

ORDINANCE 13-2024

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SPRINGVILLE, IOWA, BY ADDING A NEW CHAPTER ALLOWING URBAN CHICKENS

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

SECTION 1. NEW SECTION. The Code of Ordinances of the City of Springville, Iowa, is amended by adding a new Chapter 57, entitled URBAN CHICKENS, which is hereby adopted to read as follows:

57.01 Definitions

57.02 Permit For Urban Chickens

57.03 Site Requirements

57.04 Chicken Requirements

57.05 Coop Requirements

57.06 Pen Requirements

57.07 Waste Storage and Removal

57.08 Odor and Noise Impacts

57.09 Chickens at Large

57.10 Fees

57.01 DEFINITIONS. The following terms are defined for use in this chapter.

1. “Coop” means a cage, enclosure or building used for housing and protecting chickens from weather and predators.
2. “Nesting box” means a three-sided box with floor where chickens rest and lay eggs.
3. “Pen” means an enclosure for chickens which allows freedom of movement but also prevents escape.
4. “Permitted tract of land” means the tract of land as identified by the application upon which a permit is granted for keeping chickens pursuant to this section.
5. “Permittee” means an applicant who has been granted a permit to raise, harbor or keep chickens pursuant to this section.
6. “Permitting officer” means the city clerk or designee.
7. “Roost” means a support where chickens rest.
8. “Rooster” means a male chicken.
9. “Single family dwelling” means any building that contains only one dwelling unit used and is owner occupied.
10. “Tract of Land” means a property or a zoned lot that has one single family dwelling located on that property or zoned lot.
11. “Urban chicken” means a member of the subspecies *Gallus gallus domesticus*, a domesticated chicken kept on a permitted tract of land pursuant to a permit issued under this section.

57.02 PERMIT FOR URBAN CHICKENS.

1. Permit Required. No person shall raise, harbor or keep chickens within the City of Springville without a valid permit obtained from the permitting officer under the provisions of this section.
2. Application. In order to obtain a permit, an applicant must submit an application on forms provided by the permitting officer, and pay all fees required by this section.

3. Requirements. The requirements to the receipt of this permit include:
 - a. The tract of land to be permitted shall contain only one single family dwelling occupied and used as such by the permittee.
 - b. The application is complete.
 - c. There are no outstanding violations of local, State or Federal law on the property.
 - d. The applicant has successfully completed an approved class in raising chickens in an urban setting and has submitted a certificate with the permit application.
 - e. All fees are paid in full.
 - f. If it is a renewal, annual fees have been paid in full.
 - g. All the requirements of this section have been met.
 - h. The permittee grants the City the right to inspect the coop and pen one year after the permit is issued and at any other time to investigate a complaint.
 - i. The permittee should follow the City Code and State law regarding animal care.
 - j. The permit is a limited license for the activity and no vested zoning rights arise from the permit being issued. The permit does not run with the land.
 - k. Private restriction on the use of property shall remain enforceable and shall supersede the permit. The private restrictions include, but are not limited to, deed restrictions, condominium restrictions, neighborhood association bylaws, covenants and restrictions. A permit issued to a person whose property is subject to private restrictions that prohibit keeping chickens is void.
4. Issuance of Permit. If the permitting office concludes as a result of the information contained in the application that the requirements of the permit have been met, then the officer shall issue the permit.
5. Denial, Suspension, Revocation, Non-renewal. The permitting officer may deny, suspend, revoke, or decline to renew permit issued for any of the following grounds:
 - a. False statements on any application or other information or report required by this section to be given by the applicant.
 - b. Failure to pay any application, penalty, or reinstatement fee required by this section or City Council Resolution.
 - c. Failure to correct deficiencies noted in notices of violation in the time specified in the notice.
 - d. Failure to comply with the provisions of an approved mitigation/remediation plan by the permitting officer or designee.
 - e. Failure to comply with any provision of this section.
 - f. A permittee may appeal the revocation to the City Council.

- g. A violation of Chapter 57 is a municipal infraction as provided in Chapter 3 of the Code of Ordinances for the City of Springville, Iowa.
6. Notification. A decision to revoke, suspend, deny or not renew a permit shall be in writing, delivered by ordinary mail or in person to the address specified on the application. The notification shall specify reasons for the action.
7. Effect of Revocation, etc. When an application for a permit is denied, or when a permit is revoked, the applicant may not re-apply for a new permit for a period of one year from the date of denial or revocation.

57.03 SITE REQUIREMENTS.

1. The property must be a single-family dwelling and owner-occupied.
2. Coops cannot be located within 25 feet of any habitable structure on the applicant's property or adjoining property.
3. Coops cannot be located within five (5) feet from the rear of the property line and eight (8) feet on each side yard.
4. Coops and pens shall be located only in the backyard.
5. No person shall keep urban fowl on a vacant or uninhabited tract of land.

