

ORDINANCE NO. 2022-04

AN ORDINANCE AMENDING TITLE IX, CHAPTER 90.04 OF THE CITY CODE OF THE CITY OF LAKE CRYSTAL RELATIVE TO FARM ANIMALS BY ALLOWING CHICKENS – KEEPING, TRANSPORTING, TREATMENT, HOUSING

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE CRYSTAL:

SECTION I. That Section 90.04 of the City Code of the City of Lake Crystal is hereby amended to add the following: A. Chickens, provided that the property where chickens are kept is zoned for agricultural purposes or that the owner holds a valid permit from the City to keep chickens and complies with the provisions of this Chapter.

SECTION II. That Section 90.04 of the City Code of the City of Lake Crystal is hereby amended to add the following: Subd. A. Chickens. Chickens are allowed on any lot with a single-family residence that is issued a permit to do so by the City. The provisions of this ordinance are intended to regulate the keeping of chickens only. The keeping of any other types of poultry is prohibited.

A. General Requirements.

Definitions. For the purpose of this section, 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 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 of any chickens.

“Premises” means any platted lot or group of contiguous lots, parcels, or tracts of land and is located within the city.

1. No roosters are permitted. All chickens must be hens. If a permit holder inadvertently keeps a rooster, then that rooster must be removed within twenty-four (24) hours of the date of discovery.
2. No more than four (4) chickens may be kept at any one lot at any time.
3. Chicken food is to be kept in containers designed to prohibit access by rodents and other pests.
4. A run or exercise yard conforming to this section is required.
5. Dead chickens must be disposed of according to applicable law and must be removed as soon as possible after death but no later than twenty-four (24) hours.
6. Chicken manure is to be contained in a weather and pest proof container and removed weekly or composted or used as fertilizer and incorporated into the soil. Chicken manure must not be allowed to accumulate in such a way as to cause any unsanitary condition or odors detectible on another property.

7. Chickens kept under this subdivision may not be slaughtered in public view within the City and eggs are not allowed to be sold at the premises.
8. Chickens must be always confined inside a coop or a fenced in run and chickens may not be allowed to range freely.

B. Chicken Permits.

1. A permit issued by the City is required to keep chickens.
2. The permit application fee shall be set by the City Council.
3. A permit is valid for three years from the date of issuance. The provisions of this ordinance apply to an approved application for the same time period, at which time a new permit must be secured.
4. The application must specify the number of chickens anticipated.
5. A permit may only allow between one (1) and four (4) chickens.
6. Only one permit per parcel. If a person wishes to keep chickens at multiple parcels then that person must obtain a different permit for each parcel.
7. A permit may only be issued if 75% of the owners of all adjacent property approve of the application by signing the application form. Adjoining property means all properties within fifty (50) feet of the proposed location of the coop and run that the applicant is applying for a permit to keep chickens on.
8. If the applicant is living in a rental property, then the registered property owner must also sign and approve the application.
9. Permits are non-transferable and do not remain with the property. If a permit holder moves, they forfeit their permit and must reapply for their new location with approval of the adjacent property owners as described in 90.04B(7).
10. A permit constitutes a limited license granted to the chicken keeper by the City and in no way creates a vested zoning right.
11. Site plans and coop designs are to be included with the permit application.
12. Leg banding of all chickens is required and used to identify chicken owners.

C. Condition of Permit Issuance. As a condition of permit issuance, the applicant is authorizing the City to inspect the chickens and facility during normal City Hall business hours.

D. Coop and run. Coops and runs must be constructed and maintained to meet the following minimum standards.

1. A separate coop is required to house the chickens. The coop may not be attached to or inside any other structure such as a home or garage.
2. Only one (1) coop is permitted per parcel.

3. The coop and run must be located in the rear yard of the property.
4. The coop must be setback at least five (5) feet from the rear or side property lines but at no time shall be placed in a utility easement.
5. The coop must be fully enclosed.
6. The coop must have an attached run.
7. The maximum height shall not exceed six (6) feet.
8. The maximum total square area of the coop and run shall not exceed one hundred twenty (120) square feet. Chicken coops are not classified as an accessory structure under the requirements of the zoning ordinance.
9. Maximum coop size shall not exceed twenty-four (24) square feet and must have at least four (4) square feet per chicken.
10. The run size shall not exceed ninety-six (96) square feet and must have at least ten (10) square feet per chicken. The run must be fenced in on all sides and include a roof. The height of the run fence and roof must not exceed six (6) feet.
11. The coop must be at least 24 inches off the ground or in the alternative the coop may be placed on a concrete pad.
12. The coop must have sufficiently sized windows to permit natural light inside. Windows must be able to be opened for ventilation. Sufficient ventilation and insulation is required.
13. Construction must be done in a workmanlike manner and with durable material. Coop building materials and exterior colors shall be similar to or compatible with the primary structure.
14. There must be sufficient moisture drainage to keep the coop well drained.
15. The coop must be rodent and predator proof. Any door or access point to the coop or run shall be able to be locked or otherwise secured.
16. Coop designs must meet basic humane needs of chickens including heat, cooling, food, water, and protection from the elements.
17. The coop must be removed within thirty (30) days if the permit is revoked or allowed to expire.

E. Violations.

1. Any person who commits, causes, permits, or allows a violation of the provisions of this section shall be guilty of a petty misdemeanor punishable by a fine up to three hundred dollars (\$300.00).
2. If a permit holder has two convictions under this subdivision within any three-year permit period, then that permit shall be revoked. Upon revocation all chickens must be removed from the property within forty-eight (48) hours.

PASSED AND ADOPTED by the City Council of the City of Lake Crystal _____.