

Ordinance No. 25-854

Publication No. _____

**AN ORDINANCE ADOPTING SECTION 93.415 OF THE HUTCHINSON CITY CODE -
CHICKENS**

93.415 Chickens

Preamble:

Due to the community concerns regarding noise, odor, waste accumulation and other nuisances, chickens are allowed within city limits only under certain circumstances and licensing requirements.

Subdivision 1. Definitions

At Large. A chicken out of its run, off the premises or not under the custody and control of the owner.

Chicken. A female chicken or hen.

Coop. A cage or pen for confining chickens

Rooster. A male chicken

Run. An area inside a fence where chickens are kept and allowed to walk around

Subdivision 2. License Required

- A. It is unlawful for any person to keep or harbor chickens in the city limits of Hutchinson without first having obtained an annual license therefore from the City.
- B. An application for a renewal license shall be filed prior to the expiration of the current license.
- C. The fee for a license will be established yearly by the City Council.
- D. Licenses will be valid for a one-year time period and will be issued on a calendar year basis.

Subdivision 3. Licensing Requirements.

- A. Annual licenses will be granted for owner-occupied properties that are single-family or two-family properties, or on any property used as a public, private or charter school only. Rental properties that meet these definitions are also eligible for licenses if written consent by the owner is provided to the city
- B. There is a maximum of six chickens allowed per parcel, none of which will be roosters or crowing birds. Property used as a public, private or charter school are allowed up to twelve chickens for educational purposes.
- C. Licensees shall provide chickens with sufficient food and water.
- D. Licensees shall permit city personnel on the licensed premises to ensure compliance with this ordinance.

- E. Licensees must go through a public education course on the keeping of chickens as established by the City.

Subdivision 4. Licensing Procedures.

Initial and subsequent licenses to harbor chickens within city limits may be granted by the City. Before any license is to be considered by the City, an application for a license shall be submitted to the City that contains, among other things, the following:

- A. A diagram or picture of the coop and its location.
- B. A detailed plan of how the applicant will comply with requirements of this ordinance.
- C. The license fee as required by the city.
- D. Provide certificate of completion of public education course as established by the City.

An annual fee for the keeping of chickens in the city shall be established by the City Council and shall be contained in the annual city fee schedule as adopted by the Council. The Council may also establish inspection, and reinspection fees in connection with the enforcement of the provisions of this ordinance.

Subdivision 5. General Requirements

- A. Chickens shall be kept in sanitary conditions such that odors are not detectable outside of the confines of the property lines of the licensed premises. Timely removal of feces, urine and food scraps is required.
- B. Dead chickens shall be disposed of properly within 24 hours.
- C. Waste from chicken coops or runs shall not be placed in city compost containers or disposed of at the city's compost facility, Creekside Soils.
- D. Chickens shall not be slaughtered on the premises or elsewhere within the city other than a retail establishment that employs a butcher.
- E. Chickens shall be kept in a manner that complies with Minnesota statute chapter 343. (Cruelty to animals)
- F. Chickens shall be confined inside an enclosed coop or run at all times and shall not be allowed to run at large.
- G. Any unexplained sickness or signs of disease, and/or unusual deaths should be reported to the local veterinarian and/or the Minnesota Board of Animal Health.
- H. Licenses are non-transferable and do not run with the property.

Subdivision 6. Structure Requirements.

- A. All chickens will be kept in a coop that will sufficiently protect the chickens from the elements and predators and to discourage rodents. The coop shall provide a minimum of four (4) square feet of space with a maximum of ten (10) square feet for each chicken.
- B. Only one coop is permitted for each property and is subject to the following requirements:
 - a. The coop should be raised from the ground to sufficiently protect it from rodents.
 - b. The coop shall be constructed with a solid roof.

- c. The coop shall be constructed with at least one window to provide natural light.
- d. The coop shall be insulated and may contain lights, but shall not be equipped with heat lamps.
- e. Construction must be done in a workmanlike manner and with durable material.
- C. Incorporated into the coop area there shall be an enclosed chicken run area of at least 10 square feet for each bird kept on the licensed premises.
- D. Coops and runs must comply with all City planning and zoning regulations.

Subdivision 7. Location.

- A. No chicken coop and run shall be located in the front or side yard of any home and shall not be closer than 10 feet from any property line.
- B. Coops and runs shall be no closer than 25 feet to any neighboring residence.

Subdivision 8. License Revocation.

A license granted under this chapter may be revoked for violating the provisions of this chapter or for being convicted of any nuisance offense under the Hutchinson city code or Minnesota state law.

A violation will include a warning of license revocation

A second violation within a twelve-month period will result in a revocation of license

Subdivision 9. Hearing

Upon service of a notice of license revocation by the City Administrator or his/her designee, a license holder under this chapter may request a hearing before the City Administrator or his/her designee. Request for a hearing by a license holder shall be made within 7 days of service of the notice of license revocation and the hearing itself shall occur within 10 days of the license holder's hearing request. A license holder whose license is revoked for violations of this chapter or other nuisance ordinances or law shall be required to remove all chickens from the property within 14 days of the upheld revocation and be ineligible to reapply for a license under this chapter for a period of two years from the date of revocation.

Subdivision 10. Criminal penalty

Violations of this chapter constitute a misdemeanor crime.

Subdivision 11. Miscellaneous

- A. Properties with coops unused for at least 180 days shall be removed by the property owner immediately upon the request of the city.
- B. Dogs and cats that kill or injure chickens shall not be deemed as “dangerous” or “potentially dangerous” under the Hutchinson City Code or state law.

- C. It is not the expectation of the Police or any other City department to capture chickens running at large.
- D. No license under this ordinance will be issued to properties where nuisance conditions exist.

Subdivision 12. Effective Date.

This ordinance shall become effective three months after its final passage and publication.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTCHINSON, THAT

Section 93.415 as described above is hereby adopted to be part of the Hutchinson City Code.

Adopted by the City Council this _____ day of _____, _____.

Attest:

Matt Jaunich, City Administrator

Gary Forcier, Mayor