

**CITY OF BAXTER, MINNESOTA  
ORDINANCE 2022-007**

**AN ORDINANCE AMENDING THE TEXT OF TITLE 10, CHAPTER 5, SECTION 10 OF  
THE BAXTER CITY CODE, TITLED “ANIMALS”**

THE CITY OF BAXTER ORDAINS:

**SECTION 1. Amendments.** The text of Chapter 5 of Title 10 (Zoning Regulations) of the Baxter City Code is hereby amended by deleting the ~~stricken~~ material and adding the underlined material as follows:

**10-5-10: ANIMALS:**

A. Keeping Of Animals: The following animals may be kept in the city:

1. Domestic animals are allowed in all zoning districts, as regulated by [chapter 3](#) of this title.
2. In all residential zoning districts except the RR and RS districts, the raising or keeping of animals of any type for slaughter is prohibited.
3. Except as provided in the RR and RS districts, farm animals (including miniatures) are prohibited in the city. Any pen, pasture, paddock or building designed to confine a farm animal shall be located a minimum of three hundred feet (300') from any property line.
4. Animals may only be kept for commercial purposes if authorized in the zoning district where the animals are located.
5. Animals may not be kept if they cause a nuisance as defined by this code or endanger the health or safety of the community and must comply with subsection [5-4-2J](#) of this code.
6. Except as may be allowable by interim use permit in the RR and RS districts and in compliance with [title 5, chapter 3](#) of this code commercial kennels are prohibited in the city.
7. Any dog keeping must comply with [title 5, chapter 3](#) of this code.
8. Except as may be allowable by interim use permit in the RR and RS districts commercial stables are prohibited in the city.
9. Except as may be allowable by interim use permit in the RR, RS and R-1 districts private stables are prohibited in the city.

10. The keeping of wild animals shall be prohibited.

## 11. Chickens

a. Chickens Limited. It is unlawful for any person to own, control, keep, maintain or harbor hen chickens in any residential district and/or residential use in non-residential districts in the City unless issued a permit to do so as provided herein and a fee is submitted pursuant to the City's adopted fee schedule. No permit shall be issued for the keeping or harboring of more than four (4) hen chickens on any premise in the RR, Rural Residential, RS, Residential Staging, and R-1, Single Family Residential Zoning Districts. The keeping of over four chickens is considered farm animals and are subject to the requirements of title and requiring approval of an interim use permit in the RR, Rural Residential and RS, Residential Staging Zoning Districts subject to the requirements of this title. The keeping of roosters is prohibited.

b. Definitions. The term "At Large" shall be intended to mean a chicken out of its chicken run, off the premises or not under the custody and control of the owner. The term "Chicken" means a domestic female or hen chicken kept for its eggs. The term "Chicken Coop" means a structure providing housing for chickens made of wood or other similar materials that provides shelter from the elements. The term "Chicken Run" means a fenced outside yard for the keeping and exercising of chickens. The term "Owner" shall mean the resident, property owner, custodian, or keeper of any chicken. The term "Premises" means any platted lot or group of contiguous lots, parcels or tracts of land.

c. Permit. No chicken coop and/or chicken run shall be maintained unless granted a permit by the City. The permit shall be subject to all terms and conditions of this Section and any additional conditions deemed necessary by the City to protect the public health, safety, and welfare. The necessary permit may be obtained from the Community Development Department and shall be renewed annually. Included with the information required prior to issuance of the permit must be a scaled diagram that indicates the location of any chicken coop and run, and the approximate size and distance from adjoining structures and property lines. The owner must also obtain written approval of the keeping of chickens from all abutting property owners unless the abutting property is vacant. Written approval is not required if there is no abutting property. A permit for the keeping of chickens may be revoked or suspended by the City for any violation of this Section following written notice and a public hearing.

d. Property Regulations.

(1) Chickens may only be kept on a single-family residential property in the RR, RS, and R-1 zoning districts.

(2) The minimum lot size for keeping chickens is 30,000 square feet.

(3) Chickens and their related coop and run shall not be kept or maintained upon a vacant lot or anywhere inside a residential structure, including basements, porches, garages, sheds or similar storage structures.

e. Confinement. Every person who owns, controls, keeps, maintains, or harbors hen chickens must keep them confined on the premises at all times in a chicken coop or chicken run while in the City. Chickens must be secured in a chicken coop from sunset to sunrise each day.

f. Chicken Coop and Chicken Run Requirements.

(1) All chicken coops and runs must be located within a rear yard. Any coop and run shall be set back at least 25 feet from side and rear property lines and 25 feet from any inhabited residential structures on any adjacent lots. For corner lots, any coop and run shall be

located at least 40 feet from the side lot line adjacent to a public street and shall not be located between the principal structure and a public street, whichever is the greater requirement.

- (2) Any coop and run shall be screened with a solid fence ~~between 4 and 6~~ a minimum of 4 feet high to ~~fully~~ screen the coop and run from adjacent properties and right-of-way. Landscaped buffers may be used in lieu of fence screening requirements only if the landscaped buffer is sufficient to ~~fully~~ screen the coop and run from adjacent properties and rights of way during winter/leaf-off conditions.
- (3) Any coop must be a minimum of 4 square feet per chicken in size, must not exceed 10 square feet per chicken in size and must not exceed ~~6-8~~ feet in total height. Attached fenced-in chicken runs must not exceed 20 square feet per chicken and fencing must not exceed six feet in total height. Chicken runs may be enclosed with wood and/or welded wire materials and may allow chickens to contact the ground.
- (4) Chicken coops must either be:
  - (a) Elevated with a clear open space of at least 24 inches between the ground surface and framing/floor of the coop; or,
  - (b) The coop floor, foundation and footings must be constructed using rodent resistant construction.
- g. Slaughter and breeding of chickens on any premises within the City is prohibited.
- h. Sale of eggs is prohibited.
- i. Chicken feed must be kept in containers that make the feed unavailable to rodents, vermin, wild birds and predators or other wild animals.
- j. Chickens shall, at all times, be provided with access to feed and clean water, proper shelter and protection from the weather, veterinary care when needed, and humane care and treatment.
- k. Chicken manure shall not be placed in yard compost piles.
- l. All coops, attached runs/enclosures and yards where chickens are kept or maintained shall be cleaned regularly to keep them reasonably free from substances, including but not limited to manure, uneaten feed, feathers, and other such waste that it does not cause the air or environment to become noxious or offensive or to be in such condition as to promote the breeding of flies, mosquitoes, or other insects, or to provide habitat, breeding or feeding place for rodents or other animals, or otherwise be a nuisance.
- m. Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans.
- n. Chickens that become ill must immediately receive veterinary care. Chickens ill with disease must be immediately euthanized by a veterinarian or immediately removed from the City in a safe manner.
- o. Conditions and Inspection. No person who owns, controls, keeps, maintains or harbors hen chickens shall permit the premises where the hen chickens are kept to be or remain in an unhealthy, unsanitary or noxious condition or to permit the premises to be in such condition that noxious odors are carried to adjacent public or private property. Any chicken coop and chicken run authorized by permit under this Section may be inspected at any reasonable time by the City.

**SECTION 2. Effective Date.** This amendment shall take effect upon its passage.

**WHEREUPON**, said Ordinance is hereby declared adopted on this 21<sup>st</sup> day of June 2022.

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**Darrel Olson, Mayor**

**ATTEST:**

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**Kelly Steele, Assistant City Administrator/Clerk**

***City Seal***