

ORDINANCE 2016-08-01

AN ORDINANCE AMENDING THE CITY OF MUNFORD, TENNESSEE MUNICIPAL CODE, (ANIMAL CONTROL), TITLE 10, CHAPTER 1

WHEREAS, many Munford residents have expressed interest in the keeping of domesticated female chickens; and

WHEREAS, domesticated female chickens may be used for companionship, educational purposes, and non-commercial production of eggs; and

WHEREAS, providing appropriate guidelines for domesticated female chickens that ensure the safety of the animals, maintain sanitary conditions of the property and protect the animal's welfare, and enforceable codes to maintain the quality of the owner's property and to prevent any impairment on the enjoyment of surrounding properties, are imperative for compliance with this ordinance; and

WHEREAS, outlining specific guidelines and regulations will provide a clear understanding to those interested in domesticated female chickens as well as to ensure a safe and clean environment in neighborhoods where permitted.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MUNFORD, TENNESSEE:

That Title 10, Chapter 1 of the Munford Municipal Code be amended by adding Section 109, EXCEPTIONS PERTAINING TO DOMESTICATED FEMALE CHICKENS by adding the following language:

Title 10, Chapter 1, Section 109-EXCEPTIONS PERTAINING TO DOMESTICATED FEMALE CHICKENS. Notwithstanding the provisions of Title 10, Chapter 1, Sections 101 through 108 above, or any applicable zoning restrictions pertaining to the same, the keeping of domesticated female chickens may be permitted subject to the following restrictions, prohibitions, and conditions:

Permits available at the office of the City of Munford Building /Code Department 1397 Munford Ave. Munford, Tn. 38058

1. The issuance of a permit does not create a vested right of renewal of the permit beyond the stated item therefore.
2. Each parcel shall contain one single family dwelling and must have a minimum lot size of 8,000 square feet and will only be allowed in the residential zoned districts of R-1 and R-2 only.
3. All pens must be at least 5 feet from the property lines and no closer than 50 feet from any adjacent principal structure, nor situated on an adjacent parcel, other than that of the owner of the domesticated female chickens. Portable pens shall be periodically rotated throughout the rear yard

4. Domesticated female chickens shall not be allowed to roam free unless attended and in the rear yard. If a parcel is (4) four acres or larger, chickens may roam free if all distance requirements listed in (3) are being met.

5. The maximum number of domesticated female chickens permitted is based on lot size:

Zoned R-2 (must be a minimum of 8,000 sq. feet)	06 chickens
Zoned R-1 (lot size of 8,000 -12,500 sq. feet)	06 chickens
12,500 sq. feet – (1) one acre	12 chickens
(1) One acre – (4) four acres	16 chickens
(4) four acres and above	30 chickens

6. Domesticated Female Chickens shall be kept in an enclosed secure area when not attended. Pens shall include a coop (enclosed structure) containing a minimum of 4 square feet per domesticated female chicken and an open run area containing a minimum of 8 square feet per domesticated female chicken. Pens may be portable.

7. All pens shall be constructed and maintained so as to be impermeable to rodents, wild birds, and predators, including dogs and cats, and to prevent such animals or other pests from being harbored underneath, inside, or within the walls of the enclosure.

8. The owner of the domesticated female chickens shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Domesticated female chickens found to be infested with insects and parasites that result in unhealthy conditions may require removal.

9. All pens must be kept dry, well-ventilated, and in sanitary condition at all times, and must be cleaned on a regular basis to prevent offensive odors.

10. The coop and pen shall be free from accumulation of animal excretion and objectionable odors. All droppings and body excretions shall be placed in a fly proof container (such refuse shall not be placed in containers for city solid waste collection). All manure not used for composting or fertilizing shall be removed promptly. Odors from fowl, droppings, or other fowl-related substances shall not be detectable at the property boundaries.

11. All pens shall be located in the rear yard only.

12. All pens shall be located away from any drainage areas that could allow fecal matter to enter a storm drainage system or stream. Disposal of litter, waste, and dead chickens on public land or in the sewage or storm water collection system is strictly prohibited.

13. All feed or other material intended for consumption by the domesticated female chickens shall be kept in containers impenetrable by rats or other rodents, and such container shall be equipped with tightly fitting caps or lids. All feeding shall be conducted in a manner so as to prevent unconsumed food from being accessible to other animals or rodents.

14. Adequate shelter, care and control of the domesticated female chickens is required. Any person allowed to keep domesticated female chickens under this section shall comply with all of the provisions and requirements of the City and State Code regarding care, shelter, sanitation,

health, rodent control, cruelty, neglect, noise, reasonable control and any other requirements pertaining to, but not limited to, the adequate care and control of animals in the city, and shall be kept in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.

15. Domesticated female chickens shall be kept for the household's personal consumption only. Commercial use, such as selling eggs or meat from residences, shall be prohibited. Excess eggs may be given to friends and family or sold at farmer's market where allowed.
16. There shall be no slaughtering or processing of domesticated female chickens except in the rear yard and must be out of the view of neighboring residences.
17. Roosters shall not be permitted.
18. Any city law enforcement officer, and/or city Department of Building and Codes official or his/her designee, is hereby empowered to issue a citation to any person for any violation of any of the provisions of this chapter. Citations so issued may be delivered in person to the violator or they may be delivered by registered mail to the applicant or property owner so charged listed on permit application, if they cannot be readily found. Any citation so delivered or mailed shall direct the alleged violator to appear in city court on a specific day and at a specific hour stated upon the citation; and the time so specified shall be not less than seventy-two (72) hours after its delivery in person to the alleged violator, or less than ten (10) days of mailing of same. Citations issued for violation of any of the provisions of this chapter shall be tried in the city court. The city court judge shall determine whether a violation has occurred and shall assess a civil monetary fine as penalty against any person convicted of violating any of the provisions of this chapter, up to the maximum allowed by State law. Each day of violation shall be deemed a separate violation.
19. If an existing permit is ever revoked or the caring for domesticated female chickens ever ceases the pen and coop shall be removed from the property.
20. The permit cannot be transferred or assigned to any other person. A permit shall expire upon the sale or other transfer of the property, or if the permit holder ceases to reside at the property for which the permit was granted.
21. It shall be unlawful for the owners or others having care and custody of any domesticated female chickens to permit same to be at large on any private property, including that of the owners or those having the care and custody of same, or on any public street, highway, alley, park, and other public places and ways within the city.

August 22, 2016

Passed First Reading

September 24, 2016

Passed Second Reading

Dwayne Cole

Mayor Dwayne Cole

Sheryl Ylleyfox

City Recorder