

## **URBAN CHICKEN AND RABBIT POLICY**

(Adopted in Resolution No. 153-2015)

### **Definitions:**

1. Chicken: A member of the subspecies of gallus gallus domesticus, a domesticated chicken.
2. Rabbit: A member of the subspecies of lagomorpha leporidae, a domesticated rabbit.
3. Feeder: A device or apparatus for supplying food.
4. Nesting Box: A three-sided box with floor where chickens rest and lay eggs.
5. Pen: An enclosure for chickens or rabbits which allows freedom of movement but also prevents escape.
6. Roost: A support on which chickens rest.
7. Rooster: A male chicken.

### **Permit Granted/Denied:**

The Police Chief or designee shall issue an urban chicken and/or rabbit permit if:

1. The property has passed inspection.
2. The application fee has been paid.
3. There are no outstanding violations of local, state or federal law on the property.
4. The location, coop, and pen meet all the requirements of this policy.
5. The application is complete.
6. If it is a renewal, all outstanding reinspection fees have been paid.
7. All outstanding fines and invoices due the city have been paid prior to approval.

### **Terms of Permit:**

The permit shall contain, at a minimum, the following conditions:

1. The permittee shall follow the City Code and state law regarding animal care.
2. The permittee grants the City the right to inspect the coop and pen one year after the permit is issued and at any other time to investigate a complaint.
3. The permit is a limited license for the activity and no vested zoning rights arise from the permit being issued. The permit does not run with the land.
4. Private restrictions on the use of the property shall remain enforceable and shall supersede the permit. The private restrictions include, but are not limited to, deed restrictions, condominium restrictions, neighborhood association bylaws, covenants and restrictions, and rental agreements. A permit issued to a person whose property is subject to private restrictions that prohibit keeping of chickens or rabbits is void.

### **Site Requirements:**

1. The property must be a single-family residence.
2. A tenant must obtain the landlord's written permission to install a coop or pen.

3. Coops or pens cannot be within ten (10) feet from the applicant property or within fifty (50) feet of any adjacent residential dwelling, building, church, school or place of business and must be located at least ten (10) feet from the property line.
4. Coops and pens shall be located only in the back yard. Back yard means “rear yard” as defined in the City Zoning Code.
5. Coops and pens shall be well-built and well maintained.

**Chicken Requirements:**

1. No more than six (6) adult hens are allowed.
2. Roosters are prohibited.
3. Chickens must be housed in the coop from dusk until dawn.
4. Slaughtering of a chicken in the city limits is prohibited.
5. Selling of eggs and chickens by the permittee or designee is prohibited.
6. Eggs shall be removed within two (2) days of being laid.
7. All feed and other items associated with the keeping of chickens shall be protected in a manner to prevent rodents from gaining access to or coming into contact with them.
8. Adequate food, water, and shelter shall be provided at all times.
9. A chicken that is outside the pen is “at large” in violation of the City Code.

**Coop Requirements:**

1. Coops may be mobile, known as tractors.”
2. Coops shall be constructed, repaired, and maintained in a manner to prevent rodents from being harbored underneath or within the walls of the enclosures.
3. Coops shall be built of solid weatherproof materials such as wood, metal or plastic. Wood should be treated wood and not particle board that will not withstand outdoor weather conditions.
4. Coop floors shall be made of wood or cement set a minimum of 1 foot above ground level with a slight slope toward the door or other opening to prevent puddling.
5. Coops shall have at least one solid door and window that can be opened for ventilation.
6. A minimum of 4 square feet of space shall be provided per bird inside a coop.
7. Bedding shall consist of wood pellets, pine shavings, or similar material to reduce odor. Straw may not be used for bedding.
8. Feces shall be removed and disposed of in a sealed, enclosed container at a minimum of once weekly to avoid odor.
9. Coops shall:
  - a. Be maintained to ensure proper sanitation for maintaining the health of the chickens and the keepers.
  - b. Be easy to clean and with good drainage.
  - c. Protect the flock from extreme temperatures and wind.
  - d. Keep out rodents, raptors and other predatory animals.

- e. Be well ventilated that is free of drafts and maintains a uniform temperature.
- f. Having a roosting area sufficient in number and size for the chickens present.
- g. Have one nesting box per chicken that entices hens to lay indoors.
- h. Offer plenty of light, both natural and artificial.
- i. Provide heat in colder temperatures.
- j. Includes sanitary feed and water stations.
- k. Be constructed in such a manner that allows easy access for adequate cleaning.
- l. Be built in a well-drained area to prevent standing water.

**Pen Requirements:**

- 1. There shall be a minimum of four (4) square feet of space per chicken.
- 2. There must be a well-drained area that allows the chickens to have access to dry ground at all times.
- 3. Feces shall be removed and disposed of in a sealed, enclosed container at a minimum of once weekly to avoid odor.

**Rabbit Requirements:**

- 1. No more than six (6) rabbits are allowed.
- 2. Slaughtering of a rabbit in the city limits is prohibited.
- 3. Selling of rabbits by the permittee or designee is prohibited.
- 4. All feed and other items associated with the keeping of rabbits shall be protected in a manner to prevent rodents from gaining access to or coming into contact with them.
- 5. Adequate food, water, and shelter shall be provided at all times.
- 6. A rabbit that is outside the pen is not within the owner's residence is "at large" in violation of the City Code.

**Pen Requirements:**

- 1. There shall be a minimum of four (4) square feet of space per rabbit.
- 2. There must be a well-drained area that allows the rabbits to have access to dry ground at all times.
- 3. Be maintained to ensure proper sanitation for maintaining the health of the rabbits and the keepers.
- 4. Feces shall be removed and disposed of in a sealed, enclosed container at a minimum of once weekly to avoid odor.
- 5. Protect the rabbits from extreme temperatures and wind.
- 6. Keep out rodents, raptors and other predatory animals.
- 7. Include sanitary feed and water stations.

**Permit Revocation:**

- 1. The Police Chief or designee is authorized to revoke a permit whenever:

- a. The permittee has failed to comply with this policy;
  - b. The permittee has violated the City Code;
  - c. The permittee has misstated any material fact in the application;
  - d. There is a substantial and material variance between the information in the application and the actual facts or those facts which appear reasonably to have occurred; or
  - e. The permittee is operating in violation of the terms and conditions of the permit.
2. A permittee may appeal the revocation to the City Administrator.

**Fees:**

1. The fee for the initial permit is \$60 for a three-year period.
2. If the city issues the permittee a Notice of Violation and if the permittee has not cured the violation when the property is reinspected, the permittee shall be assessed a reinspection fee of \$50, which is due in 30 days. If the violation has been cured, no reinspection fee shall be assessed.
4. The City may also issue a municipal infraction and civil penalty for violations of these policies.