Urban Agriculture and

Backyard Chickens

January 2016

A Blueprint Developed by the Cass Clay Food Systems Initiative

Backyard Chickens

This issue brief will provide background information related to urban chickens, and address the common concerns and benefits from a health, environment, social, and economic standpoint. The brief will also address how each concern can be remedied through ordinance language and education. Appendices have been provided to share how regional jurisdictions are addressing backyard chickens as well as example policy language from other jurisdictions.

Background

Hundreds of cities across the U.S. and at least 20 communities in Minnesota, including Fergus Falls, have permitted urban chicken keeping. People have a desire for urban chickens for a number of reasons, including companionship, teaching children about agriculture, and the ability to raise one's own food (one hen provides on average 3-4 eggs per week). After setting up the coop and the initial learning curve, urban chicken farmers say a small flock can be as easy to raise as a dog.

The following are common issues addressed in local ordinances:

- Number of birds permitted per household
- Permit and fee process
- Regulation of roosters
- Enclosure/containment restrictions
- Distance of coop from other homes/property line (setback)
- Location on the lot (e.g. backyard)
- Nuisance clause
- Requiring written consent by neighbors
- Storing chicken feed in rat-proof containers
- Slaughtering restrictions
- Number of chickens based on property size
- Restrictions of chickens in multi-family areas
- Zoning
- Violation or penalty
- If eggs can be bought/sold or only consumed by owner

Table 1. Summary of chicken keeping approval in local jurisdictions (as of March 2015)

Moorhead	Dilworth	Clay County	Fargo	West Fargo	Cass County
Prohibited	Prohibited	Permitted as accessory use*	Permitted with conditions**	Prohibited	Permitted***

** For Residential Parcels: Minimum parcel size of two acres. A maximum of one animal unit per fenced acre of usable area (one chicken=0.01 animal unit). Fences should be located at least 10 ft from adjoining property lines. All manure shall be properly disposed of. Note: feedlots have different standards*

***Fowl cannot run at large. The enclosures must be at least 75 ft away from neighboring dwellings, unless written consent is signed by the neighbor. If an animal is deemed a nuisance, either by odor, noise, attracting vermin or danger to the health of neighbors, it must be kept at least 200 feet from neighboring dwellings. Resident must abate any nuisance within 10 days of notice. Permitted as an accessory use in the Agricultural district only.*

****Requires a 250 foot buffer zone and individual townships may have their own zoning regulations.*

Table 2. Framework for evaluating urban chicken keeping

DOMAIN	BENEFIT	CONCERN
Health	Increases access to nutritious food source	Disease risk[1]
Environment	Keeps yard clean by eating bugs, pests, and weeds Chicken droppings can be composted and used as fertilizer, as long as safe composting practices are used Reduces food waste going into the garbage by feeding it to chickens instead Sustainable way to raise food in an urban environment (i.e. less energy used for transportation)	Attraction of unwanted pests or predators
Economic	Possible financial relief for low-income families Potential for individuals to sell backyard chicken eggs (if permitted) Reduces kitchen waste in municipal trash collection system	Cost of permitting fee, setting up a coop and the equipment may be cost prohibitive for low-income families Jurisdiction cost of monitoring and addressing issues Disposal of dead birds can be expensive for individuals if the only disposal option is a vet's office
Social	Can be regarded as pets and allows for positive social, cognitive, physical and emotional connection Increases awareness of the food cycle and connection to agriculture Can bring neighbors together Provides companionship Provides a positive family activity	Possibility of noise nuisance If not properly cared for, possibility of odor or not visually appealing Can be difficult to keep in winter

[1] Human Health Concerns about Raising Poultry. Illinois Dept of Public Health. Accessed 2015 January 21. http://www.idph.state.il.us/health/infect/Poultry.htm

