



Fee Collected \$ \_\_\_\_\_  
Receipt # \_\_\_\_\_  
Date Received: \_\_\_\_\_

**ZONING PERMIT APPLICATION FOR CHICKENS**

\_\_\_\_\_ **Initial Permit (\$60.00)**  
\_\_\_\_\_ **Annual Renewal (\$30.00)**

Owners Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Address location: \_\_\_\_\_ Cell Number: \_\_\_\_\_  
Applicant/Contractor: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**CHECKLIST OF ORDINANCE REQUIREMENTS:**

(Please read each requirement carefully and initial to signify your understanding.)

- \_\_\_\_\_ **Submittal of a scaled site drawing showing property lines, all existing structures, the location of any chicken coop and run, and the approximate size and distance of the chicken coop and run from adjoining structures and property lines. Picture examples of the chicken coop and run are also helpful in addition to the scaled drawing.**
- \_\_\_\_\_ **Property is zoned RR, RS, or R-1 and is at least 30,000 sq. ft.**
- \_\_\_\_\_ **Submittal of consent from abutting property owners. All abutting property owners have submitted written consent in support of the applicant's bid to be allowed to have chickens. (Consent must be submitted, in writing, to the City with the application.)**
- \_\_\_\_\_ **A maximum of four (4) hens are allowed. Roosters are NOT allowed. (Indicate the number of hens proposed) \_\_\_\_\_.**
- \_\_\_\_\_ **Chickens will be confined on the premises at all times in a chicken coop or chicken run while in the City AND will be secured in a chicken coop from sunset to sunrise each day.**
- \_\_\_\_\_ **Proposed chicken coop and run is located within a rear yard and is setback at least 25 feet from side and rear lot lines and 25 feet from any residential structures on adjacent lots. (For corner lots, coops and runs shall be located at least 40 feet from the side lot line adjacent to a public street and shall not be located between the principal structure and a public street, whichever is the greater requirement.)**
- \_\_\_\_\_ **Submittal of the proposed screening plan. The proposed coop and run shall be screened with a solid fence between 4 and 6 feet high to fully screen the coop and run from adjacent properties and right-of-way. A separate fence permit is required for screening fences. (Landscaped buffers may be used in**

leu of fence screening requirements only if the landscaped buffer is sufficient to fully screen the coop and run from adjacent properties and rights of way during winter/leaf-off conditions.)

\_\_\_\_\_ **The proposed chicken coop is at least four (4) square feet in size per chicken, and does not exceed 10 square in size feet per chicken.**

\_\_\_\_\_ **The proposed chicken coop does not exceed six (6) feet in total height.**

\_\_\_\_\_ **The proposed chicken coop is either (check one):**

\_\_\_\_\_ Elevated with a clear open space of at least 24 inches between the ground surface and framing/floor of the coop; OR,

\_\_\_\_\_ The coop floor, foundation and footings must be constructed using rodent resistant construction.

\_\_\_\_\_ **The proposed chicken run does not exceed 20 sq. ft. in size per chicken and the fencing for the run does not exceed six (6) feet in height.**

\_\_\_\_\_ **The proposed coop, attached run/enclosure, and yard where chickens will be kept or maintained will be cleaned regularly to the extent necessary to keep them reasonably free from substances, including but not limited to manure, uneaten feed, feathers, etc. so that the chickens, and their enclosures, do not cause the air or environment to become noxious or offensive or to be in such condition as to promote the breeding of flies, mosquitoes, or other insects, or to provide habitat, breeding or feeding place for rodents or other animals, or otherwise be a nuisance.**

\_\_\_\_\_ **Slaughter and breeding of chickens on any premises within the City is prohibited.**

\_\_\_\_\_ **The eggs that the chickens produce will not be for sale on or off the premises.**

\_\_\_\_\_ **Chicken feed will be kept in containers that make the feed unavailable to rodents, vermin, birds, and other wild animals.**

\_\_\_\_\_ **The chickens will, at all times, have access to feed, clean water, shelter, humane care and treatment, and veterinary care when needed.**

\_\_\_\_\_ **Chicken manure will not be placed in yard compost piles.**

\_\_\_\_\_ **The proposed coop, runs/enclosures, and yards where chickens will be kept or maintained will be cleaned regularly to keep them reasonably free from substances, including but not limited to manure, uneaten feed, feathers, etc.**

\_\_\_\_\_ **The chickens, coop and run authorized under this permit is subject to inspection by the City at any reasonable time. Any violations of this permit and the requirements of Ordinance 10-5-10, 11 are subject to the violations standards of the Ordinance identified below.**

**By signing below, the applicant acknowledges that they have read and understand the requirements of section 10-5-10.A.11 "Chickens" enumerated above, and hereby agree to uphold said requirements. A complete copy of the chicken ordinance is attached.**

A permit must be approved and a signed copy received from the Zoning Department before any type of work can begin. Failure to complete the application prior to beginning work may be subject to fines as detailed in City Code Title 1-4-3.

