



Application for the Keeping of Chickens
(R-1 and R-2 Zones)

Applicant Name:
Address:
Phone:
Email Address:

Application Requirements:

- Scaled diagram indicating the location of chicken coop and/or chicken run, the size and distance from adjoining structures and property lines
Number (limit 4) and species of chickens
NO ROOSTERS ALLOWED
Written consent/approval of keeping chickens on your premises from all abutting property owners or proof of mailing certified notices to property owners is required. (Please Attach)
\$20 fee received (two year license)

Please do not get your chickens until all of your license requirements have been met and your license has been approved.

I will at all times keep the chickens in accordance with this ordinance and all the conditions prescribed by the Animal Control Officer. I understand failure to obey such conditions will constitute a violation of the provisions of this section and grounds for cancellation of the permit. If I will no longer be keeping chickens on my premise, any chicken coops or runs constructed or maintained shall be immediately removed from said premises after the expiration of the permit or shall be removed within 30 days upon ceasing to use the chicken coop and/or chicken run for the keeping of chickens. If my premises are subject to private restrictions and/or covenants that prohibit the keeping of chickens, any permit issued to me for the keeping of chickens will be void.

This permit may be revoked or suspended for violation of this City Code 6.35 following written notice. The applicant may appeal the revocation or suspension of the permit by requesting in writing before the city council within seven days of the notice of relocation or suspension.

Signature of Applicant
License Dates to
Approval of Animal Control Officer

City of Fergus Falls
Adjacent Property Owner Consent Form
for Backyard Chickens

Applicant Name _____

Address where chickens will be kept _____

No permit for the keeping of chickens shall be issued by the city to any person unless all abutting or adjacent property owners provide their consent for the permit in writing. For purposes of this permit, abutting property owners includes all premises and parcels of property that the applicant's property comes into contact with at one or more points, except for premises and parcels that are separated from the applicant's property by a public street (not including an alley).

Chicken Coop and Run Specifications

All chicken coops and chicken runs must be located within the rear yard subject to a twenty (20) foot setback from any adjacent premises and be at least twenty-five (25) feet from any residential structure or dwelling or any other structures or dwellings on any adjacent premises. All chicken coops must be a minimum of four (4) square feet per chicken in size must not exceed ten (10) square feet per chicken in size and must not exceed six (6) feet in total height. Attached fenced-in chicken runs must not exceed twenty (20) square feet and fencing must not exceed six (6) feet in total height. Chicken runs may be enclosed with wood and/or woven wire materials, and may allow chickens contact with the ground. Chicken feed must be kept in metal predator proof containers. Chicken manure may be placed in yard compost piles.

Instructions to Adjacent Property Owners

Your neighbor is applying for a permit to keep chickens in their backyard. A maximum of four chickens may be kept under this permit. If you are an adjacent property owner, your consent to this permit is required for issuance. Do not sign the form if you are NOT giving consent to the issuance of a permit. If you have concerns about this application, please call the Animal Control Officer immediately at 736-5916 to express your concerns.

By signing this form, you are providing written consent for the issuance of this permit.

Owner Name

Street Address

Please return to the City of Fergus Falls – 112 W Washington Avenue, Fergus Falls, MN 56537

City Code 6.26 Regarding the Keeping of Chickens

(F) Keeping of Chickens.

(1) *Chickens permitted.* It is unlawful for any person to own, control, keep, maintain or harbor chickens on any premises within the City unless issued a permit to do so as provided in this section. No permit shall be issued for the keeping or harboring of more than four (4) female chickens or hens on any premises. The keeping or harboring of male chickens or roosters is prohibited.

(2) *Definitions.* For the purpose of this paragraph, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“CHICKEN” means a female chicken or hen.

“AT LARGE” means a chicken out of its chicken run, off the premises or not under the custody and control of the owner.

“CHICKEN COOP” means a structure for housing chickens made of wood or other similar materials that provides shelter from the elements.

“CHICKEN RUN” means an enclosed outside yard for keeping chickens.

“PERSON” means the resident, property owner, custodian, or keeper or of any chicken.

“PREMISES” means any platted lot or group of contiguous lots, parcels or tracts of land and is located within the city.

(3) *Permit.* No person shall maintain a chicken coop and/or chicken run unless granted a permit by the Animal Control Officer. The Animal Control Officer is authorized to issue a maximum of 20 permits annually for the keeping of chickens. The permit shall be subject to all the terms and conditions of this section and any additional conditions deemed necessary by the Animal Control Officer to protect the public health, safety and welfare. The necessary permit application may be obtained from the City Administrator’s office. Included with the completed application must be a scaled diagram that indicates the location of any chicken coop and/or chicken run, and the approximate size and distance from adjoining structures and property lines, the number and species of chickens to be maintained at the premises, and a statement that the applicant/permittee will at all time keep the chickens in accordance with this ordinance and all the conditions prescribed by the Animal Control Officer, or modification thereof, and failure to obey such conditions will constitute a violation of the provisions of this section and grounds for cancellation of the permit. The applicant shall include written consents/approval of the keeping of chickens on their premises from all abutting property owners, or shall provide proof of the certified mailing of a notice, and copies of said notice(s) to all abutting property owner(s) which advises the abutting property owner(s) the applicant is applying for a permit from the City of Fergus Falls for the keeping of chickens on their premises, the abutting property owner may object to the applicant’s permit application, any objection must be received by the Animal Control Officer within 10 days of the mailing date of said notice, and failure to provide written objections to the Animal Control Officer within 10 days of the mailing of said notice will authorize the Animal Control Officer to issue a permit for the keeping of chickens to the applicant at their premises. Upon receipt of a permit application, the Animal Control Officer shall determine if the application is complete and contains the required consents/approvals and/or proof of the certified mailing of the required