Table 3. Common urban chicken keeping concerns addressed

CONCERN	MORE INFORMATION	POSSIBLE SOLUTIONS
Disease	Contracting a communicable disease, like the flu or respiratory illness is negligible for urban poultry farming because of the size of the flock. This is a larger concern in industrial farming. Bacteria, like *Salmonella*, can be found in poultry droppings.	The hazards of bacterial infections can be mitigated by education regarding how to handle and care for poultry, including washing hands after returning indoors, and how to properly compost droppings for fertilizer. This can easily be addressed by educating urban chicken farmers with printed materials or offering classes.
Attracting pests	Flies and other pests lay their eggs in droppings because they like moisture.	Pests can be minimized through proper bedding care, and the chickens help by eating pests.
Attracting predators	Chickens should not attract urban predators any more than a cat or dog.	With the exception of hawks, most predators are nocturnal while chickens are diurnal (active during the day). Enclosing the chickens at night should prevent predators from accessing the chickens.
Cost for low-income families		Part of the Metropolitan Food Systems Plan is addressing issues of food access, possible barrier reduction could include funding and management from outside sources, like a non-profit, to cover the startup costs.
Disposal		For a fee, the Vet Diagnostic Lab at NDSU will provide dead animal disposal.* Other communities have offered these options: 1. City provides dead animal pick-up free of charge 2. Buried on property at least two feet down 3. Closed securely in a plastic bag and placed in the municipal trash
Noise	Hens “talking” at their loudest, speak at the same decibel level as human conversation (about 60 decibels). This is also personality-based; some hens are more talkative than others. Roosters crow at about the same decibel level as a barking dog (90 decibels).	A majority of urban ordinances ban roosters, because of their loud crowing.
Smell	Chicken manure is high in nitrogen, which can lead to an ammonia smell if not properly cared for.	Adding carbon material, like dried leaves and straw, to the bedding will get rid of the smell; it is all about carbon to nitrogen ratio. Odor can be remedied through quality bedding.

Winter keeping		Proper education can reduce the impact of winter poultry farming: make sure to keep combs warm and use a heat lamp when the temperature gets below 20 degrees.

Resources

If you have questions, please contact Kim Lipetzky with the Fargo Cass Public Health Office at 701-241-8195 or klipetzky@cityoffargo.com.

*NDSU Veterinarian Diagnostic Lab: http://www.vdl.ndsu.edu/tests/general-investigation

Appendix A: Backyard Chicken Keeping in Regional Jurisdictions

Bismarck, ND
Urban chicken keeping is not permitted.

Duluth, MN
Allows for backyard chickens with common restrictions (must have a license, no more than five hens, no roosters, no slaughtering, coop requirements, fenced yard, etc.).

Grand Forks, ND
Urban chicken keeping is not permitted.

Lincoln, NE
Allows for backyard chickens with common restrictions (must have a permit, number of chickens based upon property and shelter size, no roosters, sanitation requirements, etc.).

Mankato, MN
In 2010, the city passed a temporary ordinance allowing urban chicken keeping, but no one applied in the two-year period. (The ordinance expired as of 2012.) If there was more interest from residents, it is likely that their city council would pass another ordinance allowing urban chicken keeping.

Rochester, MN
Allows for backyard chickens with common restrictions (must have a permit, no more than three hens, no roosters, coop requirements, sanitation requirements, etc.).

Sioux Falls, SD
Urban chicken keeping is permitted with common restrictions (must have license, no more than six hens, no roosters, nuisance clause, etc.).

Appendix B: Example Ordinances

Ann Arbor, MI (population 117,025)
Chapter 107 (Animals) - 9:42. Keeping of Chickens
(1) Any person who keeps chickens in the City of Ann Arbor shall obtain a permit from the City prior to acquiring the chickens. No permit shall be issued to a person, by the City, and no chickens shall be allowed to be kept unless the owners of all residentially zoned adjacent properties (as defined below in subsection 3 (j)) consent in writing to the permit and this consent is presented along with an application for a permit. Written statements waiving the distance requirement in subsection (3) below shall also be submitted at the time of application and become a part of the permit if issued. Application shall be made to the City Clerk and the fee for the permit shall be as determined by Council resolution.
Permits expire and become invalid five (5) years after the date of issuance. A person who wishes to continue keeping chickens shall have obtained a new permit on or before the expiration date of the previous permit. Application for a new permit shall be pursuant to the procedures and requirements that are applicable at the time the person applies for a new permit.
(2) Notwithstanding the issuance of a permit by the City, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by-laws, and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.
(3) A person who keeps or houses chickens on his or her property shall comply with all of the following requirements:
a. Have been issued the permit required under subsection (1) of this section.
b. Keep no more than four (4) chickens.