\_\_\_\_\_  
Owner/Applicant's Signature

\_\_\_\_\_  
Date

## 10-5-10: ANIMALS:

### 11. Chickens

- a. Chickens Limited. It is unlawful for any person to own, control, keep, maintain or harbor hen chickens in any residential district and/or residential use in non-residential districts in the City unless issued a permit to do so as provided herein and a fee is submitted pursuant to the City's adopted fee schedule. No permit shall be issued for the keeping or harboring of more than four (4) hen chickens on any premise in the RR, Rural Residential, RS, Residential Staging, and R-1, Single Family Residential Zoning Districts. The keeping of over four chickens is considered farm animals and are subject to the requirements of title and requiring approval of an interim use permit in the RR, Rural Residential and RS, Residential Staging Zoning Districts subject to the requirements of this title. The keeping of roosters is prohibited.
- b. Definitions. The term "At Large" shall be intended to mean a chicken out of its chicken run, off the premises or not under the custody and control of the owner. The term "Chicken" means a domestic female or hen chicken kept for its eggs. The term "Chicken Coop" means a structure providing housing for chickens made of wood or other similar materials that provides shelter from the elements. The term "Chicken Run" means a fenced outside yard for the keeping and exercising of chickens. The term "Owner" shall mean the resident, property owner, custodian, or keeper of any chicken. The term "Premises" means any platted lot or group of contiguous lots, parcels or tracts of land.
- c. Permit. No chicken coop and/or chicken run shall be maintained unless granted a permit by the City. The permit shall be subject to all terms and conditions of this Section and any additional conditions deemed necessary by the City to protect the public health, safety, and welfare. The necessary permit may be obtained from the Community Development Department and shall be renewed annually. Included with the information required prior to issuance of the permit must be a scaled diagram that indicates the location of any chicken coop and run, and the approximate size and distance from adjoining structures and property lines. The owner must also obtain written approval of the keeping of chickens from all abutting property owners. Written approval is not required if there is no abutting property. A permit for the keeping of chickens may be revoked or suspended by the City for any violation of this Section following written notice and a public hearing.
- d. Property Regulations.
- (1) Chickens may only be kept on a single-family residential property in the RR, RS, and R-1 zoning districts.
  - (2) The minimum lot size for keeping chickens is 30,000 square feet.

- (3) Chickens and their related coop and run shall not be kept or maintained upon a vacant lot or anywhere inside a residential structure, including basements, porches, garages, sheds or similar storage structures.

e. Confinement. Every person who owns, controls, keeps, maintains, or harbors hen chickens must keep them confined on the premises at all times in a chicken coop or chicken run while in the City. Chickens must be secured in a chicken coop from sunset to sunrise each day.

f. Chicken Coop and Chicken Run Requirements.

- (1) All chicken coops and runs must be located within a rear yard. Any coop and run shall be set back at least 25 feet from side and rear property lines and 25 feet from any residential structures on any adjacent lots. For corner lots, any coop and run shall be located at least 40 feet from the side lot line adjacent to a public street and shall not be located between the principal structure and a public street, whichever is the greater requirement.
- (2) Any coop and run shall be screened with a solid fence between 4 and 6 feet high to fully screen the coop and run from adjacent properties and right-of-way. Landscaped buffers may be used in lieu of fence screening requirements only if the landscaped buffer is sufficient to fully screen the coop and run from adjacent properties and rights of way during winter/leaf-off conditions.
- (3) Any coop must be a minimum of 4 square feet per chicken in size, must not exceed 10 square feet per chicken in size and must not exceed 6 feet in total height. Attached fenced-in chicken runs must not exceed 20 square feet per chicken and fencing must not exceed six feet in total height. Chicken runs may be enclosed with wood and/or welded wire materials and may allow chickens to contact the ground.
- (4) Chicken coops must either be:
  - (a) Elevated with a clear open space of at least 24 inches between the ground surface and framing/floor of the coop; or,
  - (b) The coop floor, foundation and footings must be constructed using rodent resistant construction.

g. Slaughter and breeding of chickens on any premises within the City is prohibited.

h. Sale of eggs is prohibited.

i. Chicken feed must be kept in containers that make the feed unavailable to rodents, vermin, wild birds and predators or other wild animals.

j. Chickens shall, at all times, be provided with access to feed and clean water, proper shelter and protection from the weather, veterinary care when needed, and humane care and treatment.

k. Chicken manure shall not be placed in yard compost piles.

l. All coops, attached runs/enclosures and yards where chickens are kept or maintained shall be cleaned regularly to keep them reasonably free from substances, including but not limited to manure, uneaten feed, feathers, and other such waste that it does not cause the air or environment to become noxious or offensive or to be in such condition as to promote the breeding of flies, mosquitoes, or other insects, or to provide habitat, breeding or feeding place for rodents or other animals, or otherwise be a nuisance.

m. Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans.

n. Chickens that become ill must immediately receive veterinary care. Chickens ill with disease must be immediately euthanized by a veterinarian or immediately removed from the City in a safe manner.

o. Conditions and Inspection. No person who owns, controls, keeps, maintains or harbors hen chickens shall permit the premises where the hen chickens are kept to be or remain in an unhealthy, unsanitary or noxious condition or to permit the premises to be in such condition that noxious odors are carried to adjacent public or private property. Any chicken coop and chicken run authorized by permit under this Section may be inspected at any reasonable time by the City.

p. Violations.

(1) Revocation. A permit for the keeping of chickens may be revoked or suspended by the City Council for any violation of this ordinance following ten (10) days written notice to the last known address of the permit holder and a public hearing.

(2) Nuisance. Violations of this ordinance may constitute a public nuisance, punishable as provided by City ordinance.

(3) Penalty. Any person who owns, controls, keeps, maintains, or harbors chickens in the City limits of Baxter without obtaining or maintaining a current permit, after a permit has been suspended or revoked by Council action, or contrary to the provisions of this section shall be guilty of a violation of this section.

Any person convicted of violating any provision of this chapter is guilty of a misdemeanor and shall be subject to penalty as provided in section 1-4-1 of this code, plus the costs of prosecution. In addition, the provisions of this section may be enforced by order of the City requiring removal of the chickens, chicken coop and chicken run by the violator, and abatement by the City subject to Abatement and Assessment requirements of the City Code or by Civil Action.