

4-1A URBAN CHICKENS

4-1A-1 DEFINITIONS. For use in this Chapter the following defined terms shall apply:

Chicken – shall mean a member of the subspecies Gallus gallus domesticus, a domesticated fowl.

Urban Chicken – shall mean a chicken kept on a permitted tract of land pursuant to a permit issued under this Chapter.

Permitted Tract of Land – shall mean the tract of land as identified by the application upon which a permit is granted for keeping chickens pursuant to this Chapter.

Permittee – shall mean an applicant who has been granted a permit to raise, harbor or keep chickens pursuant to this Chapter.

4-1A-2 PERMIT REQUIRED.

a. Permit Required. No person shall raise, harbor or keep chickens within the City of Andrew without a valid permit obtained from the City Council under the provisions of this Chapter.

b. Application. In order to obtain a permit, an applicant must submit a completed application on forms provided by the City Clerk and payment of all fees required by this Chapter.

c. Requirements. The requirements to the receipt of a permit include:

1. All requirements of this Chapter are met;
2. All fees, as may be provided for from time to time by City Council resolution, for the permit are paid in full;
3. All judgments in the City's favor and against the applicant have been paid in full;
4. Written approval forms from all residents within 200 feet of the property lines of land included in the application.

4-1A-3 ISSUANCE OF PERMIT:

a. Issuance of Permit. If the City Council concludes as a result of the information contained in the application that the requirements for a permit have been met the City Clerk shall issue the permit.

b. Renewal of Permit. A permittee shall apply to renew his permit every twelve (12) months.

c. Denial, suspension, revocation non-renewal. The Mayor, or Mayor's designee, may deny, suspend, revoke, or decline to renew any permit issued for any of the following grounds:

1. False statements on any application or other information or report required by this section to be given by the applicants;
2. Failure to pay any application, penalty, re inspection or reinstatement fee required by this section or city council resolution;
3. Failure to correct deficiencies noted in abatement notices in the time

specified in the notice;

4. Failure to comply with the provisions of an approved mitigation/ remediation plan by the City County;

5. Failure to comply with any provision of this

Chapter.

d. Notification. A decision to revoke, suspend, deny or not renew a permit shall be in writing, delivered by ordinary mail or in person to the address indicated on the application. The notification shall specify reasons for the action.

e. Effect of revocation, etc.. When an application for a permit is denied, or when a permit is revoked, the applicant may not re-apply for a new permit for a period of 1 year from the date of the denial or revocation.

f. Appeals. No permit may be denied, suspended, revoked, or not renewed without notice and an opportunity to be heard is given the applicant or holder of the permit. In any instance where the Mayor or Mayor's designee has denied, revoked, suspended, or not renewed a permit, the applicant or holder of said permit may appeal the decision to the City Council within ten (10) business days of receipt by the applicant or holder of the permit of the notice of the decision. The applicant or holder of the permit will be given an opportunity for a hearing. The decision of the City Council hearing the appeal, or any decision by the Mayor or Mayor's designee which is not appealed in accordance to this Chapter shall be deemed final action.

4-1A-4 NUMBER AND TYPE OF CHICKENS ALLOWED.

- a) The maximum number of chickens allowed is six (6) per tract of land.
- b) Only female chickens (hens) are allowed.
- c) In no case shall a permit be granted for greater than six (6) chickens.

4-1A-5 TRACT OF LAND ALLOWED.

Permits will be granted only for tracts of land located in residential districts as identified in the Code of Ordinances for the City of Andrew.

4-1A-6 NON-COMMERCIAL USE ONLY.

A permit shall not allow the permittee to engage in chicken breeding or fertilizer production for commercial purposes.

4-1A-7 ENCLOSURES:

- a) Chickens must be kept in an enclosure of *sturdy wire fencing* at all times. Chickens shall be secured within a henhouse or chicken tractor during non-daylight hours.

- b) Enclosures must be kept in a clean, dry, odor-free, neat and sanitary condition at all times.
- c) Henhouses, chicken tractors and chicken pens must provide adequate ventilation and adequate sun and shade and must be impermeable to rodents, wild birds and predators, including dogs and cats.
- d) Henhouse and chicken tractors.
 - 1. Henhouses and chicken tractors shall be designed to provide safe and healthy living conditions for the chickens with a minimum of four (4) square feet per bird while minimizing adverse impacts to other residents in the neighborhood.
 - a. A henhouse or chicken tractor shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird proof wire of less than one (1) inch openings.
 - b. The materials used in making a henhouse or chicken tractor shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal, or similar materials is prohibited. Henhouses and chicken tractors shall be well maintained.
 - 2. Henhouses, chicken tractors and chicken pens shall only be located in the rear yard required by Andrew Municipal Code (Title VI, 6-9-4), unless the setback requirements cannot be met, in which case they may be kept in other yard but within the required setbacks.
 - 3. Henhouses, chicken tractors and chicken pens must be located at least **fifteen (15)** feet from the property line and at least **twenty-five (25)** feet from any adjacent residential dwelling, church, school or place of business.

4-1A-8 ODOR AND NOISE IMPACTS.

- a. Odors from chickens, chicken manure or other chicken related substances shall not be perceptible beyond the boundaries of the permitted tract of land.
- b. Noise from chickens shall not be loud enough beyond the boundaries of the permitted tract of land at the property boundaries to disturb persons of reasonable sensitivity.

4-1A-9 PREDATORS, RODENTS, INSECTS AND PARASITES.

The Permittee shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by *a person designated by the Mayor with the assistance of City Police, if necessary.*

4-1A-10 FEED AND WATER.

Chickens shall be provided with access to feed and clean water at all times. The feed and water shall be unavailable to rodents, wild birds and predators.

4-1A-11 WASTE STORAGE AND REMOVAL.

The henhouse, chicken tractor, chicken pen and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

4-1A-12 CHICKENS AT LARGE.

a. The Permittee shall not allow the Permittee's chickens to roam off the permitted tract of land. No dog or cat or other domesticated animal which kills a chicken off the permitted tract of land will, for that reason alone, not be considered a dangerous or aggressive animal or the city's responsibility to enforce its animal control provisions.

4-1A-13 UNLAWFUL ACTS.

a. It shall be unlawful for any person to keep chickens in violation of any provision of this Chapter or any other provision of the Andrew Municipal Code.

b. It shall be unlawful for any owner, renter or lease holder of property to allow chickens to be kept on the property in violation of the provisions of this article

c. No person shall keep chickens inside a single family dwelling unit, multi family dwelling unit(s) or rental unit.

d. No person shall slaughter any chickens within the City of Andrew.

e. No person shall keep a rooster.

f. No person shall keep chickens on a vacant or uninhabited tract of land.

Chicken Permit

Name and physical address of person that is applying for the chicken permit:

Contact information:

Phone number: _____

Email address: _____

Please describe the type of structure you will be housing the chickens in:

Please include a drawing or picture that will show the council how you intend to house the chicken and where this will be located on your property

Number of chickens requesting: _____

By signing below, I acknowledge that I have read the ordinance titled Urban Chickens_4-1A up to and including 4-1A 13 that was provided with this chicken permit application, and that I will meet all expectations regarding the rules put forth by the city to properly care for the chickens approved for the residence in this application

Signature

Date

Date this was approved by the city council _____

Date the \$15.00 fee was received by the city clerk _____