

Councilmember Chandler introduced the following ordinance and moved for its adoption:

INTERM ORDINANCE NO. 09-09-06

**AN INTERM ORDINANCE ALLOWING CHICKENS TO
BE RAISED WITHIN THE CITY LIMITS**

WHEREAS, at their regular meeting on September 14, 2009 the Grand Rapids City Council discussed the procedure for allowing chickens to be raised within the City limits and prescribes as follows:

Sec. ___-1. 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, parcels or tracts of land.

Sec. ___-2. Chickens Limited. It is unlawful for any person to keep or harbor chickens on any premises unless issued a permit to do so as provided in this chapter. No permit shall be issued for the keeping or harboring of more than three hen chickens on any premises. No permit shall be issued for the keeping of any rooster chicken on any premises. There will be a maximum of three animals allowed on any one premises within the City limits, which includes any combination of cats, dogs and chickens, and only one chicken shall be allowed per 2,500 square feet of lot size.

Sec. ___ 3. Permit. No person shall maintain a chicken coop and run unless they have been granted a permit by the common council. 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 will be available in the City Clerk’s Office. Included with the completed application must be a scaled diagram that indicates the location of any chicken coop and run, and the approximate size and distance from adjoining structures and property lines. Also included must be the prior written consent of 75% of all adjacent landowners to the premises. A fee of \$20.00 will be charged for each permit which shall expire on December 31st of the second year of the permit. The permit must be applied for every year and the renewal application must include a re-affirmation of written consent of 75% of all adjacent landowners to the premises every year. If written consent of 75% of all adjacent landowners to the premises cannot be secured, a permit shall not be issued.

Sec. ___-4. Confinement. Every person who owns, controls, keeps, maintains or harbors hen chickens must keep them confined at all times while in the city in a chicken coop and chicken run. Any coop and run shall be screened with a solid fence or landscaped buffer with a minimum height of four feet. Any coop and run shall be at least 25 feet from any residential structure on any other premises.

Sec. ___ 5. Chicken Coops:

Subd. 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 wire 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 placed in yard compost piles.

Subd. 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.

Sec. ___-6. 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 animal control officer or other agent of the city

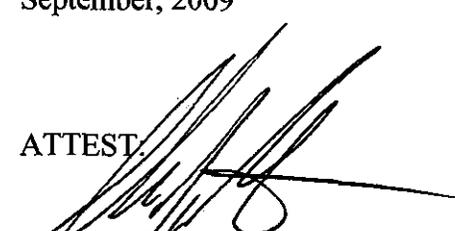
Sec. ___ 7 Duration. This Ordinance is in existence for an interim period of one year from the date that it is executed. Prior to one year lapsing, the Grand Rapids City Council will readdress the appropriateness of this Ordinance. Upon review the City Council may terminate this Ordinance in whole, modify its terms, or allow it to continue as it is currently exists.

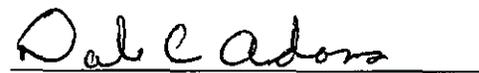
Sec. ___-8. Violations. Any person who keeps or harbors chickens in the city limits without obtaining or maintaining a current permit or after a permit has been suspended or revoked by council action shall be guilty of a petty misdemeanor. In the event of a violation of any provision in this ordinance, the City Administrator may at his/her discretion, unilaterally revoke the permit.

Additionally if a chicken is not properly contained and runs at large, the responsible owner may be cited with an administrative citation for allowing such activity

ADOPTED AND PASSED by the City Council of the City of Grand Rapids on the 14 day of September, 2009

ATTEST


Shawn Gillen, City Administrator


Dale Adams, Mayor