

ORDINANCE NO. 2020-1012

AN ORDINANCE ADDING CHAPTER 55A TO THE CODE OF ORDINANCES OF THE CITY OF CORALVILLE REGARDING URBAN CHICKENS.

WHEREAS, the City Council of the City of Coralville has heretofore deemed it advisable to allow person to keep and harbor chickens in the City under certain rules and regulations; and

WHEREAS, to that end, the City Attorney has drafted an ordinance to allow for the keeping of chickens pursuant to rules promulgated by the City.

NOW, THEREFORE, BE IT ORDAINED:

1. Amendment. Chapter 106 of the Code of Ordinances of the City of Coralville is hereby amended by adding and incorporating by adding Section 106.07, which reads as follows:

“CHAPTER 55A. URBAN CHICKENS.

55A.01DEFINITIONS. For use in this chapter, the following terms are defined:

1. “Applicant” shall mean the owner of a tract of land for which an Urban Chicken Permit is being requested.
2. “Chicken” shall mean a member of the subspecies Gallus Gallus Domesticus.
3. “Permitted Tract of Land” shall mean the tract of land identified in the application upon which an Urban Chicken Permit is granted under this chapter.
4. “Permittee” shall mean the applicant who has been granted a permit to raise, harbor or keep chickens pursuant to this chapter.
5. “Permitting Officer” shall mean the City Administrator, or his/her designee.
6. “Single family dwelling” shall mean any building that contains only one dwelling unit used or leased to be occupied for living purposes.
7. “Tract of Land” means an expanse of land identified by address legally described with definitive boundaries.
8. “Urban Chicken Permit” shall mean a permit granted under this chapter to allow for the keeping or harboring of chickens in the city.

55A.02 URBAN CHICKEN PERMIT REQUIRED.

1. Permit Required. No person shall raise, harbor, or keep Chickens within the city without a valid permit obtained from the Permitting Officer under the provisions of this Chapter.
2. Application. In order to obtain a permit, the Applicant must submit the completed application on forms provided by the city and pay the Urban Chicken Permit fee, said fees to be set by Resolution of the City Council.
3. Requirements for the issuance of the Urban Chicken Permit.
 - a. Prior to the issuance of an Urban Chicken Permit, the Permitting Officer shall ensure that the following requirements are met by the Applicant:
 - i. The application has been completed and all fees paid to the City.
 - ii. The proposed Tract of land is in compliance with this Code of Ordinances.
 - iii. In the case where a tenant is the Applicant, the Applicant has provided the City with signed permission from the Landlord.
 - iv. The proposed tract of land is zoned for residential uses only.
 - v. The proposed tract of land shall contain only one Single Family Dwelling occupied by the Applicant at the time of completion of the application.
 - vi. That the applicant certifies that the keeping or harboring of chickens does not violate the Restrictive Covenants that apply to the proposed tract of land.
 - vii. All Chickens should be banded in accordance with procedures established by the City.
 - viii. Proof of completion of an approved class in raising chickens in an urban environment.
 - b. If the Applicant has met the requirements outlined in Section (3)(a) above, the Permitting Officer shall issue the Urban Chicken Permit. Said Urban Chicken Permit shall be valid for a calendar year and each permit shall expire on December 31st of each calendar year. All Urban Chicken Permits must be renewed on an annual basis.

55A.03 RULES AND REGULATIONS. All Permittees shall be subject to the following rules and regulations:

- a. No Permittee shall keep or harbor more than six (6) Chickens on the Permitted Tract of Land.
- b. No person shall keep or harbor any roosters on the Permitted Tract of Land.
- c. The Permittee shall not engage the breeding of Chickens or other commercial activities on the Permitted Tract of Land.
- d. All Chickens must be kept in an enclosure or fenced-in area at all times.
- e. Chickens shall be secured in a henhouse or chicken tractor from dusk until dawn.
- f. Enclosures. All enclosures located on a Permitted Tract of land shall meet the following minimum requirements:
 - i) Enclosures shall be kept in a dry, odor-free and sanitary condition at all times.
 - ii) Henhouses, chicken tractors or other enclosures must provide adequate ventilation and must be impermeable to rodents, birds and other animals.
 - iii) Henhouses, chicken tractors or other enclosures must provide a minimum of four (4) square feet per chicken while minimizing adverse impacts to other residents in the neighborhood.
 - iv) Henhouses, chicken tractors or other enclosures shall be enclosed on all sides and shall have a roof and doors, which access shall be secured at night. All openings must be covered with predator and bird-proof material made of wire with less than one-inch openings.
 - v) Henhouses, chicken tractors or other enclosures shall be constructed of uniform materials and the roof shall have a uniform color and style of shingles or other coverings. Scrap metal and scrap lumber are prohibited materials.
 - vi) Henhouses, chicken tractors or other enclosures shall be maintained and secure.
 - vii) No henhouse, chicken tractor or other enclosure may be located in a required front or side yard as defined in Chapter 165 of this Code.
 - viii) Henhouses, chicken tractors or other enclosures may not be located within ten (10) feet from an adjoining property line.

ix) All enclosed chicken pens shall be made of sturdy wire fencing which is covered in wire, aviary netting or solid roofing.