c. The principal use of the person's property is for a single-family dwelling or two-family dwelling.
d. No person shall keep any rooster.
e. No person shall slaughter any chickens.
f. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times. Fenced enclosures are subject to all provisions of Chapter 104 (Fences).
g. A person shall not keep chickens in any location on the property other than in the backyard. For purposes of this section, "backyard" means that portion of a lot enclosed by the property's rear lot line and the side lot lines to the points where the side lot lines intersect with an imaginary line established by the property's rear lot line and the side lot lines to the points where the side lot lines intersect with an imaginary line established by the rear of the single-family or two family structure and extending to the side lot lines.
h. No covered enclosure or fenced enclosure shall be located closer than ten (10) feet to any property line of an adjacent property;
i. All enclosures for the keeping of chickens shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure. A covered enclosure or fenced enclosure shall not be located closer than forty (40) feet to any residential structure on an adjacent property provided, however, this requirement can be waived as follows:

(i) If the principal use of applicant's property is for a single-family dwelling, to obtain such a waiver the applicant shall present at the time of applying for a permit the written statements of all adjacent landowners that there is no objection to the issuance of the permit.

(ii) If the principal use of the applicant's property is for a two-family dwelling, to obtain such a waiver the applicant shall present at the time of applying for a permit the written statements of all adjacent landowners and of the occupants of the other dwelling stating that there is no objection to the issuance of the permit.

j. For purposes of this section, adjacent property means all parcels of property that the applicant's property comes into contact with at one or more points, except for parcels that are legally adjacent to but are in fact separated from the applicant's property by a public or private street.
k. All enclosures for the keeping of chickens shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure.
l. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.
m. If the above requirements are not complied with, the City may revoke any permit granted under this section and/or initiate prosecution for a civil infraction violation.
(4) A person who has been issued a permit shall submit it for examination upon demand by any police officer or code enforcement officer.

Boston, MA (population 645,966)
SECTION 89-9. **Accessory Keeping of Hens.**
1. Use Regulations. See Underlying Zoning for applicable use regulations.
(a) For all areas covered under the Base Code, see Article 8 – Use No. 76.
(b) For all other areas not covered under the Base Code, see Use Regulation Table in specific Article.
(c) Where the Accessory Keeping of Animals is a Conditional Use in the applicable Underlying Zoning, the Board of Appeal shall not grant a Conditional Use Permit for the Accessory Keeping of Hens unless the following conditions are met.
(d) The maximum number of adult Hens in all Districts and Subdistricts not covered under the Base Code shall be six (6) per Lot.
(e) The maximum number of non-egg-laying replacement Chicks or Pullets in all Districts and Subdistricts not covered under the Base Code shall be six (6) per Lot.
(f) Roosters are expressly Forbidden.
(g) The on-site slaughtering of Hens is prohibited.
2. Dimensional Regulations.
(a) Maximum Height.
i. Coop. Enclosed Coop space shall not exceed eight (8) feet in height.
ii. Run. Runs shall not exceed eight (8) feet in height.
(b) Size.

