

**CITY OF
BROOKLYN CENTER**

Notice is hereby given that a public hearing will be held on the 22 day of October, 2018, at 7:00 p.m. or as soon thereafter as the matter may be heard at City Hall, 6301 Shingle Creek Parkway, to consider an ordinance related to chickens.

Auxiliary aids for handicapped persons are available upon request at least 96 hours in advance. Please notify the City Clerk at 763-569-3306 to make arrangements.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTERS 1 AND 19 OF THE CITY CODE OF ORDINANCES REGARDING CHICKENS

THE CITY COUNCIL OF THE CITY OF BROOKLYN CENTER DOES ORDAIN AS FOLLOWS:

Article I. Brooklyn Center City Code, Section 1-101 setting out definitions is amended as follows and by renumbering the provisions in this Section as needed:

1. Animal. Animal means dogs, cats, and chickens.

. Chicken. Chicken means a domesticated bird (*Gallus gallus domesticus*), typically used as a source of meat or eggs. For the purposes of Section 1-130, all references to chickens are to hens.

. Chicken Coop. Chicken coop means a structure for the keeping or housing of chickens permitted by this Chapter.

. Chicken Run. Chicken run means a fully-enclosed and covered area attached to a coop where the chickens can roam unsupervised.

. Hen. Hen means a female chicken.

. Rooster. Rooster means a male chicken.

Article II. Brooklyn Center City Code is amended by adding a new Section 1-130 regarding chickens as follows:

Section 1-130. CHICKENS.

1. Keeping. Up to six (6) chickens may be kept on a single-family or two-family residential property in the R1 and R2 Zoning Districts. Only hens may be kept pursuant to this Section. The keeping of one or more chickens in any other zoning district in the City is prohibited.

2. Requirements. Chickens allowed by this Section shall be kept in accordance with all of the following:

a. Ownership Occupancy. The owner of the chickens shall live in the dwelling on the same property as the chickens are kept. If the property is not owner-occupied, then the property owner must provide a written statement to the City of permission for the occupants to keep chickens at the property.

b. Chicken Coops and Runs. Chickens shall be kept at all times in a chicken coop or chicken run that complies with the requirements of this Section.

3. Chicken Coops and Chicken Runs. Chicken coops and chicken runs shall comply with the following requirements and restrictions.

a. The area covered by a chicken coop and a chicken run is limited to a combined total of no more than 120 square feet and shall not exceed six (6) feet in height.

b. Any chicken coop that exceeds 30 square feet shall be considered an accessory structure and must meet all requirements in Section 35-530 of this Code.

c. All applicable building, property maintenance, and zoning requirements of Chapter 35 of this Code.

d. All electrical work shall be done in accordance with applicable codes and any required permits shall be obtained.

e. A chicken coop shall:

1) Be fully enclosed, wind proof, and constructed so as to prevent escape by any chickens or entrance by migratory birds;

2) Be winterized to protect the chickens in cold weather; and

3) Be constructed with architecturally appropriate building materials including exterior grade siding and either a metal, composite or shingled roof, or in the alternative, coop shall be purchased from a commercial source that constructs structures specifically to be used as coops for chickens.

f. A chicken run shall:

1) Be fully enclosed with a fence that is securely constructed with mesh type material no larger than one (1) inch; and

2) Be covered by protective overhead netting to keep chickens separated from other animals.

g. Be located in accordance with all of the following:

1) Entirely in the rear yard of the property;

2) At least five (5) feet from side or rear lot lines and shall not be erected, altered, or moved, within six (6) feet of the principle building, as measured from exterior wall to exterior wall;

3) At least thirty (30) feet from all dwellings on adjacent properties; and

4) Shall not be located closer to an adjacent street than the owner's dwelling.

h. Shall be removed and the site restored if the keeping of chickens is discontinued for more than six (6) months.

4. Prevention of Nuisance Conditions. Owners shall care for chickens in a humane manner and shall prevent nuisance conditions by ensuring that all of the following conditions are met.

a. The chicken coop and chicken run shall be maintained in good repair, and in a clean and sanitary manner free of vermin and objectionable odors.

b. Feces and discarded feed shall be regularly collected and stored in a leak-proof container with a tight-fitting cover to prevent nuisance odors and the attraction of vermin until it can be disposed of properly.

c. Chicken feed shall be stored in leak-proof containers with a tight-fitting cover to prevent attracting vermin.

d. Chickens shall be secured inside of a chicken coop from sunset to sunrise each day to prevent nuisance noise and attracting predators.

e. Chickens shall remain in either the chicken coop or chicken run at all times and shall be allowed to not run at large.

5. Prohibitions. All of the following are prohibited within the City and constitute a violation of this Code.

a. Keeping of roosters.

b. Cockfighting.

c. Slaughter of chickens.

d. Raising chickens for breeding purposes.

e. Keeping of chickens over the age of four (4) weeks inside of a dwelling or garage.

f. Commercial sale of poultry or eggs produced on the property.

Article III. Brooklyn Center City Code, Section 19-104 is hereby amended as follows:

Section 19-104. LIMITATIONS ON KEEPING OF ANIMALS. It is hereby declared to be a public nuisance to permit, maintain or harbor any of the following:

1. More than two (2) dogs exceeding six months of age.

2. More than three (3) cats exceeding six months of age.

3. Any combination of more than five (5) animals exceeding six months of age.

4. Horses, cows, sheep, pigs, goats, swine, mules, llamas, or other hoofed animals, chickens, ducks, geese, or other agricultural animal or domestic fowl.

5. Live wild animals, reptile, or fowl, of types that are not naturally tame or gentle but are of a wild nature or disposition that, because of their size, vicious nature, or other characteristics would constitute a danger to human life or property. Examples of such wild animals include, but are not limited to, bears, lions, tigers, jaguars, leopards, bobcat, cougars, cheetahs, lynx, ocelots, wolves, foxes, coyotes, dingoes, jackals, bison, panthers, apes, badgers, raccoons, ferrets, skunks, puma, rattle snakes, coral snakes, water moccasins, or cobras.

6. Any combination of animals and/or fowl of any age kept in such numbers or under conditions which unreasonably annoy, injure, or endanger the health, safety, comfort, repose or welfare of the public or of said animals or fowl.

7. Chickens, except to the extent allowed by Section 1-130 and then only in compliance with that Section.

Article IV. This Ordinance shall become effective after adoption and upon thirty (30) days following its legal publication.

Adopted this ___ day of _____, 2018.

Tim Willson, Mayor

ATTEST: City Clerk

Date of Publication

Effective Date

(Strikeout indicates matter to be deleted, double underline indicates new matter.)

Published in the

Brooklyn Center Sun Post

October 4, 2018

863484