

FOWL

Garretson

§ 90.65 GENERALLY.

No person shall keep any fowl, including, but not limited to, roosters, ducks, geese, turkeys, pheasants, quail, partridges, guineas, or other like domestic fowl within the city limits, except for chickens kept within the provisions of this subchapter. Chickens are not considered to be a household pet under § 90.01.

(Ord. 675, passed 12-13-2021) § 90.99

§ 90.66 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BROODING. The period of chicken growth when supplemental heat must be provided due to the bird's inability to generate enough body heat.

CHICK. A baby chicken not more than six weeks old.

CHICKEN. A domesticated bird of the order of Galliformes in the genus of Gallus (chickens) that serves as a source of eggs.

COCKEREL. A young male chicken.

COOP. The structure for the keeping or housing of chickens permitted by this subchapter.

EXERCISE YARD. A larger fenced area that provides space for exercise and foraging for the birds when supervised.

HEN. A female chicken.

OFFICER. Any person designated by the City Administrator as an enforcement officer.

ROOSTER. A male chicken.

RUN. A fully-enclosed and covered area attached to a coop where the chickens can roam unsupervised.

(Ord. 675, passed 12-13-2021)

§ 90.67 REVOCABLE PERMIT.

Upon the holding of a permit issued by the city, residents may keep and maintain brooding chicks and hens for egg in a clean and sanitary manner that is not a nuisance to or detrimental to the public health, safety, and welfare of the community. The cost of the permit

shall be established by the City Council. Permit must be renewed annually. No odors related to the chickens shall cross property lines. The keeping and maintenance of brooding chicks and hens is permitted to all residents who comply with all requirements, limitations, or prohibitions of this subchapter. Such permit may be revoked if the person holding the permit refuses or fails to comply with this chapter or with any state or local law governing cruelty to animals or the keeping of animals. Any revocation shall be effective after ten days following written notice thereof to the person or persons keeping or maintaining such chickens. Any person whose permit is revoked within ten days thereafter shall humanely dispose of all chickens being owned, kept, or harbored by such person.

(Ord. 675, passed 12-13-2021) Penalty, see § 90.99

§ 90.68 INVESTIGATION AND ENFORCEMENT.

(A) Officers designated by the City Administrator shall have authority in the investigation and enforcement of this subchapter, and no person shall interfere with, hinder, or molest any such officer in the exercise of such powers. Such officers shall make investigations as is necessary.

(B) Residents keeping chickens must agree to allow city employee or officer to enter property for inspection purposes.

(Ord. 675, passed 12-13-2021) Penalty, see § 90.99

§ 90.69 LIMITATIONS ON THE NUMBER AND KEEPING OF CHICKENS.

(A) Chickens may only be kept within areas of the city zoned to permit single-family dwellings.

(B) No more than six hens shall be housed or kept on any one residential lot that is less than one acre in size. Residential lots that are one acre in size or larger are allowed to house up to eight hens. Residents may possess a like number of brooding chicks intended for the cyclical replacement of hens, but not for the purpose of sale or resale.

(C) Rooster and chicken breeding are prohibited. Cockerels must be culled from broods when identified.

(D) A coop and a reasonably satisfactory exercise yard, run, or yard fencing is required to house chicken(s). Chicken facilities must be constructed and maintained to meet the following minimum standards:

- (1) Located in the rear or side yard;
- (2) The setback required for the coop is five feet from the rear and side property lines;
- (3) Coop construction and materials must be adequate to prevent access by rodents;

- (4) Coops must be maintained in good repair;
 - (5) Coop size may not exceed 30 square feet;
 - (6) The run size may not exceed 60 square feet. Fencing shall prevent the entry into or escape of animals into the run;
 - (7) Fencing materials for the run shall not have openings with a diameter of more than two inches; in case of a wood fence, the gaps shall not be more than two inches;
 - (8) Coops shall be kept at least 25 feet from the door or window of any dwelling of an occupied structure other than the owner's dwelling;
 - (9) Manure storage shall be kept 20 feet from streams, tributaries, ditches, storm water management facilities, drop inlets, or other storm drainage areas that would allow fecal matter to enter any city storm drainage system or stream. Dumping chicken manure into the city's storm drainage system is prohibited;
 - (10) Chickens must not be housed in a residential house or an attached or detached garage, except for brooding purposes only; and
 - (11) All premises on which chickens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surrounding area must be cleaned frequently enough to control odor. Manure and coop waste and food shall be picked up every 24 hours, thereafter, kept in an airtight and rodent proof container, and properly disposed of thereafter on a routine basis.
- (E) Chickens shall not be kept in such a manner as to constitute a nuisance to the occupants of adjacent property.
- (F) Dead chickens must be disposed of within 48 hours after death. Legal forms of chicken carcass disposal include burial and off-site incineration or rendering.
- (G) All grain and food stored for the use of the chickens shall be kept in a rodent proof container.
- (H) Chickens shall be kept so that visibility is substantially obstructed at a height of five feet above ground level to the traveling public or surrounding property owners.

(Ord. 675, passed 12-13-2021) Penalty, see § 90.99

§ 90.99 PENALTY.

The schedule of charges shall be as follows.

- (A) *Fines for animals running at large.*

(1) The fine for animals with a current city animal license will be \$25.

(2) The fine for subsequent offenses for animals with a current city animal license can be increased to a maximum of \$100 for each additional offense.

(3) The fine for animals without a current city animal license will be \$25 plus a licensing fee of \$10 if current vaccination verification is immediately available, however, if current vaccination verification is not immediately available, the animal will be impounded and impoundment charges will be applied.

(B) *Fines and impoundment charges for animals requiring impoundment.*

(1) The impoundment charge for the first offense will be \$50.

(2) The impoundment charge for subsequent offenses can be increased to a maximum of \$100 for each additional offense.

(C) *Fowl.*

(1) Any person violating §§ 90.65 through 90.69 shall reimburse the city for all costs borne by the city to enforce the conditions of this article including but not limited to the collection and humane disposal of chickens.

(2) Any person having a nuisance violation or building permit violation on said property within the previous 12 months will not be issued a permit or it may be revoked.

(3) All chickens of any person violating §§ 90.65 through 90.69 may be forfeited to the city and may be removed and euthanized and properly buried or otherwise disposed of in a sanitary manner.

(Res. 94-29, passed 11-14-1994; Res. 2017-06, passed 4-3-2017; Ord. 675, passed 12-13-2021)