

**CITY OF BELLE PLAINE
ORDINANCE 22-07**

**AN ORDINANCE AMENDING CHAPTER 8 OF THE CITY CODE TO PROVIDE FOR THE KEEPING OF
CHICKENS IN CERTAIN RESIDENTIAL ZONING DISTRICTS**

THE CITY COUNCIL OF THE CITY OF BELLE PLAINE ORDAINS:

Section 1. Section 800.01 relating to definitions included in Chapter 8 of the City Code is hereby amended by adding the following:

CHICKEN. A female fowl of any age of the Genus, Species, and Subspecies Gallus gallus domesticus.

Section 2. Section 800.17, Subd. 1 of the City Code relating to farm animals is hereby repealed and replaced with the following:

Subd. 1. It is unlawful for any person to keep any farm animals in any part of the City, except those portions zoned A-2, Rural Residential District or as provided under Section 800.18. A resident must petition to the City Council an exception from this regulation. An exception shall only be granted upon review and approval by the City Council. Such exceptions will only be granted upon findings that public safety will not be compromised by such an exception.

Section 3. The following is hereby inserted as Section 800.18 of the City Code with subsequent Sections renumbered accordingly.

800.18 CHICKENS.

Subd. 1. The intent of this section is to permit, but limit, the keeping of chickens as an egg source in a clean and sanitary manner which is not a nuisance to or detrimental to the public health, safety, or welfare.

Subd. 2. The keeping of up to six (6) chickens for personal use at single or two family residences zoned R-1 Low Density Single Family Residential District, R-2 Low Density Single Family Residential District, or R-3 Medium Density One and Two Family Residential is permitted subject to conditions of Subd. 3 – Subd. 6.

Subd. 3. Permit Required. A permit is required for keeping of chickens.

- a. The permit application shall be on a form provided by the City and accompanied by a one-time fee specified in the annual fee schedule.
- b. The application shall include:
 1. A site plan illustrating:
 - i. The location and size of the proposed coop and run.
 - ii. Proposed setbacks from the coop and run to property lines and residential dwellings, including those on abutting lots.
 - iii. Proposed coop and run materials.
 - iv. Proposed run height.
 2. Consent of the property owner for keeping of chickens.
 3. A written statement that the applicant shall at all times keep chickens in accordance with all conditions prescribed by the City and that failure to obey such conditions shall constitute a violation of the

provisions of this Section and shall be grounds for denial of a permit application or revocation of an existing permit.

4. Other information required by the City necessary to process the permit.
- c. The City may inspect the premises for which a permit has been applied or granted in order to ensure compliance with this Section. If the City is not able to obtain the occupant's consent to inspect the property, a permit may not be granted or, if issued, may be immediately revoked.
- d. The City may revoke any permit issued under this Section if the permit holder fails or refuses to comply with the requirements of the Section or any state or local law governing the cruelty to animals or the keeping of animals. Any person whose permit is revoked shall within ten (10) days humanely dispose of all chickens owned, kept, or harbored at the subject property. Any person whose permit is revoked shall completely remove required coop and run within thirty (30) days.
- e. Persons no longer intending to keep chickens on a subject property shall notify the City in writing and remove required coop and run.

Subd. 4. Standard of Care.

- a. Keepers of chickens shall adhere to good management and husbandry practices and maintain hens in such a condition so as to prevent distress, disease, and welfare issues.
- b. Keepers of chickens shall provide appropriate food, liquid (unfrozen) water, shelter, light, warmth, ventilation, veterinarian care, and opportunities for essential behaviors such as scratching, pecking, dust-bathing, and roosting.
- c. Chickens shall be kept in a humane manner that complies with Minnesota Statutes Chapter 343.
- d. Animal health authorities shall be notified immediately of any disease issues that arise and may affect the public.

Subd. 5. General Standards for Keeping of Chickens.

- a. Keeping of roosters is not permitted.
- b. Raising of chickens for breeding or fighting purposes is prohibited.
- c. Slaughtering of hens, including for culling purposes, is not permitted within the City limits. Authorized removal methods include humane euthanasia by a veterinarian or relocation out of the City limits.
- d. Keeping of chickens in a residence, porch, or attached garage is not permitted.
- e. Keeping of chickens is for personal use. The sale of chickens or any chicken by-product, including eggs, on or from the subject property is not allowed.
- f. All grain and food shall be stored indoors in a rodent proof container.
- g. All premises on which chickens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surrounding area shall be cleaned frequently to control odor.
- h. Waste materials including manure, litter, and feed shall not accumulate in a way that causes an unsanitary condition or causes odors to be detectable from another property. Waste shall be disposed of in an environmentally responsible manner. Piling waste materials on the subject property is prohibited.
- i. Deceased chickens shall be removed as soon as possible but no later than 24 hours after death and shall be disposed of by double bagging and placing in the garbage or taking to a veterinarian for disposal.
- j. Chickens shall be properly protected from the weather and predators in a coop and have access to the outdoors in a run or exercise yard, consistent with Subd. 6.

Subd. 6. Coop and Run Standards.

- a. One coop and one run or exercise yard is allowed per parcel. The coop and run must be accessory to an existing residential dwelling on the same parcel.
- b. The coop and run shall be located in the rear yard of the parcel and setback a minimum of:
 - 1. Ten (10) feet from any property line.
 - 2. Twenty-five (25) feet from any residential dwelling on an adjacent parcel.
- c. A coop must provide at least one (1) square foot of area for each hen but shall not exceed twenty-four (24) square feet in total area.
- d. Coops shall be fully insulated and draft free.
- e. Coops shall be elevated a minimum of 12 inches and a maximum of 24 inches above grade to ensure circulation beneath the coop.
- f. Coops shall employ exterior building materials that are similar in type and quality to those employed on the principal structure and meet standards for accessory structures contained in Chapter 1104 of the City Code.
- g. Runs shall be attached to the coop and completely enclosed.
- h. A chicken run cannot exceed ten (10) square feet per chicken and the fencing cannot exceed six (6) feet in height.
- i. A chicken run shall be comprised of accepted residential fence materials identified in Chapter 1107.02 of the City Code, except that runs may be enclosed wood or woven wire materials provided the run is fully screened at all times from adjacent properties.
- j. Runs may allow chickens to contact the ground.
- k. Runs must be fully enclosed or have a protective overhead netting to keep the chickens separated from other animals.

Section 4. This Ordinance shall become effective upon publication in the official newspaper of the City.

Passed and duly adopted by the City Council of the City of Belle Plaine this 21st day of June, 2022.

BY: _____
Christopher G. Meyer, Mayor

ATTEST:

Dawn Meyer, City Administrator