



## Chicken Keeping Permit Application Form

### Applicant Information

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City/State/Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Alt Phone \_\_\_\_\_  
Email \_\_\_\_\_

### Property Owner (if different from applicant)

First Name \_\_\_\_\_  
Address \_\_\_\_\_  
City/State/Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Alt Phone \_\_\_\_\_  
Email \_\_\_\_\_

### Agreement

By signing this statement, the applicant shall agree that they follow the conditions outlined in City Code Chapter 10, Article III.

\_\_\_\_\_  
Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Property Owner Signature (if needed) \_\_\_\_\_ Date \_\_\_\_\_

### Office Use Only

Review and Approval by: \_\_\_\_\_ Fee: \$10.00

\_\_\_\_\_  
Signature \_\_\_\_\_ Date Paid \_\_\_\_\_

# Animal Ordinance Chapter 10, Article III

## ARTICLE III.

### CHICKENS.

#### **Sec. 10-93. Purpose.**

The purpose of this article is to define standards that regulate the keeping of chickens in city limits while protecting the health, safety and welfare of the community.

#### **Sec. 10-94. General provisions.**

The following general provisions will govern the keeping of chickens in city limits.

- (a) There are to be no more than five (5) chickens for properties under ½ acre or ten (10) chickens for properties greater than ½ acre in size.
- (b) All chickens will be kept within an enclosure that complies with Sec. 10-95.
- (c) Chickens will be allowed free range only within fenced yards or within the chicken enclosures described in section 10-95.
- (d) No roosters are permitted.
- (e) There shall be no egg sales from residential properties.
- (f) Slaughtering and processing of chickens are prohibited in residential districts. Non-residential properties shall comply with the zoning requirements of the district in which they are located as they relate to processing of farm animals.
- (g) The keeping of chickens in city limits shall be prohibited without a city-issued permit and the payment of the required permitting fees. The permit should be readily available for review if so requested by law enforcement or other officials with authority to enforce this ordinance. Chicken permits are governed under Sec. 10-96.
- (h) 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 48 to 72 hours. Acceptable methods of disposal include burial or off-site incineration, off-site rendering, or off-site composting. The city will not compost chicken carcasses.
- (i) The City Council may at its discretion appoint a Chicken Oversight Committee to be made up of community volunteers to review and respond to chicken complaints.

#### **Sec. 10-95. Chicken enclosures.**

All chicken enclosures shall comply with the following requirements.

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- (a) Chickens will have a recommended shelter space of one (1) square foot per chicken.
- (b) Chicken enclosures will be constructed of home building materials and comply with any ordinances governing accessory structures and fencing.
- (c) Enclosures shall be fully enclosed to prevent any escape by chickens or entrance by migratory birds or predators.
- (d) Enclosures shall be kept clean and orderly.
- (e) Enclosures shall not be placed in the front yard or in a side yard that abuts a street. Enclosures shall not be placed closer than ten (10) feet to any property line and shall not be placed closer than twenty-five (25) feet to any dwelling unit other than on the owner's property.
- (f) Enclosures shall not be placed within any drainage or utility easement.
- (g) Screening and/or a hard surface may be required by the Zoning Administrator if problems occur with appearance, noise, odor, and sanitation.
- (h) Enclosures may not exceed one hundred twenty (120) square feet unless so authorized by an Administrative Permit.

### **Sec. 10-96. Chicken permits.**

Property owners wishing to keep chickens at their property may apply for a required permit at City Hall. Permits shall expire February 1, 2022 unless otherwise extended by the City Council. Property owners will be required to pay the permit fees as established by the City Council in the Fee Schedule ordinance. The permit fee for keeping chickens shall be the same fee as dog licenses. Renters who wish to keep chickens may do so only if the property owner has a valid chicken permit for the property. The property owner shall remain liable for compliance with all provisions of this Article III.

The City of Clearwater reserves the right to revoke any chicken permit if there are excessive complaints or ordinance violations at a specific property. Owners whose permits are revoked under this provision may appeal such revocation to the City Council upon written request. The City Council's decision will be final.

The City of Clearwater reserves the right to revoke or suspend all chicken permits and order removal of all chickens if a pandemic regarding fowl and poultry is declared by the state of Minnesota.

### **Sec. 10-97. Violations.**

Violations of any provisions of this article may result in the revocation of the owner's Chicken Permit and a directive to the owner to remove all chickens from the premises. In addition, the City Council may levy fines for violations as established in the city's Fee Schedule ordinance. If

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the property owner still fails to bring the property into compliance after fines and permit revocation, the city may seek a court order to remove the chickens, and any costs associated with such action will be assessed to the property taxes of the property where the chickens were kept.

### **Sec. 10-98. Chicken Oversight Committee.**

The City Council at its discretion may establish a Chicken Oversight Committee made up of community volunteers to assist with complaints the city receives under this Article III. The Chicken Oversight Committee may visit the property to determine if violations exist, work with the owner to remedy any violations, issue warnings, or refer the matter to city staff for further enforcement action under Sec. 10-97.

The Chicken Oversight Committee, if so appointed, will be considered volunteers of the city similar to other Boards and Commissions. There shall be no additional compensation for Committee members.

### **Sec. 10-99. Sunset Date**

This Article III and the modifications to the definition of poultry which allow for the keeping of chickens in city limits shall expire on February 1, 2022, unless otherwise extended by the City Council prior to that date. If not so extended, these modifications, which are outlined in Ordinance 2020-02, shall be rescinded and chickens will not be allowed to be kept in city limits.