

**CITY OF PINE ISLAND
ORDINANCE NO. 149 SECOND SERIES**

AN ORDINANCE AMENDING CHAPTER 10 BY ADDING SECTION 10.07 RELATING TO URBAN CHICKENS

THE CITY COUNCIL OF THE CITY OF PINE ISLAND DOES ORDAIN AS FOLLOWS:

Section 1. Section 10.05 of the City Code is amended by deleting the ~~stricken~~ language and inserting the double-underlined language:

Subd. 1. Definitions. As used in this Section, the following definitions shall apply.

- A. **“Farm Animals”** – Cattle, horses, mules, sheep, goats, swine, ponies, ducks, geese, turkeys, ~~chickens~~, and guinea hens.
- B. **“Animals”** – Includes farm animals and all other animals, reptiles and feathered birds or fowl except dogs, cats, gerbils, hamsters and caged household birds.

Section 2. City Code Chapter 10 is amended by adding Section 10.07 to read as follows:

SEC. 10.07. KEEPING OF URBAN CHICKENS

Subd. 1. PURPOSE. The purposed of this section is to permit the keeping and maintenance of chicken hens for residential egg production by permit. The chicken must be kept in a clean and sanitary manner that is not a nuisance to or detrimental to the public health, safety and welfare of the community. The keeping of other poultry is prohibited.

Subd. 2. DEFINITIONS. As used in this Section, the following definitions shall apply:

- A. **“Chicken coop”** means a structure for housing chickens made of wood or other similar materials that provides shelter from the elements.
- B. **“Chicken run”** means an enclosed outside yard for keeping chickens.
- C. **“Premises”** means any platted lot or group of contiguous lots, parcels or tracts of land.

Subd. 3. PERMIT REQUIRED. A permit is required for any person seeking to keep urban chickens in the City of Pine Island as allowed by this section. Coops and runs under this section will be exempt from and not counted towards the limits of detached accessory building as provided by Section 11.70 of the City Code of Ordinances.

Subd. 4. PERMIT DURATION AND FEE. The annual fee for a permit shall be paid at the time of the making of the application. Permit fees shall be in such amount as set forth in the City Fee Schedule approved by the City Council which shall be non-refundable and shall not be pro-rated. Each permit issued under this ordinance shall expire on December 31 in the year of issuance

unless sooner revoked. A permit shall be renewed annually to continue the limited keeping of urban chickens.

Subd. 5. APPLICATION FOR PERMIT. An applicant must complete an application form provided by the city. Any amendment to an existing permit shall constitute a new application fee. The application shall include, but is not limited to, the following information:

- A. Written, dated and signed application from 100% of the owners of the property applying.
- B. Attesting to meet the requirements that the property is an owner occupied single family dwelling located within a residential district that allows single family dwellings as permitted use.
- C. A scaled drawing (site plan) showing the location, size and dimensions of all structures (coops, runs, and the like) and containment area for the urban chicken(s), including the distance of all structures and containment areas from the property lines and adjoining and neighboring structures.
- D. The number of chickens to be kept on site, three maximum.
- E. Detailed feces and waste management plan.

Subd. 6. TERMS AND CONDITIONS OF PERMIT FOR URBAN CHICKENS. A permit is subject to all terms and conditions of this section and any additional conditions deemed necessary by the city to protect health, safety and welfare. The city may revoke a permit for failure to comply with the provisions of the ordinance or any of the permit's conditions. Prior to revoking the permit, the city shall provide the owner with written notice of such violation and provide the owner with 48 hours to become compliant with this section. Conditions of permit for urban chickens include:

- A. No person may keep a rooster or crowing hen.
- B. Chickens must be provided a secure and well-ventilated roofed structure ("chicken coop"). Any chicken coop and run fencing must be consistent with building and zoning codes.
- C. No chicken coop or run shall be constructed on any lot prior to the time of construction of the principal structure.
- D. Chicken coops and runs shall not be in the front or side yard. The chicken coop and run must be located in the rear yard.

