

### **§ 90.13 FARM ANIMALS.**

(A) No person shall keep, maintain, or harbor farm animals other than farm poultry within the city.

(B) Farm poultry shall only be kept in an agricultural district of the city, or on one residential lot (single parcel) of at least 20 acres in size provided that no animal shelter shall be within 300 feet of an adjoining piece of property. An exception shall be made to this section for those animals brought into the city as part of an operating zoo, veterinarian clinic, scientific research laboratory, or a licensed show or exhibition. No more than ten chickens may be kept, maintained, or harbored per permit and only one permit may be issued per parcel.

(C) It is unlawful for any person to keep, harbor, maintain, possess, or otherwise control any chicken within the city without a permit issued by the city.

(D) An application for a permit hereunder shall be filed with the City Clerk/Treasurer or his or her designee upon an application form furnished by the city. The permit fee, which shall be paid and filed with the permit application, shall be in an amount established by City Council resolution. A permit issued hereunder shall be for the duration of two years from the date of issuance. The initial permit application shall include, but not be limited to, the following:

(1) The full name and address of the following persons:

(a) The applicant signed thereto; and

(b) The owner(s) of the premises on which chickens are sought to be kept and for which the permit would apply.

(2) The street address of the premises on which chickens are sought to be kept;

(3) The number of chickens sought to be kept on the premises, up to a maximum of ten;

(4) A detailed sketch plan of the premises on which chickens are sought to be kept. The sketch plan shall include: the location of the residence on the premises; the location of accessory structures on the premises; and the location, dimensions, and design of the chicken coop and chicken run and setbacks to the side and rear property lines. The information regarding the coop and run shall establish compliance with the chicken coop and chicken run specifications provided in this section;

(5) A statement certifying whether the property's homeowners' association rules, if any, prohibit the keeping of chickens on the property for which the application sought;

(6) If the applicant is not the fee owner of the premises on which the chickens are sought to be kept and for which the permit would apply, the application shall be signed by all fee owners of the premises; and

(7) Any other and further information the city deems necessary.

(E) At least 30 days prior to the expiration of the current permit, the applicant shall file with the City Clerk/Treasurer or his or her designee, on a form prepared by the city, an application for permit renewal. There shall not be a fee for a timely filed application for permit renewal. The renewal permit application shall include, but not be limited to, the following:

- (1) The number of chickens the applicant currently maintains on the property;
- (2) Confirmation that the chicken coop and chicken run remain in the same location on the premises. If the applicant seeks to move the location of the structure, the applicant shall file an initial permit application and pay the permit fee therefor; and
- (3) Any other and further information the city deems necessary.

(F) The City Clerk/Treasurer or his or her designee may grant an initial or renewal permit under this section; however, a permit may not be issued or renewed unless the application filed demonstrates compliance with the requirements of this division (F). A permit shall not be issued or renewed until the city inspects and approve the premises, including the chicken coop and chicken run, at which chickens are sought to be kept. At the city's discretion, the inspection may occur through the review of documentation and photos specified by the city. The City Clerk/Treasurer or his or her designee shall deny a permit hereunder for any of the following reasons.

- (1) The application is incomplete or contains false, fraudulent, or deceptive statements.
- (2) The applicant does not or has not complied with one or more of the provisions of this section.
- (3) The premises for which the permit is sought, including, but not limited to, the proposed or existing chicken coop or chicken run, is not in compliance with any provisions of this section, other city code provisions, or state laws relating to zoning, health, fire, building, or safety.
- (4) The proposed chicken coop or chicken run would result in a violation of or be inconsistent with the accessory structure zoning regulations elsewhere in this code.
- (5) The applicant or owner of the premises where the chickens are to be kept has been convicted of a violation under this section or a similar regulation of this state or political subdivision thereof.
- (6) The applicant does not own or lease the chickens proposed to be kept on the premises.
- (7) The applicant is not the occupant of the premises for which the permit is sought to be issued.

(G) A permit granted under this section shall be subject to the following conditions.

- (1) The owner of the chickens must occupy the premises for which the permit is issued.

(2) The premises, including the chicken coop and chicken run thereon, for which a permit is issued shall at all reasonable times be open to inspection by the City Clerk/Treasurer or his or her designee or any other city official, in accordance with § [10.20](#), to determine compliance with this section, other city code provisions, and state laws relating to zoning, health, fire, building, or safety.

