

APPLICATION
Chicken Registration

Chapter 6, Section 201 of the Municipal Code of Plainview, Nebraska requires the registration of chickens in city limits.

Name and residence of applicant _____

Location of premises where chickens are to be kept _____

Number of chickens to be kept (minimum 2; maximum 8) _____

The following must be attached to this application:

*Statement of the method in which offal, manure and waste material accumulating from chickens will be sanitarly disposed of.

*Diagram or plat of premise, showing dimensions of premises, the location and dimensions of the coop and run, and the distance from residence buildings, and property lot lines, either on the same lot or on adjacent property.

*Written consent by the applicant for law enforcement and city personnel to inspect the coop and run

*Written consent by any neighbor whose residence is within 50 feet of the applicant's proposed coop or run.

Application fee of \$25 must accompany this form.

{Renewals are required annually prior to May 31st}

Signature of Applicant

Date

Approval by City Clerk

ORDINANCE NO. 966

AN ORDINANCE TO PROVIDE REGULATIONS FOR KEEPING AND MAINTAINING CHICKENS WITHIN THE CORPORATE LIMITS;

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PLAINVIEW, NEBRASKA:

Section 1. That Chapter 6, Section 201 of the Municipal Code of Plainview, Nebraska, be revised to read as follows:

§ 6-201 ANIMALS; CONTROLLED WITHIN MUNICIPALITY.

It shall be unlawful for any person to keep and maintain within the corporate limits any horse, mule, sheep, cow, goat, swine or other livestock, and it shall also be unlawful to keep and maintain within the corporate limits any chickens, geese, turkeys, or other fowl, unless otherwise provided in this Article.

Section 2. That Chapter 6, Section 208 of the Municipal Code of Plainview, Nebraska, be added to read as follows:

§ 6-208 ANIMALS; CHICKENS WITH PERMIT.

(A) It shall be lawful for a person to keep and maintain chickens within the corporate limits, provided said person completely complies with this section and has received a Special Use Permit issued pursuant to this section, and including Special Use Permit Requirements.

(B) Chickens shall not be kept:

- (1) On a lot or parcel of ground without a dwelling owned and occupied by the owner of the chickens as his or her primary residence;
- (2) In numbers less than 2 or greater than 8 per lot or parcel of ground;
- (3) Within coops or runs closer than 50 feet to a neighboring residence, unless the owner of the neighboring residence has provided written consent to the same; or
- (4) Within coops or runs closer than 25 feet to a neighboring property line.

(C) Chickens are not allowed in a residence, porch or attached garage, or to run free. Chickens shall be confined in a coop in the backyard of a permittee's residence with a minimum of 1 square foot per bird (144 square inches). The coop must be properly ventilated and must have a hard surface floor. An outside, enclosed run is permitted. The run should be no larger than 100 square feet, and it must be attached to the coop. The run shall provide a minimum of 3 square feet per bird. The run can have a dirt surface. The coop and run shall be built to keep animals from gaining entry and shall be built in a workmanlike manner from quality materials. Any feed shall be stored in steel sealed containers.

(D) No person shall, within the corporate limits, own, keep, or harbor live roosters or bantam chickens. The unlawful keeping or harboring of said animals is hereby declared to be a public nuisance.

(E) The owner of any chickens shall keep all structures wherein such fowl are kept in a clean and sanitary condition so as not to give off offensive odors that are a source of discomfort to persons residing in the vicinity thereof. The owner of any chickens shall not allow offal, manure, and waste material of such animal to accumulate or remain in the structures or areas upon which such chickens reside or are confined. Furthermore, the owner shall not dispose of offal, manure, and waste material or any other matter associated with the chickens in City trash or other City services or facilities. The maintenance or permitting of any of the foregoing conditions on any such lot or parcel of ground is hereby declared to be a public nuisance. The owner of any chickens shall in a sanitary manner remove or dispose of all offal, manure, and waste material accumulating from such chickens at least once every 30 days.

(F) Application for a permit to keep chickens shall be made to the Clerk, in writing, upon forms provided for that purpose by the Clerk. Such application shall contain the following information and documents in addition to such other information as the Clerk may desire:

- (1) Name and residence of applicant;
- (2) Location of premises where chickens are to be kept;
- (3) The number of chickens to be kept (not less than 2 or more than 8);
- (4) Statement of the method in which offal, manure and waste material accumulating from such chickens will be sanitarily disposed of;
- (5) Attached diagram or plat of premises, showing dimensions of premises, the location and dimensions of the coop and run, and the distance from residence buildings, and property lot lines, either on the same lot or on adjacent property;
- (6) Written consent by the applicant for law enforcement and city personnel to inspect the coop and run; and
- (7) Written consent by any neighbor whose residence is within 50 feet of the applicant's proposed coop or run.

(G) Applications for a permit to keep chickens shall be accompanied with an application fee of \$25.00.

(H) Any permit issued to keep any chickens shall be subject to revocation or suspension by the Clerk upon certification from law enforcement of a violation by the permittee of any of the provisions of this section or of the refusal of an inspection of a permittee's coop or run.

(I) All permits issued to keep any chickens shall expire on the thirty-first day of May following the date of issuance, unless sooner revoked, and no permit shall be assignable or transferable either as to permittee or location.

Section 3. That any ordinance passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby repealed.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

Passed and approved this _____ day of September, 2021

Mayor

(Seal)

Clerk