

AN ORDINANCE AMENDING CHAPTER 205, ANIMAL REGULATIONS, AND SECTION 215.010, NUISANCES AFFECTING HEALTH, OF THE TOWN OF GRANTWOOD VILLAGE MUNICIPAL CODE RELATING TO THE KEEPING OF CHICKENS

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRANTWOOD VILLAGE, AS FOLLOWS:

Section One. Chapter 205 of the Municipal Code is hereby amended by adding a new Article V to read as follows:

“ARTICLE V. CHICKENS

SECTION 205.260: KEEPING OF CHICKENS – RESTRICTIONS

- A. Except as otherwise prohibited by this Code, no person shall maintain on his/her private property more than four (4) chickens at any time. Such chickens may be kept for the sole enjoyment and benefit of the property owner and no person shall keep any chickens for any commercial purpose or for the benefit of any other person.
- B. It shall be unlawful for any person to keep any rooster.
- C. It shall be unlawful for the owner of any chicken to permit the same to run at large at any time. All chickens kept shall be confined upon the premises at all times. Dogs and cats shall be given immunity from their behavior if they chase or kill a chicken that runs at large or does not remain on the premises at all times.
- D. Every person desiring to keep chickens shall first obtain a permit prior to bringing chickens onto their property. The permit shall verify that the person has met all of the obligations of this Article. This permit shall be renewed annually on or before July 1st. There shall be no charge for this permit. Permits shall be issued by the Building Commissioner.

SECTION 205.270: NUISANCES – WHEN PROHIBITED

- A. It shall be unlawful for any chicken to give forth any loud or unusual noises, or cause any ill-smelling, nauseous or obnoxious odors.
- B. Chickens shall be kept in a clean and wholesome manner to prevent the spread of odors and disease.
- C. Any person whose chickens are the source of a nuisance or public health hazard shall have their permit revoked. The chickens must be removed immediately upon loss of permit, and the coop and fenced enclosure must be cleaned, disinfected, disassembled, and removed from the property.

- D. Any person who loses their permit due to public hazard or being a source of bacteria shall be prohibited from being issued another permit for a period of two (2) years.

SECTION 205.280: HOUSING REQUIREMENTS

- A. Housing for chickens kept within the Village shall be attractive and shall not be an eyesore or a detriment to the residence or neighborhood. Housing shall be painted or stained, and kept in excellent condition. The floor of the chicken coop shall be made of a non-porous material that is easy to clean. If the floor is wooden it must be covered with a laminate or other washable material.
- B. All chickens kept within the Village must be kept within a fenced enclosure for the single purpose of protecting said chickens. All fixed and immovable fence enclosures must meet the following minimum standards:
1. Shall be constructed of a commercially available steel frame with welded wire fencing or chicken wire fencing covering all sides and roof of the enclosure. The frame and wire fencing shall be coated.
 2. Fence enclosure must be located along the back wall of the residence, not visible from the street, and positioned at least 3 feet from the side of the house and must be attached to the back wall of the residence.
 3. The floor of the fenced enclosure, if fixed and immobile, must be elevated at least two (2) inches above surrounding surfaces, and must be high enough so that the enclosure floor is not a low point in the yard. The floor of the fenced enclosure must consist of commercially available minus gravel or sand.
 4. The base area of fenced enclosure shall not exceed 50 square feet, and in no event shall the dimensions of the fence enclosures exceed more than 10 feet 2 inches (10'2") long along the back wall of the residence, more than 5 feet 2 inches (5'2") deep away from the back wall of the residence, and more than 7 feet 2 inches (7'2") tall at the peak.
 5. Chain link fencing is expressly prohibited.
 6. Everything inside the fenced enclosure must be used exclusively for raising chickens, and nothing else may be stored inside the fenced enclosure.
 7. A fenced enclosure shall be removed from the property within thirty (30) days, or a reasonable extended time that is approved by the Building Commissioner, after it is no longer used for housing chickens."
 8. The chicken coop must be safely placed inside the fixed and immovable fenced enclosure. The dimensions of the chicken coop must not exceed 60 inches wide x 36 inches deep x 36 inches tall.

9. A mobile, temporary fenced enclosure, commonly referred to as a tractor, can be used to enable chickens to graze outside the fixed fenced enclosure. Chickens may occupy the tractor only between dawn and dusk. A tractor is prohibited from being used in the side or front yards of a residence. A tractor can be positioned no closer than 5 feet from the property line.
10. The dimensions of the tractor must be as follows: The floor area cannot exceed 28 square feet, and the height of the tractor at its peak cannot exceed 36 inches. The floor must be open, to allow chickens to graze on grass. The sides and roof of the tractor must be covered with screen or wire fencing, and cannot be covered with any solid material.
11. From dusk to dawn, the tractor must be stored against the back wall of the house or in a garage. When stored against the back of the house, the tractor must be at least 3 feet from the side of the house.
- 7.12. The tractor cannot be used as an extension of the fixed and immobile fenced enclosure. There cannot be any direct access between the tractor and the immobile fenced enclosure. There cannot be any direct access between the tractor and the chicken coop.

SECTION 205.290: EXCEPTIONS

Nothing in this Article shall be construed to apply to any uses in any area zoned as “G” Animal Preserve, or “P” Park District.

Section Two. Section 215.010(A)(13) of the Municipal Code is hereby amended by deleting Section 215.010(A)(13) in its entirety and adding a new Section 215.010(A)(13) to read as follows:

- “13. The keeping of animals and fowls in any area within the Village not zoned as an animal preserve except pet cats, dogs and chickens, animals in public or licensed zoos, and farm animals in laboratories.”

Section Three. The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the Board of Trustees would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Section Four. This ordinance shall be in full force and effect upon the passage of this ordinance and after being duly signed by the Chairman of the Board of Trustees and attested by the Village Clerk.

This Bill was passed and approved this 20th day of December, 2011, by the Board of Trustees of the Town of Grantwood Village, Missouri after having been read by title or in full two times prior to passage.

Cathy Forand, Chairman

ATTEST:

Pat Williams, Village Clerk