notices. If the application is complete and includes written consents/approval from all abutting property owners, the Animal Control Officer shall issue a permit for the keeping of chickens to the applicant. If the application is complete and includes proof of mailing certified notices to abutting property owner(s) as required by this section, the Animal Control Officer shall issue a permit to the applicant 10 days after receipt of the completed application, unless the Animal Control Officer receives a written objection from an abutting property owner objecting to the applicant's application for the keeping of chickens, in which case no permit shall be issued. No permit shall be issued for an incomplete application or for the keeping of chickens on any rental premises. A permit for the keeping of chickens may be revoked or suspended by the Animal Control Officer for any violation of this section following written notice. The applicant/permittee may appeal the revocation or suspension of their permit by requesting in writing a hearing before the city council within seven (7) days of the notice of revocation or suspension. The request for hearing must be either postmarked or received in the city administrator's office within seven (7) days of the date of the notice. The city council shall hold a hearing on the applicant/permittee's request for hearing within thirty (30) days of the request for hearing. An annual fee will be set by resolution.

(Ord. 45, Seventh Series, eff. 5-24-16)

(4) *Confinement.* Every person who owns, controls, keeps, maintains, or harbors chickens must keep them confined at all times in a chicken coop and chicken run and may not allow the chickens to run at large. Any chicken coop and chicken run shall be at least twenty-five (25) feet from any residential structure or any other structures on any adjacent premises.

(5) *Chicken Coops and Chicken Runs.*

(a)

All chicken coops and chicken runs must be located within the rear yard subject to a twenty (20) foot setback from any adjacent premises and be at least twenty-five (25) feet from any residential structure or dwelling or any other structures or dwellings on any adjacent premises. All chicken coops must be a minimum of four (4) square feet per chicken in size, must not exceed ten (10) square feet per chicken in size and must not exceed six (6) feet in total height. Attached fenced-in chicken runs must not exceed 20 square feet per chicken and fencing must not exceed six (6) feet in total height. Chicken runs may be enclosed with wood and/or woven wire materials, and may allow chickens contact with the ground. Chicken feed must be kept in metal predator proof containers. Chicken manure may be placed in yard compost piles.

(b) Chicken coops must either be:

(i) Elevated with a clear open space of at least twenty-four (24) inches between the ground surface and framing/floor of the coop; or,

(ii) The coop floor, foundation and footings must be constructed using rodent resistant construction.

(c) Chicken coops are not allowed to be located in any part of a home and/or garage.

(d) Chickens must be secured in a chicken coop from sunset to sunrise each day.

(6) *Conditions and Inspections.* No person who owns, controls, keeps, maintains, or harbors chickens shall permit the premises, whether the 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 or chicken run authorized by permit under this section may be inspected at any reasonable time by the Animal Control Officer, Law Enforcement Officer or other agent of the City. A person who has been issued a permit shall submit it for examination upon demand by

the Animal Control Officer, Law Enforcement Officer or other agent of the City. Slaughter and breeding of chickens on any premises within the City is prohibited.

(7) *Private Restrictions and Covenants on Property.* Notwithstanding the issuance of a permit by the City, private restrictions and/or covenants on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by-laws, covenant declarations and deed restrictions. A permit issued to a person whose premises are subject to private restrictions and/or covenants that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

(8) *Refusal to Grant or Renew Permit.* The Animal Control Officer may refuse to grant or renew a permit to keep or maintain chickens for failure to comply with the provisions of this section, submitting an inaccurate or incomplete application, if the conditions of the permit are not met, if a nuisance condition is created, or if the public health and safety would be unreasonably endangered by the granting or renewing of such permit.

(9) *Removal of chicken coop and chicken run.* Any chicken coop or chicken run constructed or maintained on any premises shall be immediately removed from said premises after the expiration of the permit or shall be removed within thirty (30) days upon ceasing to use the chicken coop and/or chicken run for the keeping of chickens.

(10) *Residential Agricultural District.* This ordinance does not apply to premises located in a residential agricultural district as that area is defined in this Code.

(11) *Prohibited.* The keeping of chickens, male or female, is prohibited in R-3, R-4 and R-5 Multiple-Family and Multiple-Residence Districts and all Business and Industrial Districts (B-1 through B-6 and I-1 through I-3) as those areas are defined in this Code.

(12) *Violations a Misdemeanor.* Any person who owns, controls, keeps, maintains or harbors chickens in the City of Fergus Falls without obtaining or maintaining a current permit or after a permit has been suspended or revoked by Council action shall be guilty of a misdemeanor.