

360.15. Urban Chickens.

Subd. 1. Definitions.

- A. Brooding means the period of chicken growth when supplemental heat must be provided, due to the bird's inability to generate enough body heat.
- B. Chicken means a domesticated bird that serves as a source of eggs or meat.
- C. Coop means the structure for the keeping or housing of chickens permitted by the subsection.
- D. Exercise yard means a larger fenced area that provides space for exercise and foraging for the birds when supervised.
- E. Hen means a female chicken.
- F. Officer means any person designated by the city as an enforcement officer.
- G. Poultry means domesticated birds that serve as a source of eggs or meat and that include among commercially important kinds, chickens, turkeys, ducks, geese, peafowl, pigeons, pheasants and others.
- H. Rooster means a male chicken.
- I. Run means a fully enclosed and covered area attached to a coop where the chickens can roam unsupervised.

Subd. 2. Investigation and Enforcement. Officers designated by the City Council shall have authority in the investigation and enforcement this subsection, and no person shall interfere with, hinder or molest any such officer in the exercise of such powers. The officer shall make investigations as is necessary and may grant, deny or refuse to renew any application for permit, or terminate an existing permit under this article.

Limitations for each single dwelling residential unit:

- (A) No more than five (5) chicken hens shall be housed or kept on any one (1) residential lot in any area of the city with a permit as outlined below.
- (B) Roosters are prohibited.
- (C) Slaughtering of chickens in the City limits is prohibited except at a licensed processing facility.
- (D) Leg banding of all chickens is required. The bands must identify the owner and the owner's address and telephone number.

(E) A separate coop is required to house the chickens. Coops must be constructed and maintained to meet the following minimum standards:

1. Located in the rear or side yard.
2. Setback at least five (5) feet from the rear or side property lines.
3. Interior floor space – four (4) square feet per bird.
4. Interior height – four (4) to six (6) feet to allow access for cleaning and maintenance.
5. Doors – one (1) standard door to allow humans to access the coop and one (1) for birds (if above ground level, must also provide a stable ramp).
6. Windows – one (1) square foot window per ten (10) square feet floor space. Windows must be able to open for ventilation.
7. Climate control – adequate ventilation and/or insulation to maintain the coop temperature between 32-85 degrees Fahrenheit.
8. Nest boxes – one (1) box per every three (3) hens.
9. Roosts – one and one-half (1 ½) inch diameter or greater, located eighteen (18) inches from the wall and two (2) to three (3) inches above the floor.
10. Rodent proof – coop construction and materials must be adequate to prevent access by rodents.
11. Coops shall be constructed and maintained in a workmanlike manner.

(F) A run or exercise yard is required.

1. Runs must be constructed and maintained to meet the following minimum standards:

(a) Location: rear or side yard.

(b) Size: Ten (10) square feet per bird, if access to a fenced exercise yard is also available; sixteen (16) square feet per bird, if access to an exercise yard is not available. If the coop is elevated two (2) feet so the hens can access the space beneath, that area may count as a portion of the minimum run footprint.

(c) Height: Four (4) to Six (6) feet in height to allow access for cleaning and maintenance.

(d) Gate: One gate to allow human access to the run. (e) Cover: Adequate to keep hens in and predators out.

(f) Substrate: Composed of material that can be easily raked or regularly replace to reduce odor and flies.

2. Exercise yards must be fenced and is required if the run does not provide at least (16) sixteen square feet per bird. Exercise yards must provide a minimum of one-hundred seventy-four (174) square feet per chicken.

(G) Chickens must not be housed in a residential house or an attached or detached garage, except for brooding purposes only.

(H) All premises on which chicken hens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surrounding must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property. Failure to comply with these conditions may result in the officer removing chickens from the premises or revoking a chicken permit.

(I) All grain and food stored for the use of the hens on a premise with a chicken permit shall be kept in a rodent proof container.

(J) Chicken Hens shall not be kept in such a manner as to constitute a nuisance to the occupants of adjacent property.

