



**BUSINESS OF THE CITY COUNCIL
AGENDA STATEMENT**

Item No. 11
For Meeting of 07.07.2016

ITEM TITLES: Discussion on draft Urban Chicken Ordinance amendments.

CONTACT PERSONS: Luke Parris, AICP
City Planner

SUMMARY EXPLANATION

At the June 2, 2016 City Council meeting, the Council directed staff to develop a finalized draft of an ordinance amendment that would allow up to four chickens at a residence provided specific criteria was met and that an annual license was obtained. Staff has developed the requested draft using the 2009 Proposed Urban Chicken Ordinance as a guide. The draft ordinance amendment also includes relevant changes needed to other sections of the City's codes to allow for urban chickens.

ATTACHMENTS

Attachment A: 2009 Proposed Chicken Ordinance

Attachment B: Draft Ordinance Amendment to allow and regulate Urban Chickens

<p>___Resolution ___ Ordinance ___ Contract <u>X</u> Other (Specify) <u>Discussion</u></p> <p>Funding Source: <u>NA</u></p> <p>APPROVED FOR SUBMITTAL <u>Jean Furler</u> Interim City Manager</p>

ORDINANCE NO

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF THE ZONING ORDINANCE: CHAPTER 55 ANIMAL CONTROL AND PROTECTION; CHAPTER 177 RATES AND FEES; AND ZONING ORDINANCE SECTION 17.10.030 SINGLE FAMILY RESIDENTIAL DISTRICT.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:

SECTION 1. PURPOSE. The purpose of this ordinance is to amend Chapter 55 Animal Control and Protection, and Chapter 177 Rates and Fees of the City of Norwalk City Code and Section 17.10.030 R-1 Single-Family Residential District of the City of Norwalk Zoning Ordinance.

SECTION 2. AMENDMENT.
The City of Norwalk City Code Chapter 55 Animal Control and Protection is hereby amended by removing the follow struck through language is Section 55.05:

55.05 LIVESTOCK. It is unlawful for a person to keep livestock within the City ~~except by written consent of the Council or~~ except in compliance with the City's zoning regulations.

The City of Norwalk City Code Chapter 55 Animal Control and Protection is hereby amended by adding the follow new Section 55.16:

55.16 URBAN CHICKENS. The keeping of chickens within the City is allowed in compliance with the City's zoning regulations and the following criteria:

1. No more than four (4) chickens allowed per lot.
2. An annual chicken license will be obtained by the property owner.
 - a. The cost of the license shall be established in Chapter 177 of this Code of Ordinances.
 - b. If the property owner acquires possession of the chicken(s) less than six (6) months prior to the expiration date of a license, the license fee shall be reduced fifty percent (50%).
 - c. All license fees shall become delinquent on April 1 of the year in which they are due and a delinquent penalty of ten dollars (\$10.00) shall be added to each unpaid license on and after said date.
 - d. The application for a chicken license runs with the owner and their current location, any change in ownership or change in address will require the submittal of a new license application.
3. No person shall keep any rooster.
4. No person shall slaughter any chickens.
5. No chickens without an approved enclosure that meets the standards of the zoning ordinance. The enclosure shall be covered and fully secured so that it can be locked at night.
 - a. The enclosure shall be completely secure and free of any attractive nuisances as spelled out in Chapter 50 Nuisance Abatement of the municipal code.

6. All chicken coops shall obtain the proper accessory structures permit and meet all setback requirements spelled on in the zoning ordinance.
7. More than two violations of Chapter 50 Nuisance Abatement in a calendar year may result in revocation of the license and subsequent removal of the chickens, subject to City Council review.

The City of Norwalk City Code Chapter 177 Rates and Fees is hereby amended by adding the following license fee for Urban Chickens:

- | | |
|--|-----------------------------|
| 4. Chapter 55 – Urban Chicken Licenses | |
| License Fee | \$25.00 per year |
| Delinquency Fee | \$10.00 per delinquent year |

The City of Norwalk Zoning Ordinance Section 17.10.030.3 Permitted Accessory Uses is hereby amended with the following:

- K. The keeping of up to four (4) chickens on a lot in accordance with City Code Chapter 55.16 Urban Chickens. The necessary chicken enclosure is also allowed, provided the following standards are met:
 - a. The enclosure is covered and fully enclosed.
 - b. The enclosure is able to be locked.
 - c. The enclosure provides a minimum of 5 square feet per chicken.
 - d. The enclosure shall have a minimum height of four feet.
 - e. A completely fenced in area outside of the covered enclosure shall be provided with a minimum of 10 square feet per chicken and a height of six feet.
 - f. The enclosure shall not be located closer than 25' to any principal structure on an adjacent lot.

SECTION 3. SEVERABILITY CLAUSE. In any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved by the City Council of the City of Norwalk, Iowa on the ____ day of _____, 2016.

Tom Phillips, Mayor

ATTEST:

Jody Eddleman, City Clerk

PREPARED BY: Luke Parris, City Planner