

**ORDINANCE NO. 397**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PRAIRIE CITY, IOWA, BY ADDING A NEW SECTION PERMITTING CHICKENS IN RESIDENTIAL AREAS OF PRAIRIE CITY.**

BE IT ENACTED by the City Council of the City of Prairie City, Iowa:

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Prairie City, Iowa, is amended by adding a new Section 23, Chapter 55 ANIMAL PROTECTION AND CONTROL entitled, LIVESTOCK (Chickens) which is hereby adopted to read as follows:

It is unlawful for a person to keep livestock or exotic animals within the City except in compliance with the regulations under 55.13 Prohibited Animals, Chapter 165 Zoning, and under the following exception on single family residential lots in residential areas of the City.

1. Poultry (chickens) raised and kept by private individuals for residential purposes on single family lots located on residential property under the following conditions:

A. The keeping of no more than six (6) chickens for use in egg production for the benefit of the owner or lessee of said property. Tenants of single-family residential properties shall be required to submit written support from the landowner with a chicken permit application.

B. Roosters may not be raised and kept within the City limits.

C. Chickens shall be secured within a covered structure/coop during non-daylight hours. Coops shall be a minimum of 4 sq. ft. in size per chicken, constructed of sturdy materials, and kept well maintained. Pens/fenced enclosures shall consist of sturdy wire fencing of a type customarily designed for and used to enclose chickens. A fenced enclosure a minimum of 10 sq. ft. per chicken shall also be required to be located around the covered structure/coop to allow the chickens to move around outside of the covered structure/coop.

D. The covered structure/coop and fenced enclosure are required to be located in the rear yard of the property. Covered structures/coops and the fenced enclosure shall be located a minimum 15 feet from side and rear property lines and a minimum of 50 feet from adjacent dwellings. On corner lots, placement of the covered structure/coop and fenced enclosure may be located in a side yard provided the covered structure/coop and fenced enclosure meet the minimum front yard street setback and are 15 feet minimum from side and rear property lines, and 50 feet from adjacent dwellings.

E. Chickens and the eggs shall not be for commercial use.

F. Dead chickens shall be removed from the coop and disposed of appropriately.

G. Slaughtering of chickens within City limits is not permitted.

H. The enclosed structure/coop and outdoor fenced area must be clean and odor free.

- I. Chickens shall have access to feed and clean water at all times.
- J. All feed and other items associated with keeping chickens shall be stored in a manner to prevent rodents, wild birds, and predators.
- K. Applicant's shall submit a permit application and \$50 fee annually. A site plan drawing showing compliance with the above stated regulations shall be included with the chicken permit application.
- L. The City Administrator may deny any chicken permit application that does not meet the requirements of this ordinance.
- M. Applicant's may appeal decisions of the City Administrator to the City Council.
- N. Violations of this ordinance are simple misdemeanors and municipal infractions. Violations may be prosecuted as either a misdemeanor criminal offense or a municipal infraction at the sole discretion of the Animal Control Officer.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged 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.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Council the 9<sup>th</sup> day of August, 2023, and approved this 9<sup>th</sup> day of August, 2023.

Mayor

ATTEST:

First Reading: June 14, 2023

Second Reading: July 12, 2023

Third Reading: August 9, 2023

I certify that the foregoing was published as Ordinance No. 397 on the 18<sup>th</sup> day of August, 2023.

  
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City Clerk/Finance Officer