i. Coop. Coop space must allow a minimum of two (2) square feet per Hen and one (1) nest box per three (3) Hens within, and shall not exceed a maximum size of eight (8) feet by six (6) feet.
ii. Run. Runs must allow a minimum of four (4) square feet per Hen, but in no case shall occupy more than twenty-five percent (25%) of the rear yard.
(c) Setbacks.
i. Subject to Article 10 (Accessory Uses), Coops and Runs shall be set back five (5) feet from all property lines in all Districts and Subdistricts unless there is a solid, opaque barrier such as a wall of fence along the property line.
ii. Coops and Runs shall not be located in the front yard or in a side yard that abuts a street in all residential and commercial Districts and Subdistricts.
iii. Coops and Runs shall not be within a fifteen (15) foot buffer of habitable structures on adjacent properties in all residential Districts and Subdistricts unless prior permission is granted in writing by the neighboring property owner(s).
(d) Materials.
i. All Coops shall be made of washable and sanitizable material such as fiberglass reinforced plastic.
ii. All Runs shall have a securely built frame, preferably wooden; shall be covered in wire mesh material such as hardware cloth; and designed to be predator proof.
(e) Screening.
i. Any portion of the Coop or Run directly visible from a street at any distance shall be screened by either a fence that is constructed to be at least sixty percent (60%) opaque or a landscaped buffer of at least four (4) feet in height.
(f) Free Ranging.
i. Free-ranging of adult egg-laying Hens shall be supervised and is allowed exclusively in fenced yards with consent of all residents and property owners who have legal access to the premises.

Fergus Falls, MN (population 13,351)
(F) Keeping of Chickens.
(1) Chickens permitted. It is unlawful for any person to own, control, keep, maintain or harbor chickens on any premises within the City unless issued a permit to do so as provided in this section. No permit shall be issued for the keeping or harboring of more than four (4) female chickens or hens on any premises. The keeping or harboring of male chickens or roosters is prohibited.
(2) Definitions. For the purpose of this paragraph, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
“CHICKEN” means a female chicken or hen.
“AT LARGE” means a chicken out of its chicken run, off the premises or not under the custody and control of the owner.
“CHICKEN COOP” means a structure for housing chickens made of wood or other similar materials that provides shelter from the elements.
“CHICKEN RUN” means an enclosed outside yard for keeping chickens.
“PERSON” means the resident, property owner, custodian, or keeper or of any chicken.
“PREMISES” means any platted lot or group of contiguous lots, parcels or tracts of land and is located within the city.
(3) Permit. No person shall maintain a chicken coop and/or chicken run unless granted a permit by the Animal Control Officer. The Animal Control Officer is authorized to issue a maximum of 12 permits annually for the keeping of chickens. The permit shall be subject to all the terms and conditions of this section and any additional conditions deemed necessary by the Animal Control Officer to protect the public health, safety and welfare. The necessary permit application may be obtained from the City Administrator‟s office. Included with the completed application must be a scaled diagram that indicates the location of any chicken coop and/or chicken run, and the approximate size and distance from adjoining structures and property lines, the number and species of chickens to be maintained at the premises, and a statement that the applicant/permittee will at all times keep the chickens in accordance with this ordinance and all the conditions prescribed by the Animal Control Officer, or modification thereof, and failure to obey such conditions will constitute a violation of the provisions of this section and grounds for cancellation of the permit. The applicant shall include written consents/approval of the keeping of chickens on their premises from all abutting property owners, or shall provide proof of the certified mailing of a notice, and copies of said notice(s) to all abutting property owner(s) which advises the abutting property owner(s) the applicant is applying for a permit from the City of Fergus Falls for the keeping of chickens on their premises, the abutting property owner may object to the applicant‟s permit application, any objection must be received by the Animal Control Officer within 10 days of the mailing date of

