

ORDINANCE 3069

AN ORDINANCE AMENDING
TITLE 6, ANIMALS
OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS,
REGULATING URBAN CHICKENS
WITHIN THE CORPORATE LIMITS
OF THE CITY OF GREAT FALLS, MONTANA

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WHEREAS, it is the intent of the City Commission of the City of Great Falls to provide for and protect the health, safety and welfare of the citizens of Great Falls, promote residential harmony and ensure the well-being of properly maintained domestic chickens through effective regulation; and,

WHEREAS, the City Commission of the City of Great Falls acknowledges that having chickens within an urban environment has the potential to affect the interests of others; and,

WHEREAS, certain minimum standards for keeping urban chickens is necessary to protect the health, welfare and quality of life of both the animals and citizens of Great Falls; and,

WHEREAS, it is the intent of the City Commission of the City of Great Falls to provide and maintain, for the citizens of Great Falls, opportunities for the healthy consumption of locally produced foods and products; and,

WHEREAS, the City Commission of the City of Great Falls, acknowledges that the act of food production on one's own property may improve the quality of life of its residents; and,

WHEREAS, the City Commission of the City of Great Falls acknowledges that the husbandry of an appropriate number of domestic female chickens may provide a sustainable and cost-effective food source.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF GREAT FALLS, STATE OF MONTANA:

Section 1. That the table of contents of Title 6 of the Official Code of the City of Great Falls (OCCGF) be amended to add the titled chapter reading as depicted in Attachment "A" and that Title 6 Chapter 12 OCCGF shall read as depicted in Attachment "A:"

APPROVED by the City Commission on first reading March 15, 2011.

PASSED, APPROVED AND ADOPTED by the City Commission of the City of Great Falls, Montana, on second reading _____, 2011.

Michael J. Winters, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

James W. Santoro, City Attorney

State of Montana)
County of Cascade : ss.
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 30__ in three conspicuous places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;
On the Bulletin Board, first floor, Cascade County Court House;
On the Bulletin Board, Great Falls Public Library

Lisa Kunz, City Clerk

(CITY SEAL)

Attachment A:

6.12. Urban chickens (Gallus Gallus Domesticus)

**Chapter 12
CHICKENS**

Sections:

6.12.010	Applicability
6.12.020	Maintaining unlawful
6.12.030	License required
6.12.040	Number of Chickens
6.12.050	Identification required
6.12.060	Shelter requirement
6.12.070	Distance requirement
6.12.080	Chickens at large
6.12.090	Supply of feed and water
6.12.100	Sanitation
6.12.110	Penalties and violations

6.12.010 Applicability

The provisions of this chapter shall not apply to the R-1 residential zoning district where Agriculture, livestock is a permitted accessory use that allows for the raising of chickens with limited provisions and regulations.

6.12.020 Maintaining unlawful

It is unlawful for any party to keep chickens (*Gallus Gallus Domesticus*) without first obtaining an Urban Chickens license from the City of Great Falls. An annual fee shall be assessed on licensing as established by City Commission resolution. (Ord. 2705, 1997; Ord. 2394 (part), 1985).

6.12.030 License required

- A. Prior to the keeping of any chickens, a party seeking to keep chickens shall obtain an Urban Chicken license from the City of Great Falls. Only one license shall be issued per household. An Urban Chicken license is specific to the license holder and the location of the license. Each licensed party shall be provided with a specific license number.
- B. An Urban Chicken license shall not be issued to any party not meeting all of the requirements of this chapter. The following provisions shall apply to Urban Chickens licenses:
1. **Inspection.** The property shall be inspected by an Animal Control Officer; such inspection shall include the chicken house and secure enclosure, and setback of said structure from property lines and adjacent dwelling units.
 2. **Recommendation.** Following the inspection, the Animal Control Officer will recommend to the licensing authority either approval or disapproval of the application.
 3. **Fee.** An annual Urban Chicken license fee shall be established by resolution of the City Commission.
 4. **Renewals.** All Urban Chicken licenses shall expire one year from the date of issuance unless

revoked prior to that date. An Urban Chicken license must be renewed within sixty days of the expiration date of the license, or the license will be treated as a new application. An Urban Chicken license renewal fee shall be established by resolution of the City Commission.

5. **License Revocation.** An Animal Control Officer will investigate all complaints concerning licensing or improperly operated chicken keeping and may recommend revocation of the license if it is deemed necessary. The license holder will be given at least five days written notice of such recommendation during which time the license holder may appeal the Animal Control Officer's recommendation to the Animal Control Agency. The licensing authority will then take action as required. (Ord. 2534 §2(Exh. B(part)), 1989).

6.12.040 **Number of chickens**

- A. No more than six (6) female domestic chickens (hens) shall be kept on any property.
B. No male domestic chicken (rooster) over the age of three (3) months shall be kept on any property.

6.12.050 **Identification required**

- A. Licensees shall be required to place and keep leg or wing bands on all chickens, clearly displaying the licensee's license number, as a means of identification and proof of licensing.

6.12.060 **Shelter requirement**

Chickens shall be provided with a chicken coop consisting of two adjacent and connected parts:

- A. A covered, secure, predator proof outdoor chicken enclosure, that is of sufficient size to admit free movement of the chickens; and
B. A covered, predator-proof chicken house that is thoroughly ventilated, of sufficient size to admit free movement of the chickens, and designed and built to be easily accessed, cleaned and maintained by the licensed chicken keeper. The chicken house must be adjacent to and provide unrestricted access to the outdoor secure enclosure.

6.12.070 **Distance requirement**

A chicken coop, including the chicken house and secure enclosure, shall be located no less than 30 feet from any dwelling occupied by a person or persons other than the party licensed to keep the chickens, as measured from the exterior wall of the chicken coop to the closest exterior wall of the adjacent dwelling. In no case shall the chicken coop be located closer than 15 feet to any property line as measured from the nearest exterior wall of the chicken coop to such property line.

6.12.080 **Chickens at large**

- A. Chickens shall be kept within the chicken coop on the property of the licensed chicken keeper from sunset to sunrise.
B. Chickens shall be contained within the boundaries of the licensee's property at all times.

6.12.090 **Supply of feed and water**

- A. Chickens shall have continuous access to adequate feed and water.
B. Stored feed must be kept in a rodent and predator-proof container.

6.12.100 Sanitation

Chicken coops must be kept in a neat and sanitary condition at all times, and must be cleaned on a regular basis so as to prevent offensive odors and/or the spread of disease.

6.12.110 Penalties and Violations

- A. Any violation of this chapter shall be punishable pursuant to Section 1.4.070 of this Code. No jail sentence shall be imposed.
- B. In addition to any penalties specified in this Chapter, the Court in its discretion may Order any of the following conditions;
 - 1. The Court may order relinquishment of a chicken(s) deemed to be a public safety risk and/or a repetitive nuisance that has not been abated or a chicken(s) that is a victim of cruelty, neglect or abandonment to the Animal Shelter for disposition.
 - 2. Upon finding of chicken cruelty or neglect (including provoking, poisoning, abandonment of a chicken), the court may order no chicken ownership for a determinate period.
 - 3. Violations of this Chapter may result in immediate impoundment of the chicken(s).
 - 4. Violation of any provision of this chapter may result in revocation of any license(s).
 - 5. A person found guilty of a violation of this section is guilty of a misdemeanor punishable by a maximum fine of \$500

DENIED

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

James W. Santoro, City Attorney

State of Montana)
County of Cascade : ss.
City of Great Falls)

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