

ORDINANCE AMENDMENT 2008-3 to include Section 6
Backyard Chickens

**AN ORDINANCE REGULATING THE PERMITTING OF HEN CHICKENS WITHIN
THE CITY OF BROWNSDALE, INCLUDING ADMINISTRATIVE PROCEDURES
AND PROVIDING PENALTY FOR VIOLATION**

THE CITY COUNCIL OF BROWNSDALE, MINNESOTA, DOES ORDAIN THAT THE ORDINANCES OF THE CITY SHALL BE AMENDED TO INSERT THE FOLLOWING NEW SECTION REGARDING CHICKENS:

2008-3 Section 6 **CHICKENS**

(A) Chickens Limited. *Except as provided in section 2008-3, 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 section. No permit shall be issued for the keeping or harboring or more than five (5) hen chickens on any premises. No permit shall be issued for the keeping of any rooster chicken on any premises.*

(B) 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 continuous lots, parcels or tracts of land.*

(C) Permit. *No person shall maintain a chicken coop and run unless they have been granted a permit by the city 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 are available at the city hall. Included with the application must be a scaled drawing that indicates the location of any chicken coop and run, and the approximate size and distance from any adjoining structures and property lines. The permit application shall require proof of notification of all neighbors whose lots immediately adjoin, or would adjoin if not for a public street or alley, the Premises seeking the application. If the applicant rents the Premises seeking the application, the application shall also include a signature from the property owner consenting to the keeping of chickens. A fee of \$5.00 will be charged for each permit which shall expire December 31st of each year. A permit for keeping chickens may be revoked or suspended by the council for any violation of this chapter following written notice and a public hearing.*

(D) Confinement. *All chickens must be kept in an enclosed pen. The chicken's living area must be maintained in a clean and sanitary condition, devoid of all rodents and vermin and free from objectionable odors. Waste must be disposed of on a regular basis. Grains and feed must be stored in rodent and raccoon-proof*

containers inside of a structure. The enclosed pen must be maintained in good condition and be sufficient in strength and size to allow the chickens to move about, but also able to prevent escape. The enclosed pen must have a minimum square footage of four feet per animal and must not exceed 120 square feet. The enclosed pen must be located in the backyard and set back at least 25-feet from any residential dwelling on any adjacent lot and at least 10-feet from the property lines.

(1) No person shall allow any chicken under his or her ownership or control to violate Ordinance 2000-4, Nuisances.

(2) Persons that intend to no longer keep chickens on their premises shall notify the City Clerk. If there is a pen, it must be removed upon expiration of the permit.

(3) Dead chickens must be disposed of according to the Minnesota Board of Animal Health rules which require chicken carcasses to be disposed of as soon as possible after death, usually within forty-eight (48) to seventy-two (72) hours. Legal forms of chicken carcass disposal include off site burial, offsite incineration or rendering, or offsite composting.

(E) Conditions. No person who owns, keeps 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 shall permit the premises to be in such condition that noxious odors are carried to adjacent public or private property. No person who owns, keeps or harbors chickens shall purposefully kill a live chicken within city limits. Any chicken coop and run authorized by permit under this chapter may be inspected at any reasonable time by a city council person or other agents of the city.

(F) Violations. Any person who keeps or harbors chickens in the city limits of Brownsdale 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 and shall be responsible for removing the chickens at his or her own expense.

EFFECTIVE DATE: After its passage and publication, this Ordinance shall be effective immediately. Upon the effective date, the existing Brownsdale Ordinance 2008-3 related to ANIMALS shall be amended by inserting the above language.

ADOPTED this_5th day of October, 2020, by the City Council of the City of Brownsdale.

City of Brownsdale

Jeff Foster
Mayor

ATTEST: Adria Vargas
City Clerk/Treasurer
