

ORDINANCE NO. ____ OF 2013

AN ORDINANCE TO AMEND AND REENACT CHAPTER 14 OF THE CODE OF ORDINANCES BY ADDING ARTICLE V RELATIVE TO FOWL AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BE IT ORDAINED by the City Council of the City of Shreveport, in due, legal and regular session convened that Article V of Chapter 14 the Code of Ordinances of the City of Shreveport is hereby enacted to read as follows:

Article V. Domesticated Chickens.

Section 14-60. Domesticated chickens.

- (a) No person shall keep chickens or other domestic fowl in any district zoned as a one family residence district except in accordance with this Article.
- (b) Only female chickens (hereinafter "hens") are allowed. Up to six (6) hens per lot are allowed. There is no restriction on domestic chicken breeds. However, fowl and poultry other than chickens are not allowed.
- (c) Noncommercial use only. Hens shall be kept for personal use only; no person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes. The slaughtering of chickens is prohibited.
- (d) Fenced enclosures and henhouses.
 - (1) Hens must be kept in a fenced enclosure at all times. The fenced enclosure must be either: (i) covered, or (ii) at least forty-two (42) inches high, in which case, all hens must be wing-clipped to prevent escape. Hens shall be secured within the henhouse during non-daylight hours.
 - (2) In addition to the fenced enclosure, hens shall be provided with a covered, predator-resistant henhouse.
 - (3) A minimum of three (3) square feet per hen shall be provided for henhouses and six (6) square feet per bird for fenced enclosures.
 - (4) Fenced enclosures and henhouses must be properly ventilated, clean, dry, and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.
 - (5) The henhouse and fenced enclosure must provide adequate ventilation and adequate sun, shade and must be constructed in a manner to resist access by rodents, wild birds, and predators, including dogs and cats.

- (6) Henhouses shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator- and bird-resistant wire of less than one (1) inch openings.
- (7) The materials used in making the henhouse and fence shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The henhouse shall be well-maintained.
- (8) Henhouses shall meet all requirements for accessory structures under Chapter 106 of the Code of Ordinances, except that the set-back shall be as provided in this section.
- (9) Neither the henhouse nor the fenced enclosure may be located less than ten (10) feet from any abutting property line.
- (10) Henhouses and enclosures shall not be permitted in front yards.
- (e) Food storage and removal. All stored food for the hens must be kept either indoors or in a weather-resistant container designed to prevent access by animals. Uneaten food shall be removed daily.
- (f) Waste storage and removal. Provision must be made for the storage and removal of chicken manure. All manure for composting or fertilizing shall be contained in a well-aerated garden compost pile. All other manure not used for composting or fertilizing shall be removed. In addition, the henhouse and surrounding area must be kept free from trash and accumulated droppings.
- (g) In addition to the standards set forth in this ordinance, the permittee must follow all other applicable rules for the keeping of animals included in this code.

Section 14-61. Permit.

- (a) Permit required. An annual permit is required for the keeping of any domesticated chickens. Additionally, a building permit is required for the construction of a henhouse and chicken pen.
 - (1) The annual permit to keep chickens is personal to the permittee and may not be assigned. In addition, the permit authorizes the keeping of chickens only upon the property described in the permit. The permittee must occupy the residence on the property where the chickens are kept as the permittee's personal, primary residence. An applicant for a permit must either own the property or have permission from the property owner to be eligible for a permit. In the event the permittee is absent from the property for longer than thirty (30) days, the permit automatically shall terminate and become void. The issuance of a permit does not create a vested right to renewal of the permit beyond the stated term thereof.
 - (2) The first permit year shall extend from the date of issuance through December 31 of that year. Thereafter the permit year shall be January 1 through December 31.
- (b) Fees. The fee for an annual permit to keep chickens is twenty-five dollars (\$25.00).
- (c) Application for permit. Every applicant for a permit to keep domesticated hens shall:
 - (1) Complete and file an application on a form prescribed by the Director of Animal Services.

(2) Deposit the prescribed permit fee with the Department of Animal Services at the time the application is filed. Any material misstatement or omission shall be grounds for denial, suspension or revocation of the permit.

(d) Approval of permit. The Director of Animal Services Board shall issue a permit if the applicant has demonstrated compliance with the criteria and standards in this section.

(e) Denial, suspension or revocation of permit. The Director of Animal Services shall deny a permit if the applicant has not demonstrated compliance with all provisions of this section. A permit to keep domesticated hens may be suspended or revoked by the Animal Services Board where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of this section or with the provisions of any other applicable ordinance or law. Any denial, revocation or suspension of a permit shall be in writing and shall include notification of the right to and procedure for appeal.

Section 14-62. Neighborhood covenants.

This ordinance is not intended to and does not supersede any neighborhood covenants which may prohibit the keeping of fowl or the placement of henhouses, and such covenants may continue to be enforced by private action of the property owners.

BE IT FURTHER ORDAINED that this ordinance shall become effective on the date that an ordinance amending Chapter 106 of the Code of Ordinances to allow the keeping of hens on property zoned as One Family Residence Districts becomes effective.

BE IT FURTHER ORDAINED that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all Ordinances or parts thereof in conflict herewith are hereby repealed.

APPROVED AS TO LEGAL FORM:

City Attorney's Office