(3) A permit issued hereunder shall be nontransferable. It is unlawful to keep, harbor, maintain, possess, or otherwise control any chicken on property that is not identified on the permit.

(4) All feed for the chickens shall be stored in metal, water-tight, vermin-proof containers with properly fitting lids.

(5) A chicken coop and chicken run are required. The construction and location of the chicken coop and chicken run shall be in compliance with the applicable building and zoning regulations of the city and the following requirements.

(a) The interior floor space of the chicken coop shall be a minimum size of four square feet for each chicken authorized under the permit.

(b) The chicken coop and chicken run shall be professionally constructed or of similar construction standards and materials. The exterior finish materials of the chicken coop shall be:

1. Weather-resistant, protective covering material, decay-resistant wood, or if exterior finish wood is not decay resistant, then the wood finish shall be protected from the elements and decay by paint or protective covering (e.g., siding, fascia wrap); and

2. In accordance with the accessory structure regulations set forth in the zoning regulations in this code.

(c) The construction of and materials used for the chicken coop and chicken run must be adequate to prevent access by rodents.

(d) The chicken run shall be attached to the chicken coop. The chicken coop and run shall be deemed as a single accessory structure and subject to the accessory structure regulations set forth in the zoning regulations of this code.

(e) The floor area of the chicken run shall be a minimum size of ten square feet for each chicken authorized under the permit.

(f) The total square footage of the chicken coop and chicken run shall not exceed 200 square feet.

(g) The chicken run shall be fully enclosed by fencing or other similar material and may include a roof instead of fencing over the top of the run.

(h) The chicken coop and chicken run shall be located on the premises in compliance with the following setbacks:

1. At least ten feet from the rear lot line;
2. At least ten feet from the side lot lines; and

3. The chicken coop and chicken run shall be closer to the residence on the permitted property than an inhabitable building on a neighboring property.

(i) The chicken coop and chicken run, or any portion thereof, shall not be located in the **FRONT YARD**, which is defined as any area located between the front lot line and the front setback line or front building line, whichever is further from the front lot line, running from side lot line to side lot line.

(j) The chicken coop and chicken run shall be kept in good repair as to be in compliance with the property maintenance regulations elsewhere in this code.

(k) The chicken coop and chicken run shall be kept in a sanitary and odor-free condition, including the regular and frequent removal and proper disposal of any accumulated chicken feces or waste, dirt, or filth that could create a safety or health hazard. Composting of chicken feces and waste is prohibited.

(l) The chicken coop and chicken run shall be immediately removed when:

1. A permit granted under this section expires or is revoked; or
2. When the chicken coop and chicken run are no longer used for harboring chickens.

(6) The keeping, harboring, maintaining, or possessing of any chicken under a permit issued pursuant to this section shall be in accordance with the following.

(a) No more than ten chickens shall be kept or harbored on the premises to which the permit applies.

(b) Roosters are prohibited.

(c) Slaughtering of chickens on any property zoned for residential or institutional use is prohibited except for educational purposes.

(d) No chickens shall be kept, maintained, housed, or permitted inside any residential dwelling or any garage.

(e) Chickens shall be kept in the chicken coop or chicken run at all times. When transferring a chicken into or out of the coop or run, the chicken shall be transported in a fully enclosed container, such as a cage.

(f) Chickens shall not be kept in such a manner as to constitute a public nuisance. Any violation of the provisions of this section shall be deemed a public nuisance.

(g) No chicken eggs shall be sold or offered for sale; all chicken eggs shall be for personal use or consumption.

(7) A violation of any provision of this section or any provisions of the permit issued hereunder shall constitute grounds for revocation of a permit.

(Ord. passed 12-11-2018; Ord. passed 8-8-2023) Penalty, see § [90.99](#)

## **§ 90.14 REVOCATION OF LICENSE OR PERMIT.**

The failure of any owner to comply with the requirements of this chapter shall constitute grounds for the immediate revocation of any license or permit issued under this chapter.

(Ord. 94, passed 8-10-1999; Ord. passed 12-11-2018; Ord. passed 8-8-2023)