

Ordinance 2024-3
An Ordinance Amending Chapter 5 Animals and Fowl to Allow for Urban Chickens within the City limits.

510.01 Chickens Limited. It is unlawful for a person to keep chickens on any premises unless issued a permit to do so as provided in this chapter. No permit shall be issued for the keeping of more than 4 hen chickens on any premises. No permit shall be issued for the keeping of any rooster chicken on any premises.

510.02 Definitions. The term "Chicken Coop" means a structure for housing chickens made of wood or other similar materials that provides shelter from the elements. The term "Chicken Run" means an enclosed outside yard for keeping chickens. The term "Premises" means any platted lot or group of contiguous lots, parcel or tracts of land.

510.03 Permit. No person shall maintain a chicken coop and run unless they have been granted a permit by the City. The permit shall be subject to all terms and conditions of this chapter and any additional conditions deemed necessary by the council to protect the public health, safety and welfare. The necessary permit applications are available in the City Clerk's Office. Part of the application shall include written consent of one hundred (100) percent of the owners or occupants of privately or publicly owned real estate that is 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. The applicant must also follow all subdivision covenants (example would be accessory buildings and fencing). Included with the completed application must be a scaled diagram that indicates the location of any chicken coop, run and perimeter fence, the approximate size and distance from adjoining structures and property liens. A permit for the keeping of chickens may be revoked or suspended by the council for any violation of Chapter 5 following written notice and a public hearing. A fee, set by the City Council as part of their Fee Schedule, will be charged for each permit which shall expire on December 31st of the second year of the permit.

510.04 Confinement. Every person who owns, controls, keeps or maintains hen chickens must keep them confined at all times in a chicken coop and chicken run. The coop and run shall only be allowed in the back yard. The area around a coop and run shall be screened with a solid fence or solid landscaped buffer with a minimum height of four feet. The

510.05 Chicken Coops. Sub. 1. All chicken coops and runs must be located at least 25 feet from any dwelling on any other premises. All chicken coops must meet the requirements of the building and zoning codes, must not exceed ten square feet per chicken and must not exceed six feet in total height. Attached fenced-in chicken runs

must not exceed 20 square feet per chicken and must not exceed six feet in total height. Chicken runs may be enclosed with wood and/or woven materials, and allow chickens to contact the ground. Chicken feed and manure must be kept in rodent and raccoon proof containers and must not be laced in yard compost piles.

Sub. 2. Chicken coops must either be:

- A. Elevated with a clear open space of at least 24 inches between the ground surface and framing/floor of the coop; or
- B. The coop floor, foundation and footings must be constructed using rodent resistant concrete construction.

Sub. 3. Yard – Fencing. Chicken coops will only be allowed in the backyard and the perimeter of the backyard must be fenced. The fence must meet the requirements of building and zoning codes.

510.06 Conditions. No person who owns, keeps or harbors hen chickens to permit the premises where the hen chickens are kept to be or remain in an unhealthy, unsanitary or noxious condition or to permit the premises to be in such condition that noxious odors are carried to adjacent public or private property. Any chicken coop and run authorized by permit under this chapter may be inspected at any reasonable time by a City employee or other agent of the City.

510.07 Violations. Any person who keeps chickens within the city limits of Stewartville without obtaining or maintaining a current permit or after a permit has been suspended or revoked by Council action shall be guilty of a misdemeanor. The City may revoke any permit issued under this ordinance if the person holding the permit refuses or fails to comply with this ordinance, or with state or local law governing noise, smell or cruelty to animals. The person holding the permit may request a public hearing within 10 days of written notice to revoke the permit. In addition, a violation of this section shall be considered a nuisance and the Council, if deemed necessary, may order the immediate abatement of the chickens. The action may be deemed necessary if the nuisance presents an immediate or imminent danger to the health and safety of the public. The property owner will be responsible for the cost of the abatement. Once the property owner ceases to keep chickens the coop and run shall be removed.

Adopted by the Stewartville City Council this 28th day of 2024.

Mayor Jimmie-John King

ATTEST:

Cheryl Roeder, City Clerk