said notice, and failure to provide written objections to the Animal Control Officer within 10 days of the mailing of said notice will authorize the Animal Control Officer to issue a permit for the keeping of chickens to the applicant at their premises. Upon receipt of a permit application, the Animal Control Officer shall determine if the application is complete and contains the required consents/approvals and/or proof of the certified mailing of the required notices. If the application is complete and includes written consents/approval from all abutting property owners, the Animal Control Officer shall issue a permit for the keeping of chickens to the applicant. If the application is complete and includes proof of mailing certified notices to abutting property owner(s) as required by this section, the Animal Control Officer shall issue a permit to the applicant 10 days after receipt of the completed application, unless the Animal Control Officer receives a written objection from an abutting property owner objecting to the applicant‟s application for the keeping of chickens, in which case no permit shall be issued. No permit shall be issued for an incomplete application or for the keeping of chickens on any rental premises. A permit for the keeping of chickens may be revoked or suspended by the Animal Control Officer for any violation of this section following written notice. The applicant / permittee may appeal the revocation or suspension of their permit by requesting in writing a hearing before the city council within seven (7) days of the notice of revocation or suspension. The request for hearing must be either postmarked or received in the city administrator‟s office within seven (7) days of the date of the notice. The city council shall hold a hearing on the applicant/permittee‟s request for hearing within thirty (30) days of the request for hearing. An annual fee will be set by resolution.

(4) Confinement. Every person who owns, controls, keeps, maintains, or harbors chickens must keep them confined at all times in a chicken coop and chicken run and may not allow the chickens to run at large. Any chicken coop and chicken run shall be at least twenty-five (25) feet from any residential structure or any other structures on any adjacent premises.

(5) Chicken Coops and Chicken Runs.

(a) All chicken coops and chicken runs must be located within the rear yard subject to a twenty (20) foot setback from any adjacent premises and be at least twenty-five (25) feet from any residential structure or dwelling or any other structures or dwellings on any adjacent premises. All chicken coops must be a minimum of four (4) square feet per chicken in size, must not exceed ten (10) square feet per chicken in size and must not exceed six (6) feet in total height. Attached fenced-in chicken runs must not exceed 20 square feet per chicken and fencing must not exceed six (6) feet in total height. Chicken runs may be enclosed with wood and/or woven wire materials, and may allow chickens contact with the ground. Chicken feed must be kept in metal predator proof containers. Chicken manure may be placed in yard compost piles.

(b) Chicken coops must either be:

(i) Elevated with a clear open space of at least twenty-four (24) inches between the ground surface and framing/floor of the coop; or,

(ii) The coop floor, foundation and footings must be constructed using rodent resistant construction.

(c) Chicken coops are not allowed to be located in any part of a home and/or garage.

(d) Chickens must be secured in a chicken coop from sunset to sunrise each day.

(6) Conditions and Inspections. No person who owns, controls, keeps, maintains, or harbors chickens shall permit the premises, whether the 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 or chicken run authorized by permit under this section may be inspected at any reasonable time by the Animal Control Officer, Law Enforcement Officer or other agent of the City. A person who has been issued a permit shall submit it for examination upon demand by the Animal Control Officer, Law Enforcement Officer or other agent of the City. Slaughter and breeding of chickens on any premises within the City is prohibited.

(7) Private Restrictions and Covenants on Property. Notwithstanding the issuance of a permit by the City, private restrictions and/or covenants on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by-laws, covenant declarations and deed restrictions. A permit issued to a person whose premises are subject to private restrictions and/or covenants that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

(8) Refusal to Grant or Renew Permit. The Animal Control Officer may refuse to grant or renew a permit to keep or maintain chickens for failure to comply with the provisions of this section, submitting an inaccurate or incomplete application, if the conditions of the permit are not met, if a nuisance condition is created, or if the public health and safety would be unreasonably endangered by the granting or renewing of such permit.

(9) Removal of chicken coop and chicken run. Any chicken coop or chicken run constructed or maintained on any premises shall be immediately removed from said premises after the expiration of the permit or shall be removed within thirty (30) days upon ceasing to use the chicken coop and/or chicken run for the keeping of chickens.
(10) Residential Agricultural District. This ordinance does not apply to premises located in a residential agricultural district as that area is defined in this Code.
(11) Prohibited. The keeping of chickens, male or female, is prohibited in R-3, R-4 and R-5 Multiple-Family and Multiple-Residence Districts and all Business and Industrial Districts (B-1 though B-6 and I-1 through I-3) as those areas are defined in this Code.
(12) Violations a Misdemeanor. Any person who owns, controls, keeps, maintains or harbors chickens in the City of Fergus Falls without obtaining or maintaining a current permit or after a permit has been suspended or revoked by Council action shall be guilty of a misdemeanor.

