

Ordinance No. 185, Fourth Series

AN ORDINANCE AMENDING CHAPTER 11 OF THE RED WING CITY CODE TO ALLOW BACKYARD CHICKEN KEEPING

THE CITY COUNCIL OF THE CITY OF RED WING DOES ORDAIN:

SECTION 1: Chapter 11 of the City Code is hereby amended by deleting the ~~over struck~~ language and inserting the underlined language as shown below:

STANDARDS THAT RELATE TO AGRICULTURAL DISTRICTS AND AGRICULTURAL USES

55-120 Farming Operations.

F) Backyard Chicken Keeping Regulations. A Certificate of Compliance permit shall be required for the keeping of backyard chickens in non-agricultural districts and in agricultural districts on properties with less than five acres of land. Applicants shall apply for a permit and follow the regulations outlined below.

1. Definitions

- a. Backyard Chickens. Chickens, as permitted per City Code, in residential backyards.
- b. Chicken. A domesticated bird that serves as a source of eggs and meat.
- c. Chicken Coop. A structure for the keeping and housing of chickens.
- d. Hen. A female chicken.
- e. Rooster. A male chicken.
- f. Run. An enclosed area attached to a coop where chickens can roam unsupervised.

2. Certificate of Compliance Requirements. To obtain a permit for the keeping of hen chickens located in A, AR, R-1, R-2, and RM-1 Zoning Districts, persons shall complete an application and pay a fee as established by the City Council. Applications shall include and require the following minimum information:

- a. The first permit is valid for up to two (2) years beginning on the date the chickens arrive on the premise and ending December 31 of the following

year; subsequent permits shall be for two (2) years from January 1 through December 31 of the second year.

- b. A permit constitutes a limited license granted to the chicken keeper by the City without creating a vested zoning right; permits are non-transferable and do not run with the land.
- c. Prior to issuance of a permit, the applicant must acknowledge they have read the publication, “Recommendations for Municipal Regulations of Urban Chickens”, or a similar publication provided by the City’s Community Development Department.
- d. Prior to issuance of a permit, notices shall be mailed to all property within 150 feet of the applicant’s property lines; such notice will request a written response within a specified time period.
- e. If written objections are received within fourteen (14) business days of the notice date, then the permit must be considered by the City Council; the Council has full discretion to approve or deny the permit based on information presented by the applicant and/or persons objecting to the permit.
- f. If no written objections are received within fourteen (14) business days of mailing the notice, then the permit will be processed by City staff without further Council action.
- g. Multiple unit residential structures must have the occupants of all units sign the application.
- h. The City shall have the right to inspect any permit site at any reasonable time for the purpose of ensuring compliance with this ordinance. An initial inspection shall be required within 30 days chickens being brought on to the premises.
- i. Any and all permits of a backyard chicken keeper may be terminated or not renewed for violation of these regulations following notice to the permit holder and an opportunity for an appeal in accordance with the process outlined in Division 90-120.
- j. If, as a result of the hearing process, it is determined that the chickens must be removed, the City shall give thirty (30) days for such removal. If the order for removal has not been complied with, the City may remove or destroy the chickens and charge the permit holder with the cost thereof. As a result of the order for removal, the permit holder shall not be allowed to have a permit for backyard chicken keeping for a period of two (2) years on any property within the City.

3. Each permit-holder to keep chickens within the City of Red Wing shall comply with the following provisions in the A, AR, R-1, R-2, and RM-1 Zoning Districts:
 - a. The permit holder shall live on the premise on which the chickens are being kept; the permit is non-transferable.
 - b. Private restrictions and/or covenants that prohibit the keeping of chickens on the premise voids any permit that may be granted by the City; such private restrictions are privately enforced.
 - c. No person may keep more than four (4) hen chickens; no roosters shall be allowed.
 - d. Chickens must be kept confined to the premises at all times and shall be secured inside of a roofed structure (“chicken coop”) from sundown to sunrise; access to the outdoors must be provided in an attached run.
 - e. The chicken coop must be fully enclosed, wind poof, ventilated with windows for natural light, and not exceed six (6) feet in height.
 - f. All chicken feed must be stored in a tightly sealed rodent-proof container.
 - g. The chicken coop and run space must have at least fourteen (14) square feet of combined space per chicken; the attached run shall be securely constructed with at least a mesh type material fully surrounding it.
 - h. Chicken coops may be used year-round if a heat source is installed to maintain adequate indoor temperature during cold weather; any electricity provided to the heat source must be installed with an electrical permit (no extension cord is allowed).
 - i. The floors and walls of the chicken coop must be kept in a clean, sanitary and healthy condition with all droppings collected on a daily basis and placed in a fireproof covered container until thereafter properly disposed of at least once per week.
 - j. No more than one chicken coop and run are allowed per residential lot; the chicken coop and run must be located in the rear yard outside of any drainage and utility easement and must be set back a minimum of fifteen (15) feet from all property lines and at least twenty-five (25) feet from a principal structure on an adjacent lot. The coop and run must be placed on a level portion of the site or designed in a manner to control erosion and to prohibit storm water runoff from being directed on to adjacent properties. The coop and run shall also be visually screened from adjacent properties and public right-of-way. This may be achieved through a combination of buildings, fencing, or vegetation. Additional screening may be required at

the discretion of the Zoning Administrator based on specific site characteristics.

- k. Dead chickens must be disposed of according to the Minnesota Board of Animal Health rules, with the exception that they be disposed of within 24 hours; no slaughter of chickens is permitted within the City.
- l. The property owner shall restore the rear yard back to its original condition once a chicken coop and run are removed or terminated at the premise.

SECTION 2. Effective Date: This Ordinance is effective 14 days following the publication of the ordinance in accordance with the City Charter.

Introduced the 27th day of June 2022

Adopted this 11th day of July, 2022

Becky Norton, Council President

ATTEST:

Teri L. Swanson, City Clerk

(seal)

Presented to the Mayor at _____ pm on this _____ day of _____ 2022.

Approved this _____ day of _____ 2022.

Michael Wilson, Mayor