

**ORDINANCE NO. 2017-12**  
**AMENDING CHAPTER 22, SECTION 22.014 OF ELGIN CITY CODE**  
**AND ADDING SECTION 2014A CONCERNING CHICKENS IN THE CITY**

**WHEREAS**, the City of Elgin currently prohibits chickens in the City, and

**WHEREAS**, the City Council has been approached by some residents about allowing a limited number of chickens to be raised in the City, and

**WHEREAS**, the City Council believes it is in the best interests of the City of Elgin to allow a limited number of chickens to be kept in the City and to prescribe the terms and conditions upon which the chickens may be kept.

**NOW THEREFORE, BE IT ORDAINED BY THE ELGIN CITY COUNCIL AS FOLLOWS:**

1. **Section 22.014 of Elgin City Code is hereby amended to read as follows:**

**22.014 FARM ANIMALS**

Farm animals, other than chickens as described below, shall only be kept in an agricultural district of the city, or on a residential lot of at least ten acres in size provided that no animal shelter shall be within 300 feet of an adjoining piece of real property. An exception shall be made to this section for those animals brought into the city as part of an operating zoo, veterinary clinic, scientific research laboratory, or a licensed show or exhibition.

**22.014A CHICKENS**

- A. Chickens Limited. Subdivision 1. It is unlawful for any person to keep or harbor chickens on any premises unless issued a permit to do so as provided in this chapter. Except as provided in subdivision 2, no permit shall be issued for the keeping or harboring of more than six hen chickens on any premises. No permit shall be issued for the keeping of any rooster chicken on any premises.

Subd. 2. A permit may be issued for the keeping or harboring of up to 12 hen chickens if the applicant is involved in educational or instructional activity, and the need for the greater number of chickens is directly related to the educational or instructional activity.

- B. Definitions. The term "Chicken Coop" means a structure for housing chickens made of wood or other similar materials that provides shelter from the elements. The term "Chicken Run" means an enclosed outside yard for keeping chickens. The term "Premises" means any platted lot or group of contiguous lots, parcels or tracts of land

- C. Permit. No person shall maintain a chicken coop and run unless they have been granted a permit by the city council. The permit shall be subject to all terms and conditions of this chapter and any additional conditions deemed necessary by the council to protect the public health, safety and welfare. The necessary permit applications are available in the City Clerk's Office. Included with the completed application 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. A permit for the keeping of chickens may be revoked or suspended by the council for any violation of chapter 22014A. A fee of \$25.00 will be charged for each permit which shall expire on December 31st of the second year of the permit.

- D. Confinement. Every person who owns, controls, keeps maintains or harbors hen chickens must keep them confined at all times while in the city in a chicken coop and chicken run. Any coop and run shall be screened with a solid fence or landscaped buffer with a minimum height of four feet. Any coop and run shall be at least 25 feet from any residential structure on any other premises.
- E. Chicken Coops. Subdivision 1. All chicken coops and runs must be located at least 25 feet from any dwelling on any other premises. All chicken coops must meet the requirements of the building and zoning codes, must not exceed ten square feet per chicken and must not exceed six feet in total height. Attached fenced-in chicken runs must not exceed 20 square feet per chicken and must not exceed six feet in total height. Chicken runs may be enclosed with wood and/or woven wire materials, and allow chickens to contact the ground. Chicken feed and manure must be kept in rodent and raccoon proof containers and must not be placed in yard compost piles.
- Subd. 2. 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 cooper, or
  - (b) The coop floor, foundation and footings must be constructed using rodent resistant concrete construction.
- F. Conditions. No person who owns, keeps 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 run authorized by permit under this chapter may be inspected at any reasonable time by a city animal control officer or other agent of the city.
- G. Violations. Any person who keeps or harbors chickens in the city limits of Elgin without obtaining or maintaining a current permit or after a permit has been suspended or revoked by council action shall be guilty of a petty misdemeanor.

Ordained by the Elgin City Council this 15<sup>th</sup> day of November, 2017.

/s/ Richard G. Hall  
Mayor Richard G. Hall

/s/ Jessica Cartwright  
Jessica Cartwright, City Clerk