

ORDINANCE #411
AN ORDINANCE CREATING ARTICLE VII OF CHAPTER 6
OF THE CODE OF ORDINANCES OF THE CITY OF MILTON

WHEREAS, residents of the City of Milton have expressed an interest to provide a process for the permitting and proper licensing of the raising of domesticated chickens in residential districts of the City of Milton; and

WHEREAS, the Common Council of the City of Milton having determined that permitting the keeping of chickens in residential areas of the City of Milton can be appropriate where the keeping of such chickens is properly licensed and monitored in order to minimize the impact of the keeping of said chickens on adjoining properties and to prevent the creation of public nuisances on residential properties which may result from the raising of chickens;

NOW, THEREFORE, the Common Council of the City of Milton do ordain as follows:

SECTION I: Section 6-200 is hereby created to read as follows:

Sec. 6-200. Purpose of Article.

The purpose of this Article is to provide standards for the keeping of domesticated chickens. It is intended to enable residents to keep a small number of female chickens on a non-commercial basis while limiting the potential adverse impacts on the surrounding neighborhood. The City recognizes that adverse neighborhood impacts may result from the keeping of domesticated chickens due to noise, odor, unsanitary animal living on conditions, unsanitary waste storage and removal, the attraction of predators, rodents, insects or parasites and non-confined animals living on the owner's property. This Article is intended to create licensing standards and requirements that ensure that domesticated chickens do not adversely impact the neighborhood surrounding the property on which the chickens are kept.

Sec. 6-201. Prohibition Against Keeping of Fowl.

No person may harbor any chickens anywhere within the City without compliance with all requirements of this Article. Only female chickens may be kept if licensed pursuant to the provisions of this Article. The term "chicken" shall not include guinea hens.

Sec. 6-202. License.

A license is required for the keeping of any domesticated chickens in the City of Milton. After issuance, the license must be renewed on an annual basis on or before April 1st. Such license shall be obtained and renewed at City Hall or other appropriate place designated by the City.

Sec. 6-203. License Application Process.

The applicant for the domesticated chicken license shall apply on forms obtained from the City Clerk. In addition to submitting the completed application form, the following must be submitted to the City Clerk before the application will be considered by the City:

- (1) Written proof of consent of adjoining landowners and residents of adjoining parcels.
- (2) Building permit for required chicken coop or other enclosure issued by the building inspector.

Sec. 6-204. License Requirements.

All licenses issued for domesticated chickens shall be subject to the following requirements:

- (1) The maximum number of chickens allowed is six (6) per parcel. Only female chickens are allowed. Guinea hens are not permitted.
- (2) Enclosures. Chickens must be kept in an enclosure or fenced area at all times. During daylight hours, chickens may be allowed outside of their coop or other enclosure that is contiguous with the coop or other covered enclosure. Chickens shall be secured within the coop or other covered enclosure during non-daylight hours. All enclosures must be cleaned, dry and odor free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or adverse impact. The coop or other covered enclosure must provide adequate ventilation and adequate sun and shade and must both be impermeable to rodents, wild birds and predators, including dogs and cats.
- (3) Location. No coop, other covered enclosure or fenced enclosure area may be located within 15 feet of any property line and must be located only within the rear yard.
- (4) Feed and Water. Chickens must be provided with access to feed and clean water at all times; such feed and water shall be made unavailable to rodents and predators.
- (5) Provision must be made for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. The coop and all other enclosures must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.
- (6) Licenses may only be issued to parcels in the Residential District 3 (R-3) or Residential District 4 (R-4) on which there is located a single family residence.
- (7) There may be no slaughter of chickens except within a fully enclosed structure.

Sec. 6-205. Annual License.

In addition to the initial license required pursuant to the provisions of Sec. 6-201, the owner of domesticated chickens shall annual pay the license tax and obtain an annual license. Such tax is delinquent on April 1. Such license tax and

license shall be obtained at City Hall or other appropriate place designated by the City.

Sec. 6-206. Fee.

The following shall be established by resolution of the Common Council: Initial License Application fee, Annual License fee, and Late fee assessed after April 1.

Sec. 6-207. Penalty.

The first violation of any provision of this Article shall result in a warning which shall specify the violations to be eliminated. A second violation of any provision of this Article, shall in addition to the penalties provided for in Sec. 6-3 of this chapter, result in the revocation of license. Each occurrence shall constitute a separate violation and each continuing day of the violation shall constitute a separate violation.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and publication.

Approved by the Common Council of the City of Milton this ____ day of _____, 2015.

CITY OF MILTON

By: _____
Anissa M. Welch, Mayor

ATTEST:

By: _____
Elena Hilby, City Clerk/Deputy Treasurer

1st Reading: 05/05/2015

2nd Reading: 05/19/2015

3rd Reading: 06/02/2015

Adopted:

Published:

Effective:

Effect of Ordinance: Provides for the licensing and keeping of domesticated chickens in the R-3 and R-4 zoning districts.