

**CITY OF CUSHING**  
**ORDINANCE NO. 05-18-2020-02**

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF CUSHING AS FOLLOWS:

Section 1. Cushing City Code Section 4-11 Amended. That the Cushing City Code is hereby amended as follows:

**§ 4-11 Keeping of animals prohibited in certain areas; domestic chickens allowed in certain areas.**

- A. It is unlawful for any person to allow or permit any fowl, including but not limited to, chickens, turkeys, pigeons, ducks and geese, or any domestic animals, including but not limited to horses, mules, donkeys, cows, sheep and goats within 150 feet of any dwelling, church, school, house trailer, hotel, motel, grocery store or food service establishment except in a duly established Agricultural district wherein such distance limitation shall be 40 feet.
- B. However, domestic chickens not to exceed six (6) adults and fourteen (14) young under the age of eight (8) weeks may be confined in the backyards of occupied residences on the premises of a lot(s) zoned for single-family residences (R-1 District) upon the issuance of an annual permit by the Animal Control Officer, provided that such chickens shall be housed in buildings and/or pens no closer than 40 feet to any adjacent dwelling, church, school, house trailer, hotel, motel, grocery store or food service establishment and the following conditions are met:
1. Any chicken coop, shelter and pen shall provide adequate shelter and space for each bird and adequate water and feed shall be provided; and
  2. Any coop, shelter, and pen shall have a fully enclosed top designed to secured chickens from predators and the elements and also designed to prevent escapement by the birds; and
  3. Any coop, pen, or shelter shall be of easily cleanable construction and shall be maintained in a sanitary condition not offensive or dangerous to the public health, by routinely cleaning and properly disposing of the droppings; and
  4. The outside openings of any coop or shelter shall be screened to prevent the spread of disease by flies and vermin; and
  5. The droppings of any chickens shall not be allowed to accumulate or otherwise be allowed to constitute a nuisance to the public; and,
  6. It is unlawful for any person to maintain such chickens in a manner as to trespass upon the premises of any other person, or to cause serious annoyance to persons or to the neighborhood by crowing, cackling, squawking, the emanation of offensive odors, or otherwise create a nuisance; and
  7. No one shall permit or allow any rooster or bantam rooster to be kept within the city limits; and
  8. At no time shall the owner of any chicken allow it to run at large; and
  9. The Animal Control Officer shall only issue a permit to keep chickens upon inspection of the proposed coop, pen, or shelter and the completion of an application that shall contain the name, addresses, and signatures of the owner(s) and occupant(s) of the premises where the chickens are to be kept, and a statement by the building official certifying that any enclosure or structure meets required building codes and property setbacks. Each permit shall be valid from July 1 to June 30 of each year. The city commission shall have the authority to set a fee for this permit by resolution.

Section 2. Severability. Severability is intended throughout and within the provisions of the ordinance. If any provision, including any exception, part, phrase, or term, or the application thereof to any persons or circumstances is held invalid, the application to other persons or circumstances shall not be affected thereby and the validity of the ordinance in any and all other respects shall not be affected thereby

Section 3. Repeal. That all ordinances or parts of ordinances in conflict with this ordinance be and the same are now expressly repealed.

Section 4. Declaration of Effective Date. This ordinance shall become effective on July 1, 2020.

PASSED, APPROVED AND ADOPTED this 18<sup>th</sup> day of May, 2020.

ATTEST:

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B.J. Roberson, Chairman  
Board of Commissioners

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Jerrica A. Worthy  
City Clerk

Approved as to Form:

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Jonathan Huseman  
City Attorney