

ORDINANCE

An Ordinance to amend Section 6-5-22, entitled "Licensing and Keeping of Chickens and Ducks " in the Municipal Code to provide requirements and standards for chickens and ducks in the City.

The Council of the City of Two Rivers ordains as follows:

SECTION 1. That Section 6-5-22 of the Municipal Code shall hereby be repealed and recreated as follows:

Chickens (hens only) and ducks may be kept in accord with the following requirements and standards:

- (a) **LICENSE.** Prior to establishing the use, a license shall be obtained from the City Clerk for the keeping of chickens and ducks and the construction of the coop and related fencing. The application for the license shall include a location sketch of the coop and fencing showing property lines and nearby structures. A fee shall be paid with submittal of the application in accord with the City's fee schedule.
- (b) **INSPECTION:** The applicant must agree to meet with the Two Rivers Code Enforcement Officer and allow for the inspection of the property where the chickens and/or ducks will be housed. The Code Enforcement Officer will document the number of chickens and/or ducks on the property.
- (c) **LIMITATION.** No person or persons may keep more than six (6) chickens or ducks, or any combination of those exceeding six (6) in number per dwelling unit. Chickens shall be hens only. No roosters. Keeping more than six (6) chickens or ducks per dwelling unit may be permitted as a conditional use in certain residential districts. See Sections 10-1-13, 10-1-21, 10-1-22 and 10-1-23.
- (d) **SHELTER AND FENCING.** Chickens and ducks shall be kept in a coop and shall have an adjacent fence enclosed area. The coop and fenced area shall be located in the rear yard only. The coop shall not exceed fifty (50) square feet in area or ten (10) feet in height. The coop and fenced area shall not be closer than ten (10) feet to any lot line. Such facilities shall not conflict with any public or private utilities, drainage facilities or any easements related thereto.
- (e) **PUBLIC NUISANCE.** Chickens and ducks keeping shall not cause a public nuisance due to noise, odors, unsanitary conditions or any operational features. The City may take enforcement actions as

necessary to abate any public nuisances in accord with Title 9, Chapter 6, entitled "Public Nuisances".

- (f) PERSONAL USE ONLY. The keeping of chickens and ducks shall be for the personal use of the owner. There shall be no business operations wherein the owner receives any compensation or trade for eggs, meat or the sale of chickens and ducks.
- (g) DEED RESTRICTIONS OR COVENANTS. It shall be the property owner's responsibility to verify that keeping of chicken and ducks are permitted uses in any deed restrictions or covenants applicable to the subject property.
- (h) PENALTY. Any person who violates this ordinance shall be subject on conviction to a forfeiture in the amount of \$50, plus costs and fees imposed by law. Each day a violation continues or occurs shall constitute a separate offense and to renumber subsequent sections as appropriate.

SECTION 2. This ordinance shall take effect and be in force from and after its date of passage and publication of same.

Dated this 1st day of May, 2023

Adam Wachowski
President, City Council

Gregory E. Buckley
City Manager

Attest:

Amanda Baryenbruch
City Clerk

Approved as to form and legality:

John M. Bruce
City Attorney