

CHAPTER 56

CHICKENS WITHIN COPORATE LIMITS

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56.01 DEFINITIONS. For use in this chapter, the following terms shall have the following meanings:

1. "Chickens" mean the domestic type of fowl birds kept for their eggs and meat, and shall apply only to those fowl birds with the common characteristics of chickens rather than other types of fowl.
2. "Owner" means any person or persons, firm, association, or corporation owning, keeping, sheltering or harboring fowl chickens.
3. "Owner" or "person or entity in lawful possession and control of any premises" means the fee title owner of any property or premises, or the person or entity in actual possession or control of such premises under a lease or real estate contract.
4. "Rear yard" means that space of a lot as defined in Section 166.28 of the City of Glenwood Land Development Ordinance, as from time to time may be amended.
5. "Director of compliance" or "director" means the person or persons authorized by the City to monitor and enforce the provisions of this chapter. In absence of any particular appointment by the City, the Code Enforcement Officer shall be considered the director of compliance for purposes of this chapter.

56.02 PERMIT REQUIRED.

1. No person, firm, association or corporation in the City of Glenwood shall have in their possession or control, or keep or harbor any chickens, as defined in Section 1, without having first obtained a permit to do so from the director, which permit shall be issued only after payment of the required fee and after inspection of the premises by the director for compliance with this chapter, and the sanitation requirements of this chapter or any other applicable state or local law. No permits for the keeping or harboring of any fowl other than chickens shall be issued. Except as otherwise provided herein, a permit for the keeping of

chickens shall be in effect for one year from the date of its issuance. Application for such permits shall be made upon forms furnished by the City.

2. Upon expiration, such permit may be renewed by any person, firm, association or corporation to whom it has been issued, by filing an application for a renewal thereof with the director upon forms to be provided by the city. Approval of the application for renewal of a permit shall be made and the permit issued for the succeeding annual period only after payment of the required fee and after inspection of the premises for compliance with the provisions of this chapter, and the sanitation requirements of this chapter or any other applicable state or local law. Except as otherwise provided herein, every permit so renewed shall be for one year from and after the date of the renewal, and shall be subject to revocation in the same manner as the original permit.

3. Permits may be issued only to owners of any premises or persons or entities in lawful possession of any premises with the written consent of the owner of said premises, and only for premises consisting of single family, detached dwellings located in residentially zoned districts within the city corporate limits.

4. Upon issuance of a permit, the owner is deemed to have provided the Director, or his or her designee, the authority and right to enter upon the premises at his or her discretion for the purpose of inspecting the premises for compliance with this chapter.

56.03 PERMIT FEE. The fee for the initial issuance and any renewal of a permit for the keeping of chickens shall be as provided in the City's prevailing schedule of fees as adopted by the City Council from time to time by resolution. The fee shall not be refundable if the permit is denied or revoked, or if the chickens are removed or die.

56.04 REVOCATION OF PERMIT. The Director may revoke a permit for the keeping of chickens for any violation of the provisions of this chapter, or any other pertinent sections of this municipal code, or any statute of the state of Iowa pertaining to the keeping of chickens. Notice of revocation shall be given in writing, delivered personally or by certified mail to the holder of such permit. The notice shall state the grounds upon which the permit has been revoked, and shall state that the holder of the permit is required to remove all chickens from the premises concerned within seven (7) days after receipt of notice of revocation. The notice shall also inform the permit holder of the right to appeal such revocation to the City Council.

56.05 NONTRANSFERABLE. Any permit issued pursuant to this chapter shall not be sold, assigned, or transferred, and shall apply only to the premises designated and the person, firm, association or corporation to whom issued. A violation of this provision shall be cause for revocation of any such permit.

56.06 DISPOSAL OF REFUSE. All manure and spilled grain shall be removed from the premises, or any enclosure or structure thereon, at least once every forty-eight (48) hours, and shall be placed in suitable watertight and fly-tight containers until disposed. Such materials shall be disposed by causing same to be picked up by a licensed private refuse hauler.

56.07 DISTANCE FROM DWELLING.

1. No person within the city of Glenwood, Iowa, shall keep, shelter, harbor, or coop any chickens within eighty (80) feet of any dwelling other than the dwelling of the owner of such fowl chickens.
2. If the owner of the chickens is able to obtain the written consent of the owner and occupant of an effected dwelling, the eighty (80) foot requirement may be waived as to that dwelling, so long as the owner and occupant of said dwelling continues to consent to said waiver, and continues to reside in said dwelling.
3. Under no circumstances shall chickens be permitted to be kept within twenty (20) feet of any dwelling.

56.08 STORAGE AND USE AND MAINTENANCE

1. All grains and grain supplements intended for use as food for chickens shall be kept and stored in a rodent-tight building or container.
2. No owner or person in lawful possession and control of the premises shall keep, shelter, or harbor more than five (5) hens at a single residential dwelling.
3. No owner shall slaughter, maim, or other intentionally kill within the corporate limits any of its permitted chickens. Any chicken which may die within corporate limits shall be immediately removed from the city limits and disposed by the owner in a hygienic and safe manner.
4. All chickens permitted by the chapter shall be continuously housed or stored in a secure screened or walled and roofed enclosure, coop, shelters, and/or run in a manner that reasonably protects the chickens from predators, and of all of which shall be located entirely within the rear yard of the permitted premises. All such enclosures,

coops, or shelters shall be not less than three (3) square feet in size per chicken provided such enclosure, coop, or shelter has a run, and such enclosure, coop, or shelter shall not exceed five (5) feet by five (5) feet, or twenty-five (25) feet in total diameter; otherwise said enclosure, coop, or shelter shall be not less than ten (10) feet by five (5) feet, or fifty (50) feet in total diameter. No part of any such enclosure, coop, shelter, or run shall be located within eighty (80) feet of any dwelling or as otherwise set forth in Section 7 of this chapter. The materials utilized in the construction of the enclosure, coop, shelter, or run shall be subject to the approval of the director and shall be located in compliance with the applicable rear and side lot line restrictions.

5. All enclosures, coops, or shelters shall have a roost for each fowl chicken not less than eight (8) square inches.

6. All enclosures, coops, or shelters shall have not less than one (1) laying box for every three (3) chickens of which each laying box shall not be less than one (1) square foot in diameter. Each laying box shall be dressed with adequate and proper bedding materials.

7. No owner shall allow, whether knowingly or unknowingly, any chickens to run at large or otherwise outside of the enclosure, coop, shelter, or run for which the chickens are housed or stored.

56.09 PENALTY. Any person, firm, partnership, corporation or any legal entity found guilty of a violation of any of the provision of this chapter shall, upon conviction, be subject to the penalty provisions of a municipal infraction. Each day that a violation is allowed to continue shall constitute a separate and distinct violation. Any owner is deemed violating of this chapter by the City or the Director shall immediately have its permit revoked and shall be prohibited from receiving another permit for a minimum period of twelve (12) months after revocation of the permit.

56.10 TERMINATION OF CHAPTER. All provisions of this chapter, and therefore all permits issued pursuant to this chapter, shall terminate at midnight on September 30, 2017, unless the terms of this chapter are extended or otherwise modified which allows for the continuation of the provisions of this chapter and the permits issued pursuant to this chapter. The City Council shall formally consider extending the terms of this chapter on or before August 1, 2017, and thereafter take any appropriate action to effectuate its considerations.

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