

**ORDINANCE NO. 13-04**

**CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTERS 10 AND 113  
OF THE FALCON HEIGHTS CITY CODE  
CONCERNING CHICKENS**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

**SECTION 1.** Chapter 10 of the Falcon Heights City Code is amended by adding Article IV to read as follows:

ARTICLE IV. CHICKENS

10-34 *Keeping of chickens.*

A. Any person who keeps chickens in the City must obtain a permit prior to acquiring the chickens. Chickens may only be kept in zoning districts where chickens are an allowed accessory use. The initial permit is valid for up to two (2) years beginning on the date the chickens arrive on the site and ending on December 31 of the following year. Subsequent permits are valid from January 1 of one year to December 31 of the second year. Applications for permits must be made to the Zoning and Planning Director.

- (1) Fees charged for the issuance of a permit to keep chickens will be set by the City Council.
- (2) If the permit applicant is not the fee owner of the premises on which the chickens are sought to be kept and for which the permit would apply, the application shall be signed by all fee owners of the premises.
- (3) The City may refuse to grant or may revoke a permit if the chickens become a nuisance, as evidenced by a second substantiated violation (within 12 months of a first substantiated violation) of this Section of the City Code, or Chapter 22 of the City Code.
- (4) The City may refuse to grant a permit to, or may revoke a permit from, a person convicted of cruelty to animals.

- (5) Permits are non-transferable and do not run with the land.
- (6) A permit is a license granted to the chicken keeper by the City and does not create a vested zoning right.
- (7) Prior to issuance of a permit, the prospective permit holder must acknowledge they have read the chicken run educational material provided by the City.
- (8) Prior to issuance of a permit, the prospective permit holder must provide a detailed sketch plan of the premises on which chickens are sought to be kept, including the location, the dimensions and design of the coop and run, establishing compliance with the chicken coop and run specifications provided in this Article.
- (9) Prior to issuance of a permit, the prospective permit holder must provide a plan for maintaining an adequate temperature in the coop for the safety of the chicken hens. The plan must address both extreme winter and summer temperature conditions.
- (10) The permit application will be processed administratively. It will not be referred to the City Council for consideration.

10-35 Each person holding a permit to keep chickens within the City must comply with the following:

- (1) The principal use of the specific property must be either single-family residential or two-family residential. A permit will not be issued for any property which is used principally for something other than single-family or two-family. If the property's principal use is two-family residential, then the property owner must sign the permit in addition to the chicken keeper;
- (2) No person may keep more than four (4) chickens;
- (3) No person may keep a rooster;
- (4) No person may allow chickens to range freely without fencing or without a mobile pen;
- (5) No person may keep any chickens inside a house or garage;
- (6) No person may slaughter any chickens within the City;

- (7) Chickens must be provided a secure and well ventilated roofed structure ("chicken coop");
- (8) The roofed structure for the chickens may only be located in a rear yard and must meet setback and building separations as established in City zoning and building codes, except that the roofed structure and fencing must maintain a 20-foot separation from dwellings on adjacent properties;
- (9) The roofed structure shall be fully enclosed, wind proof, and have sufficient windows for natural light;
- (10) All premises on which hens are kept or maintained shall be kept clean from filth, garbage, and any substance which attracts rodents. The coop and its surrounding must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors to be detected on another property. Failure to comply with these conditions may result in removal of chickens from the premises or revocation of a chicken permit.
- (11) Chickens must be kept in the roofed structure, an attached pen, or a detached mobile pen whenever they are unattended by the keeper; but when attended by the keeper, the chickens are allowed in a completely fenced exercise yard;
- (12) The coop's attached pen must be securely constructed with at least a mesh type material and shall have protective overhead netting to keep the chickens separated from other animals;
- (13) The coop's attached pen must be well drained so there is no accumulation of moisture; and
- (14) The floor area of the roofed structure or a combination of the floor area and attached pen area must equal at least ten (10) square feet of area per chicken.
- (15) All grain and food stored for the use of the hens on a premises with a chicken permit shall be kept in a rodent proof container.
- (16) Leg bandings are required on all chickens. The bands must identify the owner and the owner's address and telephone number.

**SECTION 2.** Section 113-174(d) of the Falcon Heights City Code is amended by adding subsection (13) to read as follows:

(13) Keeping of chickens as regulated by the Code.

**SECTION 3.** Section 113-181(d)(1) of the Falcon Heights City Code is amended to read as follows:

(13) All accessory uses as permitted in the R-1 and R-2 Districts except that the keeping of chickens, as regulated by the Code, is only allowed as accessory to a single-family or two-family home.

**SECTION 4.** This ordinance is effective immediately upon its passage and publication.

**ADOPTED** this 24<sup>th</sup> day of July, 2013, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: Peter Lindstrom  
Peter Lindstrom, Mayor

ATTEST:

Bart Fischer  
Bart Fischer, City Administrator/Clerk