- E. Any chicken coop or run shall be set back at least ten feet from the property line and 40 feet from the principle structure on any adjacent lots, as measured in all directions. Measurement shall be a straight-line distance between the closest points on each structure.
- F. The chicken coop must be built in such a manner that it is not considered a nuisance to the neighboring properties.
- G. The chicken coop must be built tall enough to ensure proper cleaning of the structure.
- H. The chicken coop must be fully enclosed, wind and weatherproof, and have sufficient windows for natural light.
- I. The chicken coop must have a heat source for the winter months.
- J. The chicken coop must be constructed with materials that will prevent rodent and predator access.
- K. Any coop or run shall be screened from view with a solid fence or landscaped buffer with a minimum height of four feet.
- L. All chicken coops must have a minimum two square feet per chicken and the coop must not exceed a total of 30 square feet (by outside dimensions) and must be elevated with a clear open space of at least 18 inches between the ground and the floor or framing of the coop and must not exceed six feet in total height. The coop's floor, foundation or footings must be constructed in such a manner as to make the coop rodent-resistant. Fenced-in chicken runs must be a minimum of three square feet per chicken with a maximum of 30 square feet and fencing must not exceed six feet in total height. Chicken runs may be enclosed with wood and/or woven wire materials, and may allow chickens to contact the ground. Chicken runs must have a protective overhead netting or be constructed under the coop to keep the chickens separated from other animals. The run must be constructed in such a manner as to make the run rodent-resistant.
- M. Chickens must be secured in a chicken coop from sunset to sunrise each day.
- N. Chicken grains and feed must be stored in rodent-proof and racoon-proof containers inside a structure.
- O. No person may keep more than three hens at one time.

- P. The sale of chicks is strictly prohibited.
- Q. The sale of eggs from the permitted residence is strictly prohibited.
- R. Chicken fighting is prohibited. Chickens shall not be raised or kept for fighting.
- S. The slaughtering of chickens inside the city limits is prohibited.
- T. The raising of chickens for breeding purposes is prohibited.
- U. No person may allow chickens to roam freely.
- V. No person may keep chickens inside a house or attached garage.
- W. Dead chickens must be disposed of within 24 hours of death. Dead chickens must be disposed of according to the Minnesota Board of Animal Health rules, acceptable forms of chicken carcass disposal may include off-site burial, off-site incineration or rendering, or off-site composting.
- X. All premises on which the chickens are kept or maintained shall be kept clean from filth, garbage and any substances which will attract rodents. The roofed structure must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or cause odors detectible on another property. Manure must be kept in rodent-proof and raccoon-proof containers and must not be placed in yard compost piles.

Subd. 7. CONDITIONS AND INSPECTION. No person who owns, controls, keeps, maintains or harbors hen chickens shall 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 chicken run authorized under this section may be inspected at any reasonable time by an agent of the city as designated by the City Council.

Subd. 8. ENFORCEMENT. Any agent of the city as designated by the City Council shall enforce the provisions of this section.

Subd. 9. IMPOUNDING OF NON-DOMESTICATED ANIMALS, CHICKENS, AND OTHER FOWL. Any non-domesticated animal, including chickens and other fowl, running at large or kept in violation of this section may be impounded by the city, and after being so impounded for five days or more without being reclaimed by the owner may be destroyed or sold. Any person reclaiming such impounded animal shall pay the costs of impounding and keeping the same.

Subd. 10. PENALTY. Failure to comply with these conditions may result in the removal of all chickens from the premises to include the revocation of the permit allowing. Council will determine if a permit shall be revoked provided that the permit holder(s) has been afforded an opportunity for a hearing in the manner. Any person whose permit is revoked shall, within ten days thereafter, humanely dispose of all chickens being owned, kept or harbored by such person. Any person violating any conditions of this permit shall reimburse the city for all costs incurred by the city to enforce the conditions of the permit.

Adopted by the City Council this 18th day of August 2020

Rod Steele
Mayor

ATTEST:

BY: _____
Elizabeth Howard
City Administrator

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