

ORDINANCE NO. 734

An Ordinance entitled "Removing Fowl Restrictions", an Ordinance Amending Chapter 4-4 Miscellaneous Nuisances.

BE IT ORDAINED by the City of Groton, South Dakota, that Ordinance No. 734 amend Groton City Title 4 Health Code 4-4-1 Section I to read as follows:

Farm and Other Live Animals. The keeping of live farm animals which are deemed to include horses, cattle, swine, sheep, and other animals that are normally raised or kept on farms, the keeping of live wild animals, and the keeping of any live animal in a manner so as to cause a public nuisance within the city limits, except this shall not apply to property which is within the municipal boundaries of the City of Groton and zoned "Ag" as defined by the Groton zoning map unless such keeping of animals within rural property is deemed to constitute a public nuisance.

1. Chickens may only be kept within areas of the city zoned to permit single family dwellings as outlined below. **NO ROOSTERS ARE ALLOWED.**



5 HENS ALLOWED



ROOSTERS NOT ALLOWED

2. Up to 5 hens will be allowed on a residential lot. Residents may possess the same number of brooding chicks (not more than 6 weeks old) for the cyclical replacement of hens, but not for the purpose of sale or resale.
3. Roosters are prohibited.
4. Chicken breeding is prohibited. Cockerels (a young male chicken) must be culled from broods when identified.
5. A separate coop is required to house the chickens. The coop must have an exercise yard, run, or yard fencing sufficient to confine the chickens at all times.
6. Minimum Standards for Chicken Facilities:
 - a. Chicken facilities must be located in the rear or side yard. **CHICKENS MAY NOT BE LOCATED IN THE FRONT YARD.**
 - b. Any chicken-related structures (i.e., coop, cage, pen, etc.) must be setback from the property lines as required by the zoning district for structures on the real property. Such structures will still require a building permit as specified by Part 18 of the Planning and Zoning Ordinances.
 - c. Coop construction and materials must be adequate to prevent access by rodents.
 - d. Coops must be maintained in good repair.
 - e. Coops or cages housing chickens must be at least twenty (20) feet from the door or window of a neighbor's occupied structure.

- f. Coops and manure storage must be at least twenty (20) feet from streams, tributaries, ditches, storm water management facilities, drop inlets, or other storm drainage areas that would allow fecal matter to enter any city storm drainage system or stream. Dumping chicken manure into the city's storm drainage system is prohibited.
- g. Chickens must not be housed in a residential house or an attached or detached garage. Only chicks not more than 6 weeks old can be kept in the house or garage.
- h. All chicken areas must be kept clean from filth, garbage, and any substances which attract rodents.
- i. The coop and its surrounding area must be cleaned frequently enough to control odor. Manure and coop waste cannot accumulate in a way that causes an unsanitary condition or causes odors detectible on another property.
- j. Manure and coop waste that is not composted or immediately spread as fertilizer must be disposed of properly.
- k. Chickens cannot become a nuisance to the occupants of adjacent property.
- l. Slaughtering of chickens must be done inside or in a way that it is not visible to the public or neighbors. Dead chickens must be disposed of within 24 hours after death. Legal forms of chicken carcass disposal include burial and off-site incineration or rendering.
- m. All grain and food stored for the chickens must be kept in a rodent proof container.
- n. Visibility of chickens by the public or surrounding neighbors must be substantially obstructed by a fence, hedge, shrub, or other obstruction at a height of 5 feet above ground level.

7. City Impoundment:

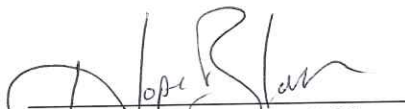
Due to the risk of disease, the Groton Police Department cannot receive and hold (i.e., impound) chickens that come into the possession of the Police Officer. Therefore, the Police Officer is authorized to euthanize and properly dispose of any chickens found running at large or that come into the officer's possession.

8. Violations:

- a. Any person violating the chicken ordinance may have his or her right to have chickens revoked and be found guilty of a Class 2 misdemeanor. The punishment for a Class 2 misdemeanor is a sentence of up to 30 days in the Brown County Jail, a fine of \$500, or both.
- b. Any person violating the chicken ordinance may be required to reimburse the City for its costs to enforce the ordinance.
- c. All chickens of any person violating the chicken ordinance may be forfeited to the City where they would be euthanized by the Police Officer.



Scott Hanlon, Mayor



Hope Block, Finance Officer

Passed First Reading: 5/5/20
Passed Second Reading: 5/19/20
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