

**CITY OF RICE
MINNESOTA
ORDINANCE NO. 2018-4**

**AN ORDINANCE AMENDING THE RICE CITY CODE TO ALLOW
THE KEEPING OF CHICKENS IN RESIDENTIAL AREAS**

The City Council of the City of Rice:

Section 1: Definitions. Section 700.01 of the Rice City Code is hereby amended by adding the following new definitions and numbering them accordingly:

Subd. ___ Chicken. “Chicken” means a female chicken or hen. The term does not include roosters.

Subd. ___ Chicken Coop. “Chicken Coop” means a structure providing housing for chickens made of wood or other similar materials that provides shelter from the elements.

Subd. ___ Chicken Run. “Chicken Run” means a fenced outside yard for the keeping and exercising of chickens.

Section 2: Keeping or Harboring Prohibited. Section 700.09 of the Rice City Code is hereby amended by adding the double underlined material as follows:

Subd. 2. Farm Animals. Farm animals may only be kept on properties that are authorized by the City’s zoning regulations to keep such animals. Farm animals are not permitted to be kept on any other properties within the City with the exception of farm animals brought into the City as part of an operating zoo or veterinarian clinic. This subdivision shall not apply to the keeping of chickens in accordance with Section 700.10.

Section 3: Chickens. The Rice City Code is hereby amended by adding a new Section 700.10, shown in double underline as follows:

700.10 Chickens

Subd. 1. Permit to Keep. It is unlawful for any person to own, control, keep, maintain or harbor chickens in the R-1 or R-2 districts, or on any residential property located within a non-residential district, in the City unless issued a permit to do so as provided herein. In the RR and AG districts, a permit shall also be required unless the chickens are kept as part of a farm allowed under the code. In the case of rental residential property, including multi-family residential property, written permission must be given by the property owner for a tenant to keep or harbor chickens on said residential premises. No permit shall be issued for the keeping or harboring of more than four (4) chickens on any premises and it shall be unlawful to keep or harbor more than four (4) chickens in the City except as part of a farm located in the RR or AG districts. No chicken coop or chicken run shall be built, placed, or maintained on any property requiring a permit to keep chickens under this subdivision

unless it is approved as part of the permit issued to keep chickens and otherwise complies with the requirements of this section.

Subd. 2. Permit. A request for a permit to keep chickens and to build, place, or maintain a chicken coop or chicken run shall be submitted to the City. A permit request shall not be deemed complete, and will not be processed, unless it includes at a minimum the following: the address of the property on which the chickens are to be kept; the number of chickens to be kept; a scaled diagram that indicates the location of any chicken coop and chicken run on the property, their approximate size, and distance from adjoining structures and property lines, written consent of at least one owner or occupant from each of the properties immediately adjacent to the applicant' property, and the fee established by the City Council for the permit. The City may impose such conditions on a permit as it deems necessary to protect the public health, safety, or welfare. Permits expire on December 31st each year and it shall be unlawful to continue to keep chickens on a property after that date without the issuance of a new permit. If the applicant proposes no changes in the number of chickens kept or in the chicken coop or chicken run existing on the property, the renewal application need not include a scaled drawing or neighbor consents. If any changes are proposed, all information required for new permit shall be submitted as part of the renewal application.

Subd. 3. Revocation. A permit for the keeping of chickens may be revoked or suspended by the City Council if it finds a violation of this section or of any of the conditions placed on the permit. The City shall give written notice of the violation to the owner or occupant and provide an opportunity to be heard by the City Council before the permit may be revoked or suspended. Any and all costs related to the removal of chickens and the associated confinements as a result of the revocation of a permit shall be borne by the permit holder.

Subd. 4. Confinement. Every person who owns, controls, keeps, maintains, or harbors chickens must keep them confined on the premises at all times in a chicken coop or chicken run while in the City. All chicken coops and chicken runs shall be screened with a solid fence or landscaped buffer with a minimum height of four (4) feet. All chicken coops and chicken runs shall be at least twenty-five (25) feet from any residential structure or any other structure on any adjacent lots.

Subd. 5. Standards for Chicken Coops and Chicken Runs. All chicken coops and chicken runs shall comply with the requirements of this subdivision.

(a) All chicken coops and chicken runs must be located within the rear yard subject to the required setbacks for the principal building and at least twenty-five (25) feet from any dwelling or any other structure on any adjacent lots. All chicken coops must be a minimum of four (4) square feet per chicken in size, must not exceed ten (10) square feet per chicken in size, and must not exceed six (6) feet in total height. Attached fenced-in chicken runs must not exceed twenty (20) square feet per chicken and fencing must not exceed six feet in total height. Chicken runs may be enclosed with wood or woven wire materials, and may allow chickens to contact the ground. Chicken feed shall be kept in a predator-proof container made of metal.

Chicken manure shall be disposed of in a manner that does not create a private or public nuisance.

(b) Chicken coops must either be:

- 1) Elevated with a clear open space of at least 24 inches between the ground surface and framing/floor of the coop; or
- 2) The coop floor, foundation and footings must be constructed using rodent resistant construction.

(c) Chicken coops are not allowed to be located in any part of a home, garage, or non-residential buildings.

(d) Chickens must be secured in a chicken coop from sunset to sunrise each day.

Subd. 5. Conditions and Inspection. No person who owns, controls, keeps, maintains or harbors chickens shall permit the premises where the chickens are kept to be or remain in an unhealthy, unsanitary, or noxious condition or 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 Animal Control Officer or other agent of the City.

Subd. 6. Prohibitions. In addition to the other prohibitions contained in this section, the following are prohibited and constitute a violation of this code:

- (a) The slaughter or breeding of chickens; or
- (b) Placing chicken manure in yard compost piles.

Section 4: Effective Date. This Ordinance shall be in full force and effect from and after its passage and the first day of publication.

Adopted by the City Council this 15th day of October, 2018.



Dale Rogholt, Mayor

ATTEST:



Julie Fandel, City Clerk