**ORDINANCE NO. 694**

**AN ORDINANCE TO ESTABLISH CONDITIONS FOR THE KEEPING OF POULTRY INSIDE CITY LIMITS**.

**WHEREAS**, Lonoke City Ordinance No. 509 prohibits any livestock, swine or fowl from being located within the city limits of Lonoke; and

**WHEREAS**, the City has received requests from citizens to modify Ordinance No. 509 to allow for live chickens to be located inside the City limits in certain limited circumstances, and the City modifies Ordinance No. 509 and any contrary ordinance as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Lonoke, Arkansas that it shall be lawful to keep chickens within the corporate limits of the City under the following terms and conditions:

**Section 1: Permits**.

1. Private Citizen Permits. Citizens wishing to keep one or more chickens on their property must complete and submit an application for a permit for such chickens. The non-refundable fee for such a permit shall be $25.00. If the permit is denied or withdrawn for any reason, the fee shall not be refunded.

Citizens shall not be granted permits for keeping chickens on their property if their property is located in a subdivision that has a Bill of Assurance that prohibits the keeping of poultry within that subdivision.

Residential Permits will only be granted if there is an occupied, single family home located on the premises. Property Owner must apply for the permit.

1. School Permits. Schools may apply for a permit without paying the non- refundable fee by completing and submitting an application and detailed plan for keeping chickens. The application must contain the name, telephone number and address of a contact person who will be in charge of the poultry program. The City must be notified of any change of the designated contact person. The application must have a detailed plan for how the chickens will be cared for on the weekends and during school breaks, including the address where the chickens will be kept on the weekends and during school breaks, if that address is not at the school. Chickens may not be kept on the school grounds over the summer break.

**Section 2: Types and number of chickens allowed**.

 No more than six chickens are allowed at each property. No roosters, guineas, turkeys, geese, pigeons, ducks or other types of fowl shall be allowed. All chickens shall be of a breed that cannot fly or must have their wings humanely clipped to prevent flight.

**Section 3: Conditions to Maintain Chickens**.

 All persons having chickens on their property must abide by the following terms and conditions:

(A) Housing. All chickens shall be located within an enclosure that has a covered coop or roost located inside the enclosure. T he covered coop or roost must have a minimum of 3 square feet per chicken maintained at the property and must be designed to shelter the chickens from the weather and predators.

This covered coop or roost shall be located within an enclosure that is constructed to constrain the chickens within that enclosure. Chickens may not run at large outside of the enclosure. The coop or roost and enclosure must be well ventilated and must be kept in a neat and sanitary condition at all times. The coop or roost and enclosure must be cleaned on a regular basis to prevent offensive odors and the attraction of flies or vermin or the creation of an environment otherwise injurious to the public health and safety or interfering with the comfortable enjoyment of life or property by members of the neighborhood, city or other persons. Waste products and refuse shall be promptly removed and disposed of in accordance with any applicable regulation, law and statute.

(B) Residential or School Properties. Chickens shall only be allowed on single- family residential properties or on school properties, as set forth above.

(C) Location. The coop and enclosure must be located no closer than 20 feet from any adjacent property line and shall also meet the building setback rules of the applicable zoning district. The coop and enclosure must be kept in the rear yard of a structure.

(D) Harvesting. There shall be no outside slaughtering of any chickens. Any slaughtering must be done in a humane manner, and all byproducts there from must be disposed of in a sanitary fashion.

(E) Humane treatment. All chickens maintained under this Ordinance shall be treated humanely under the same conditions as set forth in Ordinance No. 400, codified in Section 6.04.08 of the Lonoke Municipal Code, and any revisions thereof.

(F) Prohibition on commercial use. No chickens or their eggs, waste, or by products may be kept on residential property for a commercial use.

**Section 4**: **Enforcement.** Enforcement of this ordinance shall be by the Lonoke Animal Control Department or Lonoke Police Department. The Lonoke Animal Control Department or Lonoke Police Department may issue a citation to any person for violations of this ordinance and any related regulation, law or statute. The citation shall be in a form approved by the Lonoke District Judge, shall designate the offense charged and may require the person so charged to appear before the Lonoke District Court on a date certain to answer the said charge or charges.

**Section 5**: All ordinances or parts of ordinances in conflict herewith shall be repealed.

**PASSED THIS 9th DAY OF November , 2015**.

ATTEST: APPROVED:

Regina Ibbotson Wayne McGee, Mayor