(K) Dead chickens must be disposed of according to the Minnesota Board of Animal Health rules which require chicken carcasses to be disposed of as soon as possible after death, usually within forty-eight (48) to seventy-two (72) hours. Legal forms of chicken carcass disposal include offsite burial, offsite incineration or rendering, or offsite composting.

Subd. 3. Permit Required. No person shall own, keep, harbor or have custody of any live chicken without first obtaining a permit in writing from the City. The City shall grant a permit for chicken hens after the applicant has sought the written consent of one hundred (100) percent of the owners or occupants of privately or publicly owned real estate that are located adjacent (i.e., sharing property lines) on the outer boundaries of the premises for which the permit is being requested, or in the alternative, proof that the applicant's property lines are one hundred fifty (150) feet or more from any house.

Where an adjacent property consists of a multiple dwelling or multi-tenant property, the applicant need obtain only the written consent of the owner or manager, or other person in charge of the building. Such written consent shall be required on the initial application and as often thereafter as the officer deems necessary.

Subd. 4. Application. Any person desiring a permit required under the provisions of this article shall make written application to the city administrator upon a form prescribed by and containing such information as required by the city administrator and officer. Among other things, the application shall contain the following information:

(A) A description of the real property upon which it is desired to keep the chickens.

(B) The breed and number of chickens to be maintained on the premises

(C) A site plan of the property showing the location and size of the proposed chicken coop and run, setbacks from the chicken coop to property lines and surrounding buildings (including houses and buildings on adjacent lots), and the location, style, and height of fencing proposed to contain the chickens in a run or exercise area. Portable coops and cages are allowed, but portable locations must be included with the site plan.

(D) Statements that the applicant will at all times keep the chickens in accordance with all of the conditions prescribed by the officer, or modification thereof, and that failure to obey such conditions will constitute a violation of the provisions of this chapter and grounds for cancellation of the permit.

(E) Such other and further information as may be required by the officer.

Subd. 5. Permit Conditions.

(A) If granted, the permit shall be issued by the city administrator and officer and shall state the conditions, if any, imposed upon the permitted for the keeping of chickens under this permit.

(B) The permit shall specify the restrictions, limitations, conditions and prohibitions which the officer deems reasonably necessary to protect any person or neighboring use from unsanitary conditions, unreasonable noise or odors, or annoyance, or to protect the public health and safety. Such permit may be modified from time to time or revoked by the officer for failure to conform to such restrictions, limitations, prohibitions. Such modification or revocation shall be effective after ten (10) days following the mailing of written notice thereof by certified mail to the person or persons keeping or maintain such chickens.

(C) The granting of a permit under this Subsection does not entitle the permit holder to any other rights as may be granted to farmers or commercial entities relating to equipment used in the course of conducting animal husbandry business.

Subd. 6. Fees/Issuance. For each residential site the fee for a permit is as may be imposed, set, established and fixed by the City Council, by resolution, from time to time.

Subd. 7. Term. The permit period under this section shall expire one (1) year from the date the permit is issued. Permits must be renewed on an annual basis.

Subd. 8. Revocation. The city may revoke any permit issued under this ordinance if the person holding the permit refuses or fails to comply with this ordinance, with any regulations promulgated by the city council pursuant to this ordinance, or with any state or local law governing cruelty to animals or the keeping of animals. Any person whose permit is revoked shall, within ten

(10) days thereafter, humanely dispose of all chickens being owned, kept or harbored by such person, and no part of the permit fee shall be refunded.

Subd. 9. Violations/Penalty.

(A) Any person violating any of the sections of this ordinance shall be deemed guilty of a petty misdemeanor.

(B) If any person is found guilty by a court for violation of this section, their permit to own, keep, harbor, or have custody of chickens shall be deemed automatically revoked and no new permit may be issued for a period of one (1) year.

(C) Any person violating any conditions of this permit shall reimburse the city for all costs borne by the city to enforce the conditions of the permit including but not limited to the pickup and impounding of chickens.