine). This has led to a burgeoning rooster adoption trade.

Interestingly, the Court case did not emphasize the potential health risks that may be associated with chickens, such as salmonella and histoplasmosis; these issues feature prominently when urban farming is being debated in the context of a North American city, though it is still often determined that the benefits outweigh what are still perceived to be minimal risks. Expect these concerns to become preeminent if zoonotic diseases such as avian flu begin to occur more frequently or with more catastrophic results.

In all societies there is a line where personal rights begin to infringe on the rights of others. However, apparently keeping a coop full of chickens on your front lawn does not necessarily cross that line in Thailand. Urban farmers run wild.

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