

ORDINANCE NO 16-08

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF CHAPTER 55 ANIMAL CONTROL AND PROTECTION AND CHAPTER 177 RATES AND FEES.

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.

SECTION 2. **AMENDMENT.**
The City of Norwalk City Code Chapter 55 Animal Control and Protection is hereby amended by removing the following struck through language in 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 shall be obtained by the property owner.
 - a. The cost of the license shall be established in Chapter 177 of this Code of Ordinances.
 - b. The license and fee shall be for up to 4 chickens.
 - c. 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%).
 - d. All license fees shall be deemed delinquent on April 1 of the year in which they are due and not paid, and a delinquent penalty of ten dollars (\$10.00) shall be added to each unpaid license on and after said date.
 - e. The application for a chicken license runs with the owner and his/her current location, any change in ownership or change in address will require the submission of a new license application.
3. No person shall keep any rooster.
4. No person shall slaughter any chickens.
5. No chickens may be kept without an approved enclosure that meets the standards of the zoning ordinance.
 - a. The enclosure shall be covered and fully secured so that it can be locked at night.
 - b. 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 out 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

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 4th day of August, 2016.

Tom Phillips, Mayor

ATTEST:

Jodi Eddleman, City Clerk

First Reading: 08/04/16

Second Reading: 08/04/16

Third Reading: 08/04/16