

### **Existing Ordinance: Part 1, Chapter 77, Section 3**

No person shall keep or harbor any chickens, ducks, geese or other domesticated fowl in the city except in the AR, Agricultural Residential Use Districts and F Industrial Use Districts and not closer than 200 feet to any house, except the owner's, apartment building, church, school, hospital or any other building customarily used or occupied by human beings, such as but not limited to stores, hotels, restaurants, offices and factories.

### **Amended Ordinance:**

The keeping of chickens, ducks, geese or other domesticated fowl in the city shall be governed by the following regulations:

#### **A. Permitted Zones**

(1) In Residential Use Districts, the following regulations shall apply:

- a. Number. No more than one such animal shall be kept on a parcel of land for each 1000 square feet of parcel or lot area. For a standard residential lot size of 5000 square feet, this regulation would permit no more than a total of five (5) such animals.
- b. Setbacks. The coops or cages housing such animals shall not be located within ten (10) feet of a side yard line or a rear yard line that forms the side lot line of an abutting property, nor within eighteen (18) inches of a rear yard line.
- c. Prohibitions. No roosters, geese, or turkeys may be kept in a Residential District. No predatory birds may be kept on any property under the regulations of this Section.
- d. Cleanliness: All animals shall be kept in a clean and sanitary condition, free of vermin, obnoxious smells, and substances.
- e. Coops and Cages. All animals shall be provided with a covered, predator-proof coop or cage or other shelter that is thoroughly ventilated, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the animals.
- f. Enclosures and Fences. Chickens and other birds shall have access to an outdoor uncovered enclosure adequately fenced to contain the birds and to prevent access by dogs and other predators and providing at least ten (10) square feet of area for each bird.

(2) In Non-Residential Districts, the following regulations shall apply:

In zoning districts other than Residential Districts, all regulations applicable in Residential Districts shall apply with the following exceptions:

- a. Number. The number of such animals shall be limited to one (1) animal for every four hundred (400) square feet of parcel or lot area.
- b. Coops and Cages. The total area of all coops and cages on a lot shall not exceed the total of five (5) square feet per animal and the height of all coops and cages, singly or in combination, shall not exceed ten (10) feet in height.

B. Licencing and Permits

- a. Licensing. Anyone proposing to keep chickens, ducks, geese or other domesticated fowl on a property in the City of Geneva shall apply for a bi-annual license from the City of Geneva through its Building and Housing Code office on a form provided by that office, with payment of a ten dollar (\$10) fee.
  1. Application Contents. The application for such license shall include information on the location of the subject property, the size of the property, the number of animals or to be kept on the property, the nature of any shelters and enclosures, a scaled drawing showing the precise location of cages, coops, enclosures, and fences in relation to property lines and to houses on adjacent properties, photos of the subject areas, and any other information items listed on the registration form, as well as a signed statement by the applicant that he or she agrees to abide by the regulations of this section of the Municipal Code with respect to the keeping of such animals.
  2. License Approval. The Code officer shall approve the issuance of such license if it determines that the application meets all requirements of this Section.
  3. License Expiration. Such license shall expire at the end of the calendar year and shall be renewed once every two years during November or December. The application for renewal of a license need not include drawings and other information regarding conditions that have not changed since submission of such information in a prior license application.
  4. Building Permits. A Building Permit shall be required for any structure exceeding thirty (30) square feet of floor area that is attached to the ground by means of a concrete foundation or similar support.
- b. Enforcement. Regulations of this Section shall be enforced in accordance with the following provisions:
  1. The Director of the Department of Building and Housing Code or the Director's designee shall have the authority to inspect any property to determine compliance with the regulations of this Section regarding the construction and permitted placement of enclosures, fences, cages, coops, and other structures used in the keeping animals subject to this Section and shall have the authority to enforce theregulations of this Section as they apply to such matters.

C. Definitions.

Terms used in this Section shall have the meanings assigned to them in the following definitions:

- a. Coop and Cage. "Coop" and "cage" mean a structure, not necessarily attached to the ground, with a top and sides and designed to provide shelter and protection for small animals and birds.
- b. Enclosure. "Enclosure" means a set of walls or fences designed to confine animals or birds to a space that is large enough to permit the animals and birds to roam relatively freely in an open yard area.
- c. Predatory Bird. "Predatory bird" means an owl, hawk, falcon, eagle or similar bird that feeds principally by catching living prey.