Minneapolis, MN (population 400,070)
70.10. - Permit required.
(a) No person shall anywhere in the city keep, harbor, or maintain care, custody, or control over any small animal or any fowl such as a chicken, turkey, duck, or pigeon, without obtaining a permit issued by Minneapolis Animal Care and Control.
(b) Minneapolis Animal Care and Control may grant permit pursuant to this section after the applicant has sought the written consent of at least eighty (80) percent of the occupants of the several descriptions of real estate situated within one hundred (100) feet of the applicant's real estate. Such written consent shall be required on the initial application and as often thereafter as Minneapolis Animal Care and Control deems necessary.
(c) No permit shall be granted to keep any animal, fowl, or pigeon within a dwelling unit or part thereof, nor on any real estate which contains three (3) or more dwelling units.
(d) This section shall not apply to dogs, cats, ferrets, or rabbits nor to veterinarians or licensed pet shops or licensed kennels.
(e) Application for permit. Any person desiring a permit under this chapter shall make written application to Minneapolis Animal Care and Control. Approval of application is subject to conditions prescribed by Minneapolis Animal Care and Control. Failure to adhere to conditions is cause for cancellation of the permit and/or result in an administrative fine.
(f) Duration of permit. All permits issued shall expire on January 31 of the following year after its issuance unless sooner revoked. The application fee for such permit shall be fifty dollars ($50.00) which shall be paid at the time of application. The annual renewal fee thereafter for such permit shall be forty dollars ($40.00). Minneapolis Animal Care and Control will inspect the premises annually or as deemed necessary.
(g) Five-year permit. The fee for a five-year permit will be one hundred fifty dollars ($150.00). All five-year permits issued shall expire on January 31 of the year following the fifth year after its issuance unless sooner revoked. Minneapolis Animal Care and Control will inspect the premises annually or as deemed necessary.
(h) Refusal to grant permit. Minneapolis Animal Care and Control may refuse a permit to keep or maintain animals or fowl hereunder for failure to comply with the provisions of this chapter, and shall refuse a permit if such animals or fowl should not be kept upon the premises described in the application for the permit. If any such permit is refused, the fee paid with the application shall be retained by Minneapolis Animal Care and Control.
(i) Enforcement. Minneapolis Animal Care and Control shall enforce the provisions of this chapter.

Park River, ND (population 1,390)
AN ORDINANCE RELATING TO CONTROL OF ANIMALS AND POULTRY
Animals and poultry not to be raised or kept in certain areas, penalty. No person or persons shall raise or keep any domestic animals or poultry, or both, of the species of horses, mules, asses, cattle, sheep, goats , swine, geese, chickens, ducks, turkeys, peacocks, guinea hens, or similar livestock or fowl within the city limits of the City of Park River, except as follows:
I. Up to 8 hen chickens (no roosters) will be allowed with a license.
2. Initial license must be approved by 75% of the property owners within 200 feet of the coop.
3. Applicant shall pay an initial license fee of $25.00 and annual fee of $5.00.
4. In the event a complaint has been filed with the City of Park River prior to renewal of said license within the past calendar year, the Building Inspector will determine if the license renewal is issued. If no complaints have been filed, the renewal shall be considered extended for all additional year provided payment is received.

5. Slaughtering of chickens on the premises is prohibited.
6. A separate coop and run is required to house the chickens. Coop must be located in the rear and be setback at least five feet from the property lines.
7. All premises on which hens are kept or maintained shall be an enclosed fence and be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surrounding area must be cleaned to control odor so as not to be detectable on another property.
8. All grain and food stored for the use of the hens on premises with a chicken license shall be kept in a rodent proof container.
9. All applicants must notify the owner of the property if the applicant is not the owner.
10. A complaint against any person owning, keeping or harboring chickens may be filed with the City of Park River Building Inspector. If an investigation from the Building Inspector reveals that the use of chickens is in violation of this section or any other section of this Code the City Building Inspector shall have authority to require the owner or user of the property to fix, abate, or alleviate the problem. If the problem is not satisfactorily abated or alleviated the City Building Inspector shall have authority to revoke the license.