57.04 CHICKEN REQUIREMENTS.

1. No more than six (6) hens are allowed.
2. Roosters are prohibited.
3. Chickens must be housed in a coop from dusk until dawn.
4. Selling eggs, chickens, and manure for fertilizer is prohibited.
5. All chicken feed and other items associated with the keeping of chickens shall be protected in a manner to prevent rodents, wild birds, and predators from gaining access or coming into contact with them.
6. Adequate food, water, and shelter should be provided at all times.
7. The permittee shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.
8. Any slaughter of chickens not regulated by State Law or otherwise forbidden or regulated shall be done in only a humane and sanitary manner and shall not be done in open view of any public area or adjacent property owned by another.

57.05 COOP REQUIREMENTS.

1. Coops may be mobile, known as "tractors".
2. Coops shall be constructed, repaired, and maintained in a manner to prevent rodents from being harbored underneath or within the wall of the enclosures.
3. Coops should be built of solid materials such as wood, metals or plastic. The materials used in making a henhouse or chicken tractor shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other overing, and any windows or openings are constructed using the same materials. The

use of scrap, waste board, sheet metal, or similar materials is prohibited. Henhouses and chicken tractors shall be well maintained.

4. Coop floors shall be made of wood or cement set a minimum of eighteen (18) inches above the ground level with a slight slope toward the door or other opening to prevent puddling.
5. Coops shall have at least one (1) door and window that can be opened for ventilation. Opening windows and vents must be covered with predator and bird proof wire of less than one (1) inch openings.
6. A minimum of four (4) square feet of space shall be provided per chicken inside the coop but shall not be any larger than twelve (12) square feet of area per chicken. The maximum coop size is seventy-two (72) square feet.
7. Bedding shall consist of wood pellets, pine shavings or similar material to reduce odor. Straw may not be used for bedding.
8. Feces shall be removed and disposed of in a sealed, enclosed container at a minimum of once weekly to avoid odor.
9. Coops shall:
 - a. Be maintained to ensure proper sanitation for maintaining the health of the chickens and the keepers.
 - b. Be easy to clean with good drainage.
 - c. Protect the flock from extreme temperatures and wind.
 - d. Keep out rodents, raptors, and other predatory animals.
 - e. Be well ventilated.
 - f. Be free of drafts and maintain a uniform temperature.
 - g. Have a roosting area sufficient in number and size for the chickens present.
 - h. Have nests that entice hens to lay indoors.
 - i. Offer plenty of light, both natural and artificial.
 - j. Provide heat in colder temperatures.
 - k. Include sanitary feed and water stations.

57.06

PEN REQUIREMENTS.

1. There shall be a minimum of four (4) square feet of space per chicken.
2. Fence for the pen must be at least four (4) feet in height and constructed of wood, chicken wire or heavy gauge mesh wire.
3. There must be a well-drained area that allows the chickens to have access to dry ground at all times.
4. Feces shall be removed and disposed of in a sealed, enclosed container at a minimum of once weekly to avoid odor.
5. Fecal matter may be used as fertilizer if turned completely into the soil at least once weekly and there is no noxious odor.

57.07

WASTE STORAGE AND REMOVAL.

1. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure.
2. No more than three (3) cubic feet of manure shall be stored on the permitted tract of land.
3. All other manure not used for composting or fertilizing shall be removed.
4. The hen house, chicken tractor, chicken pen and surrounding area must be kept free from trash and accumulated droppings.
5. Uneaten food shall be removed in a timely manner.

57.08 ODOR AND NOISE IMPACTS.

1. Odors from chickens, chicken manure or other chicken related substances shall not be perceptible beyond the permitted tract of land.
2. Noise from chickens shall not be loud enough beyond the permitted tract of land at the property boundaries to disturb persons of reasonable sensitivity.

57.09 CHICKENS AT LARGE. The permittee shall not allow the permittee's chickens to roam off the permitted tract of land. No dog, cat or other domesticated animals or wild animals which kills a chicken off the permitted tract of land will, for that reason alone, not be considered a dangerous or aggressive animal or the City's responsibility to enforce its animal control provisions.

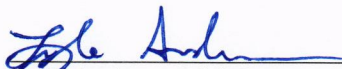
57.10 FEES. The fee for such a permit shall be twenty-five dollars (\$25.00) each year. Permits shall be granted for one (1) year valid January 1 – December 31. Permits may be purchased at any time during the year but will be valid only through December 31.

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 on the 2nd day of December, 2024, and approved on this 2nd day of December, 2024.


Lyte Andersen, Mayor

ATTEST:

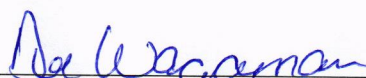

Dee Wagaman, City Clerk

First Reading: December 2, 2024

Second Reading: Waived

Third Reading: Waived

I certify that the foregoing was published as Ordinance 13-2024 on the 6th day of December, 2024.



Dee Wagaman, City Clerk