

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1865
Series of 2016

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A BILL FOR AN ORDINANCE AMENDING THE NORTHGLENN MUNICIPAL CODE BY THE ADDITION OF NEW PROVISIONS TO CHAPTER 14 ENTITLED ANIMAL CONTROL REGARDING THE KEEPING OF CHICKENS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 14-1-1 of the Northglenn Municipal Code is amended by the addition thereto of new subsections (s), (t), (u), and (v) to read as follows:

CHAPTER 14
ANIMAL CONTROL

ARTICLE 1. ANIMAL CONTROL – GENERAL PROVISIONS

Section 14-1-1. Definitions. As used in this article and in Chapter 14 of this City of Northglenn Municipal Code:

* * *

(s) “**Chicken**” means a domestic fowl of the subspecies Domesticus of the species Gallus.

(t) “**Chicken coop**” means a physical structure where chickens are kept and that provides such chickens with protection and shelter.

(u) “**Predator resistant**” means building construction methods applied to a coop or shelter that restrict access to its inhabitants or contents. Methods applied may take the form of, but are not limited to, latches, hooks, barrier fencing, netting, or other forms of secondary barriers to the coop.

(v) “**Parcel**” shall mean a contiguous tract of land under common ownership.

Section 2. Article 3 of Chapter 14 of the Northglenn Municipal Code is amended by the addition thereto of a new Section 14-3-18 to read as follows:

Section 14-3-18. Keeping of Chickens.

(a) Purpose. This section is established to provide for regulations regarding the

keeping of domestic chickens on residential properties with separately enclosed rear yards as outlined in section 11-7-2 of the Northglenn Zoning Ordinance. More specifically, the purpose of this Section is to provide for the following:

- (1) Regulate the number of chickens allowed on specific properties;
 - (2) Regulate the dimensional requirements and parameters of accessories associated with the domestication of chickens;
 - (3) Provide for adequate protection of chickens in association with existing ordinances;
 - (4) Provide for appropriate regulations with regard to nuisances created by the keeping of chickens;
 - (5) Establish a licensing protocol for the keeping of chickens; and
 - (6) This Section 14-3-18 does not supersede the covenants of any subdivision or homeowners association.
- (b) Animal Protection. Protection of animals, including chickens is regulated by Chapter 9, Article 7 (Animal Protection Ordinance) of the Northglenn Municipal Code.
- (c) Nuisance. Any nuisance associated with the keeping of chickens shall be regulated by Chapter 9, Article 11 (Northglenn Nuisance Ordinance) of the Northglenn Municipal Code.
- (d) Disruption of coops by wildlife. The City shall not regulate or otherwise be deemed to have any responsibility for conflicts with the keeping of chickens created by wildlife.
- (e) Licensing of Chickens. Any person residing in the City of Northglenn desiring to keep upon their premises chickens, as defined in 14-1-1 of the Northglenn Municipal Code, must apply for a license pursuant to the provisions of this section 14-3-18.
- (f) A license issued under this section 14-3-18 may authorize the keeping by the person named in the license, and the members of the immediate family of such person, upon the premises stated in the license, or the number of chickens stated in the license.
- (h) A one-time application for such license shall be made to the Department of Planning and Development upon forms provided by the City and accompanied by payment of a license fee of twenty-five dollars (\$25.00). Such application shall contain such information as the Department of Planning and Development may require for purposes of enforcement of the provisions of this section 14-3-18, including at least the following:

- (1) The name and address of the applicant;

(2) An acknowledgment of the regulations for the keeping of chicken hens as prescribed by this section 14-3-18;

(3) Any license issued under the provisions of this section 14-3-18 for the keeping of chickens shall be subject to cancellation, suspension and revocation as provided by article 1 of Chapter 18 of the Municipal Code.

(4) Except as otherwise provided in this section, proceedings for the cancellation, suspension or revocation of any license issued under the provisions of this ordinance shall be as provided in Section 14-2-17 and Article 1 of Chapter 18 of the Municipal Code.

(5) The holder of a license issued pursuant to the provisions of this section 14-3-18 may make application for an amended license as provided in Section 14-3-18(d).

(6) Upon the decision of the license holder to cease the raising of chickens, the license holder shall notify Planning and Development.

(i) **Maximum Numbers.** No more than six (6) chickens are permitted per parcel.

(j) **Gender Restriction.** Females of the species (chicken hens) are allowed to be kept on the premises. Roosters or males of the species are prohibited

(k) **Outdoor Space Requirement.** Chickens must be provided a minimum of twenty (20) square feet of permeable surface per bird and must be provided a coop that is predator resistant. Chicken coops are not subject to the architectural standards of accessory structures and shall not be included as part of lot requirements for the percentage of structure occupying the rear yard area.

(l) **Coop Size and Placement.** Chicken hen coops must adhere to the following size and placement regulations:

(1) Chicken Coop Size. Must not exceed one hundred and twenty (120) square feet, and must provide at least four (4) square feet of space per bird.

(2) Chicken Coop Height. Must not exceed six (6) feet in height.

(3) Chicken Coop Placement. Must be placed five (5) feet from property fence line and twenty (20) feet from residence or primary structure on adjacent property. Coops must reside in the rear yard of the premises as defined by 11-5-2(b)(191) of the Northglenn Municipal Code.

(m) **Chicken Ranging.** Chicken hens are restricted to the rear yard of any parcel in a residential zoning district. Chickens may range up to the property line but must be kept in the required chicken coop from dusk until dawn.

(n) Fencing. Chicken hens kept in the rear yard must be contained by a fence adequate to contain animals. The fence must be a minimum of four (4) feet in height.

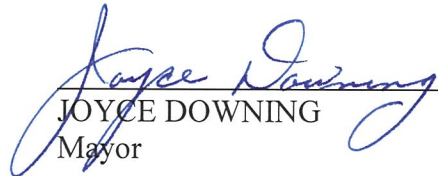
(o) Slaughtering. Chicken hens may not be killed, on the premises, by or at the direction of the owner or keeper except pursuant to the lawful order of state or county health officials, or for the purpose of euthanasia when surrendered to a licensed veterinarian for such purpose, or as otherwise expressly permitted by law.

(p) Excrement. The owner of any chicken hens kept in the City of Northglenn shall cause excreta to be removed from any pen, cage, coop or yard in which such chickens are kept to prevent contamination, diseases, hazards and odors. The accumulation of excreta upon any premises in violation of the provisions of this section shall be unlawful and shall be deemed a public nuisance in accordance with Chapter 9, Article 11 (Northglenn Nuisance Ordinance) of the Northglenn Municipal Code.

(q) The licensing of chicken hens provided herein shall not be deemed a property use within the meaning of C.R.S. § 38-1-101(3)(a), and nothing in this Ordinance shall be deemed to confer a property right, but shall instead authorize a mere license for the activity of keeping chicken hens.

Section 3. The City Council hereby directs that the City staff evaluate the impacts regarding the implementation of this Ordinance and provide a report to the City Council on or before June 30, 2017 regarding the issues, if any, caused by the implementation of this Ordinance.

INTRODUCED, READ AND ORDERED POSTED this 25th day of April, 2016.


JOYCE DOWNING
Mayor

ATTEST:


JOHANNA SMALL, CMC
City Clerk


PASSED ON SECOND AND FINAL READING this ____ day of _____, 2016.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:



COREY Y. HOFFMANN
City Attorney