- g. The slaughter of Chickens on a Permitted Tract of Land shall be done in a humane and sanitary manner and not done in open to the view of any public area or adjacent property owned by another person.

55A.04 REVOCATION OF URBAN CHICKEN PERMIT. The Permitting Officer may revoke an Urban Chicken Permit on the following grounds:

- a. False statements on any application or other information given to the City by the Applicant.
- b. Failure to pay any application, inspection or reinspection fee required by this chapter and City Council resolution.
- c. Failure to comply with any of the requirements of this chapter.

55A.05. EFFECT OF DENIAL OR REVOCATION. When an Applicant is denied an Urban Chicken Permit for violation of the provisions of Section 55.04 or the Permittee's Urban Chicken Permit is revoked pursuant to this chapter, the Applicant or Permittee, as the case may be, shall not be eligible for another permit until one (1) year has passed since said denial or revocation. If an Urban Chicken Permit is revoked, the Permittee shall remove all Chickens and enclosures from the Permitted Tract of land within ten (10) days of said revocation.

55A.06. APPEALS. No application for an Urban Chicken Permit shall be denied or Urban Chicken Permit be revoked unless the Applicant or Permittee, as the case may be, shall have the right to a hearing. The Permitting Officer may deny an application or revoke a permit by sending written notice of the same to the address listed on the application outlining the reasons for said denial or revocation. The Applicant or Permittee, as the case may be, shall have the right to request a hearing on said denial or revocation, by filing written notice of appeal with the City Clerk no later than ten (10) days after the issuance of the written denial or revocation. Failure to request a hearing will cause the decision of the Permitting Officer to be final.

55A.07 ODOR AND NOISE IMPACTS.

A. Odors from Chickens, chicken manure and other chicken related substances shall not be perceptible beyond the boundaries of the Permitted Tract of land.

B. Chapter 48 of this Code will govern noise complaints from the keeping or harboring of Chickens.

55A.08 PREDATORS, RODENTS, INSECTS AND PARASITES.

The Permittee shall take any and all necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites may result in unhealthy conditions to human habitation and may be removed by the Coralville Animal Control Officer.

55A.09 FEED AND WATER.

Chickens shall be provided with access to feed and water at all times. The feed and water shall be made unavailable to rodents, birds, and other predators.

55A.10 WASTE STORAGE AND REMOVAL.

All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than three (3) cubic feet of manure shall be stored on a Permitted Tract of land. The henhouse, chicken tractor or other enclosure and surrounding area shall be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

55A.11 CHICKENS AT LARGE.

The Permittee shall not allow the Permittee's Chickens to roam off the Permitted Tract of land or roam outside of the enclosures on the Permitted Tract of land.

55A.12 LIABILITY.

The City shall not be liable for any injury or death to chickens caused by cats, dogs, or other animals, domestic or wild, whether such animals are licensed or not by the City. Further, the injury or death of a chicken caused by an animal is not, in and of itself, sufficient grounds for declaring that animal vicious pursuant to Chapter 55 of this Code.

55A.13 UNLAWFUL ACTS

A. It shall be unlawful for any person to keep or harbor Chickens in violation of any provision of this chapter or any other provision of this code.

B. It shall be unlawful for any owner or leaseholder or property to allow Chickens to be kept in violation of the provisions of this chapter.

C. No person shall keep Chickens inside a Single Family Dwelling Unit.

D.

No person shall slaughter Chickens within the public view of a public area or adjacent property owner.

55A.14 NUISANCES.

Any violation of the terms of this chapter that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is a nuisance and in addition to any other remedy provided by law, may be abated under Chapter 50 of this code.”

2. Amendment. Section 55.01(18) is hereby amended, by adding the sentence at the end, which reads as follows:

“For purposes of this code, the term livestock shall not apply to any person who is keeping or harboring chickens under a valid Urban Chicken Permit issued pursuant to Chapter 55A of this code.”

3. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

4. Adjudication. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

5. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

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Passed and approved this 10th day of November, 2020.

John A. Lundell, Mayor

ATTEST:

Thorsten J. Johnson, City Clerk