Salt Lake City, UT (population 191,180)
8.08.010: DOMESTIC FOWL AND LIVESTOCK; PERMIT REQUIRED:
A. Except as provided in Subsection B of this section, it is unlawful for any person to keep within the city any chickens, turkeys, ducks, geese, pigeons or other similar domestic fowl, or more than two (2) rabbits, or other similar animals, without first making application for and obtaining a permit from the office of animal services to do so. The fee for such permit shall be five dollars ($5.00) per animal, but shall not exceed forty dollars ($40.00) per year.
B. Notwithstanding Subsection A of this section, chickens may be kept in any area zoned as a residential district under Chapter 21A.24 of this code or its successor, subject to the requirements of Section 8.08.065 of this chapter.
SECTION 2. **Amending Section 8.08.060.** That Section 8.08.060 of the *Salt Lake City Code,* shall be, and hereby is, amended to read as follows:
8.08.060: HOUSING AND FEEDING OF ANIMALS; LOCATION RESTRICTIONS:
It is unlawful to house, keep, run or feed any of the above mentioned animals within fifty feet (50') of any structure used for human habitation except as provided in Section 8.08.065 of this chapter.
SECTION 3. **Enacting Section 8.08.065.** That Section 8.08.065 of the *Salt Lake City Code* shall be, and hereby is, enacted to authorize the keeping of chickens in residential districts, subject to certain requirements, as follows:
8.08.065: KEEPING CHICKENS:
A. Subject to the requirements of this section and any other applicable provision of this chapter, fifteen (15) hen chickens (and no roosters) may be kept on a lot or parcel of land in a residential district for the sole purpose of producing eggs. The principal use on the lot or parcel shall be a one-family dwelling, a two-family dwelling, or a multi-family dwelling. Notwithstanding the foregoing, a person who complies with the requirements of Section 8.08.030 of this title may keep chickens as provided in such section.
B. Chickens shall be confined within a secure outdoor enclosed area.
1. The enclosed area shall include a covered, ventilated, and predator-resistant chicken coop.
a. The coop shall have a minimum floor area of at least two (2) square feet per chicken.
b. If chickens are not allowed to roam within an enclosed area outside the coop, the coop shall have a minimum floor area of six (6) square feet per chicken.
2. The coop shall be located in a rear yard at least twenty-five (25) feet from any dwelling located on an adjacent lot.
a. The coop and enclosed area shall be maintained in a neat and sanitary condition and shall be maintained as provided in Section 8.08.070 of this chapter.
b. No chicken shall be permitted to roam outside the coop or enclosed area.
3. Chicken feed shall be stored and dispensed in rodent-proof and predator-proof containers.
C. Chickens shall not be kept on a residential lot or parcel unless the person keeping chickens first obtains a permit as provided in Section 8.08.010 of this chapter.
1. The permittee shall acknowledge the rules set forth in this section and shall, as a condition of permit issuance, agree in writing to comply with such rules.
2. The permit shall be good for one (1) year and may be renewed annually.
D. It shall be unlawful for any person to keep any chicken in a residential district in a manner contrary to the provisions of this section.

SECTION 4. **Amending Section 8.08.080.** That Section 8.08.080 of the *Salt Lake City Code,* shall be, and hereby is, amended to read as follows:

8.08.080: TRESPASS BY FOWL OR DOMESTIC ANIMALS:

It is unlawful for the owner or any person in charge of domestic fowl, such as turkeys, ducks, geese, chickens or other similar domestic fowls, or domestic animals such as dogs or cats, to permit such fowls or domestic animals to trespass upon the premises of another. It is unlawful for any person to house, keep, run or feed any such fowls within fifty feet (50') of any house used for human habitation except as provided in Section 8.08.065 of this chapter.