

ORDINANCE No. 229
AN ORDINANCE ADDING CHAPTER 58 REGARDING CERTAIN REGULATIONS FOR
URBAN CHICKENS FOR THE CITY OF WODEN, HANCOCK COUNTY, IOWA

THEREFORE, BE IT ENACTED by the City Council of the City of Woden, Iowa:

SECTION 1. The Code of the City of Woden, Iowa, is amended by adopting the following:

CHAPTER 58
URBAN CHICKENS

58.01 Definitions
58.02 Regulations

58.03 Unlawful Acts
58.04 Nuisances

58.01. Definitions

- A. Chicken: A member of the subspecies of Gallus gallus domesticus, a domesticated fowl.
- B. Coop: A cage, enclosure or building used for housing and protecting chickens from weather and predators.
- C. Feeder: A device or apparatus for supplying food.
- D. Nesting Box: A three-sided box with floor where chickens rest and lay eggs.
- E. Pen: An enclosure for chickens which allows freedom of movement but also prevents escape.
- F. Roost: A support on which chickens rest.
- G. Rooster: A male chicken.

58.02. Regulations

- A. The City Council shall issue an urban chicken permit if:
 - 1. The property has passed inspection.
 - 2. The application fee has been paid.
 - 3. There are no outstanding violations of local, state or federal law on the property.
 - 4. The location, coop, and pen meet all the requirements of this ordinance.
 - 5. The application is complete.
 - 6. If it is a renewal, all outstanding reinspection fees have been paid.
 - 7. A permit shall not allow the permittee to engage in chicken breeding or fertilizer production for commercial purposes.
- B. Neighbor Consent:

1. No permit shall be issued without the prior written consent (dated within 30 days of the submission of the application) of the owners of adjacent properties. A consent form will be included in the application.

2. Adjacent property means all parcels of property that share a property line with the applicant's property including properties that contact each other only at one point.

C. Terms of Permit. The permit shall contain, at a minimum, the following conditions:

1. The Woden City Code of Ordinances and state law regarding animal care.

2. The permittee grants the City of Woden the right to inspect the coop and pen one year after the permit is issued and at any other time to investigate a complaint.

3. Private restrictions on the use of the 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, and rental agreements. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void.

D. Site Requirements.

1. The property must be a single-family residence.

2. A tenant must obtain the landlord's written permission (dated within 30 days of the submission of the application) to install a coop.

3. Coops cannot be less than 25 feet distant from any neighboring habitable structure.

4. Coops cannot be located within 5 feet of the habitable structure on the applicant's property.

5. Coops cannot be located within 5 feet of the property line.

6. Coops and pens shall be located only in the back yard. Back yard means "rear yard" as defined in the Woden Zoning Code.

E. Chicken Requirements.

1. No more than six hens are allowed.

2. Roosters are prohibited.

3. Chickens must be housed in the coop from dusk until dawn.

4. Eggs shall be removed within two days of being laid.

5. All feed and other items associated with the keeping of chickens shall be protected in a manner to prevent rodents from gaining access to or coming into contact with them and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by the City Council.

6. Adequate food, water, and shelter shall be provided at all times.

7. A chicken that is outside the pen is "at large" and in violation of the Woden City Code of Ordinances.

F. Coop Requirements.

1. Coops may be mobile, known as “tractors.”
2. Coops shall be construction, repaired, and maintained in a manner to prevent rodents from being harbored underneath or within the walls of the enclosures.
3. Coops shall be built of solid material such as wood, metal or plastic.
4. Coop floors shall be made of wood or cement set at a minimum of one (1) foot above ground level with a slight slope toward the door or other opening to prevent puddling.
5. Coops shall have at least one solid door and window that can be opened for ventilation.
6. A minimum of four (4) square feet of space shall be provided per bird inside a coop.
7. Bedding shall consist of wood pellets, pine shavings, or similar material shall be provided to reduce odor.
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 and 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 one nesting box per chicken.
 - i. Have nests that entice hens to lay indoors.
 - j. Offer plenty of light, both natural and artificial.
 - k. Provide heat in colder temperatures.
 - l. Include sanitary feed and water stations.
 - m. Be constructed in such a manner that allows easy access for adequate cleaning.
 - n. Be built in a well-drained area to prevent standing water.
 - o. Be large enough to house chickens adequately.

G. Pen Requirements.

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

H. Permit Revocation:

1. The City Council is authorized to revoke a permit whenever:
 - a. The permittee has failed to comply with this ordinance.
 - b. The permittee has violated the Woden City Code of Ordinances.
 - c. The permittee has misstated any material fact in the application.
 - d. There is a substantial and material variance between the information in the application and the actual facts or those facts which appear reasonably to have occurred; or
 - e. The permitted is operating in violation of the terms and conditions of the permit.
2. A permittee may appeal the revocation in the manner as appealing the denial of a permit.

I. Fees:

1. The fee for the initial permit is \$25.00.
2. The fee to renew the permit is \$15.00.
3. If the City issues the permittee a Notice of Violation and if the permittee has not cured the violation when the property is reinspected, the permittee shall be assessed a reinspection fee of \$35.00, with is due in 30 days. If the violation has been cured, no reinspection fee shall be assessed.

58.03 Unlawful Acts.

A. It shall be unlawful for any person to keep chickens in violation of any provision of this chapter or any other provision of the Code of Ordinances of the City of Woden.

B. It shall be unlawful for any owner, renter, or leaseholder of property to allow chickens to be kept on the property in violation of the provisions of this Chapter.

C. No person shall keep chickens inside a single-family dwelling or any other structure than an approved coop or chicken tractor.

58.04 Nuisances.

Any violation of the terms of this Chapter that constitutes a health hazard or that interfere with the use or enjoyment of neighboring property is a nuisance and may be abated under the general nuisance abatement provisions in Chapter 50 of this Code of Ordinances.

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 4 day of SEPTEMBER, 2023, and approved this 4 day of SEPTEMBER, 2023.



Paul Buns, Mayor

ATTEST

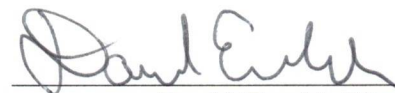

David Ewald, City Clerk

First Reading: 7/10/2023

Second Reading: 8/7/2023

Third Reading: 9/4/2023

I certify that the foregoing was published as Ordinance No. 229 on the 4 day of SEPTEMBER, 2023.



David Ewald, City Clerk