

AN ORDINANCE OF THE CITY OF WARRENTON, MISSOURI, AUTHORIZING THE KEEPING OF CHICKENS WITHIN THE CITY LIMITS

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARRENTON, MISSOURI, AS FOLLOWS:

SECTION I: Article II, titled "Keeping Animals or Fowl", is hereby amended by the addition of a new section 205.191, titled "Chickens", as follows:

SECTION 205.191 CHICKENS

A. **Limitations On Keeping Chickens.** It shall be unlawful for any person to keep chickens within the City for commercial or resale purposes. It shall be unlawful for any person to keep more than six (6) chickens as pets or for domestic egg production. No adult male chickens may be kept. Chickens kept as pets or for domestic egg production must be adequately confined within the private property boundaries of the owner's yard sufficient to prevent their escape. Any person desiring to keep domestic fowl may do so only upon obtaining a permit for same from the City.

B. **Permit Required.** No person may keep upon his/her premises any chickens except as provided in this Section.

1. Any person desiring to keep any domestic fowl within the City shall file with the City's Animal Control a written application for a permit, accompanied by a non-refundable application fee in the amount of thirty dollars (\$30.00).
2. Permits granted under this Section may not be transferred to a new owner.
3. Approval of the permit will be granted upon successful completion of an inspection(s). If multiple inspections are required, an additional fee of fifteen dollars (\$15.00) per inspection shall be charged. After completion of two (2) years with a permit and with no violations of this section, no annual fee shall be required so long as there are no violations of this section, and the permit shall remain in effect until revoked.
4. Notwithstanding any provision herein to the contrary, each property harboring chickens which exists before the effective date of this Section on November 15, 2016 shall comply with the provisions of this Section and obtain a permit within sixty (60) days after the effective date of this Section. The permit shall explicitly state and the applicant shall acknowledge with her signature that the ordinance allowing chickens may be amended or repealed at any time and that the applicant acquires no vested rights to have or raise chickens by virtue of the issuance of a permit and that the keeping and handling of chickens may cause health hazards and that all health precautions are the responsibility of the applicant.

C. Permit Criteria And Performance Standards. A permit may be issued if all of the following conditions are satisfied:

1. Chickens may be kept for purely domestic purposes only. No animals or eggs may be sold to any person not a resident of the premises where kept.
2. Chickens must be adequately confined within a coop or pen surrounded by wire netting or other fence to prevent their escape therefrom and kept in good repair and free of peeling paint, untreated or rotted wood and rust. No more than one (1) coop is allowed per permitted parcel. Chickens shall not be permitted to run at large in or upon the public streets, open lots or private properties of the City, other than that of the owner's rear yard. Chickens may only be allowed to run at large in the rear yard if it is enclosed within a fence of at least six (6) feet in height.
3. The coop and enclosed area shall be maintained in a ventilated, clean, safe and sanitary condition containing adequate space for humane treatment. The coop and enclosed areas shall be maintained in good repair and free of any noxious odors.
4. The coop and enclosed area shall be designed and maintained at all times to effectively prohibit accessibility by predators.
5. Coops and enclosed areas shall be located only in the rear yard. Coops and the material establishing the boundaries of the enclosed areas shall meet all rear and side yard setback requirements for accessory structures in accordance with the zoning district in which the property is located.
6. Any manure or waste shall be collected and properly removed from the premises or tilled into the soil on the premises promptly and regularly to prevent offensive smells or conditions conducive to disease.
7. Food for domestic fowl shall be stored in a container which is kept dry and sanitary and in a rodent-, insect- and leak-proof condition at all times.
8. No slaughtering of any chickens shall be allowed except within a fully enclosed premise completely blocked from public view.
9. Eggs may not be sold on the premises.
10. No person shall keep domestic fowl in a manner so as to create a nuisance as defined in Chapter 215 "Nuisances", of the City Code.
11. The keeping of domestic fowl pursuant to a permit issued under this Section shall comply with all ordinances of the City.

12. By applying for a permit under this Section, the property owner authorizes City officials, at all reasonable times and in a reasonable manner, to enter upon and inspect the property with respect to which the permit is applied for to determine whether the keeping of domestic fowl violates this Section or any other applicable ordinances.

D. Revocation Of Permits To Keep Domestic Fowl.

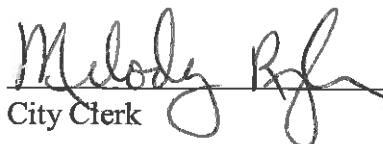
1. In addition to any other penalty provided by law for violation of this Section or any other provision of this Code of Ordinances, if the holder of a permit allows any nuisance or unsanitary condition to exist upon the premises, or any violation of this Section, any of the conditions or performance standards provided herein, or other applicable laws, to exist after notice of violation from the City, then such permit for domestic fowl may be disciplined or revoked after hearing, upon determination by the Chief of Police or the City's designee that such domestic fowl is being maintained in an unsanitary condition, or in violation of this Section, any of the conditions or performance standards provided herein, or other applicable laws. All domestic fowl must be disposed of or removed from the City no more than ten (10) days following receipt of notice of revocation after hearing from the City.
2. Any applicant or permit holder aggrieved by a decision of Animal Control, (a) the in regard to issuance of a permit, or (b) the Chief of Police or designee in regard to discipline or revocation of a permit may appeal the decision to the Chief of Police or designee within five (5) business days of said decision by filing a written request for reconsideration and appeal setting forth in a thorough and concise manner the decision being appealed and all grounds known to the appellant as to wherein and why the decision is allegedly in error. The Board of Aldermen may consider the appeal on the record of the prior decision or may, in the Board of Aldermen's sole discretion, receive additional evidence in such manner as deemed appropriate in light of the circumstances.

READ TWO TIMES AND PASSED by the Board of Aldermen of the City of Warrenton, Missouri, this 15th day of November, 2016.



President of the Board of Aldermen

ATTEST:



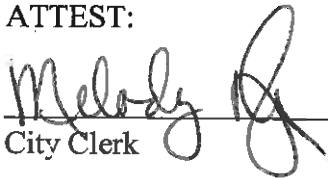
City Clerk

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 15th day of November, 2016.



Mayor

ATTEST:



City Clerk