

COUNCIL OF THE CITY OF ABERDEEN
Ordinance No. 20-O-08

Date Introduced:	June 22, 2020
Sponsored By:	Councilman Jason Kolligs and Councilwoman Sandra Landbeck
Public Hearing:	July 13, 2020
Amendments Adopted:	July 27, 2020
Date Adopted:	July 27, 2020
Date Effective:	August 17, 2020

AN ORDINANCE concerning

**DEVELOPMENT CODE REVISION
CHICKENS AS ACCESSORY USES**

FOR the purpose of amending the City of Aberdeen Development Code to establish a provision to allow chickens under certain circumstances within the accessory uses section.

BY repealing and reenacting, with amendments
Code of the City of Aberdeen (2010 Edition as amended)
Chapter 235. Development Code
Article IV. Provisions Applicable to All Districts
Section 235.27. H. (4)

SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN that Chapter 235. Development Code, Article IV, Provisions Applicable to All Districts, Section 235.27.H.(4), Code of the City of Aberdeen (2010 Edition as amended), is repealed and reenacted, with amendments, to read as follows:

Chapter 235. DEVELOPMENT CODE

Article 1V. Provisions Applicable to All Districts

§ 235-27 Accessory Uses and Other Restrictions.

H. Accessory uses in residential districts. The following accessory uses shall be permitted in residential districts:

* * *

(4) The keeping of small animals, insects, reptiles, fish, or birds as pets or for household use and not as a business shall be permitted. The breeding, raising, or possessing of poultry or farm animals shall not be permitted in any district. NOTWITHSTANDING THE PREVIOUS SENTENCE, CHICKENS OTHER THAN ROOSTERS OR COCKERELS MAY BE KEPT FOR HOUSEHOLD USE OR AS HOUSEHOLD PETS IN ACCORDANCE WITH THE FOLLOWING PROVISIONS:

(A) THE NUMBER OF CHICKENS THAT MAY BE KEPT ON ANY LOT MAY NOT EXCEED SIX CHICKENS FOR EACH ONE-HALF ACRE OR PORTION OF ONE-HALF ACRE OF LOT AREA;

(B) THE LOT WHERE CHICKENS ARE KEPT SHALL BE FENCED TO PREVENT CHICKENS FROM LEAVING THE LOT; AND

(C) A PROTECTIVE COOP SHALL BE MAINTAINED ON THE LOT TO PROVIDE SHELTER FOR THE CHICKENS. AS USED IN THIS PARAGRAPH A "COOP" MEANS AN ENCLOSED ACCESSORY STRUCTURE THAT HOUSES CHICKENS FOR NESTING AND SHELTER. THE COOP MUST BE MADE OF ONE OR MORE OF THE FOLLOWING: TREATED LUMBER, COMPOSITE MATERIALS OR BRICK; AND ROOFING ON A COOP MAY BE MADE OF ONE OR MORE OF THE FOLLOWING: TREATED LUMBER, METAL ROOF PANELING OR ROOFING SHINGLES. THE COOP SHALL BE ~~OF A~~ SUFFICIENT SIZE TO ACCOMMODATE AT LEAST THREE (3) SQUARE FEET PER THE NUMBER OF CHICKENS KEPT ON THE LOT AND SHALL BE LOCATED IN COMPLIANCE WITH ALL LOCATIONAL REQUIREMENTS FOR AN ACCESSORY STRUCTURE AS SET FORTH IN SUBSECTION G. OF THIS SECTION. NOTWITHSTANDING CHAPTER 210, BUILDING CONSTRUCTION, OF THIS CODE, A BUILDING PERMIT IS NOT REQUIRED FOR THE CONSTRUCTION AND OR PLACEMENT OF A COOP REQUIRED BY THIS PARAGRAPH UNLESS THE COOP EXCEEDS TWENTY-FOUR (24) SQUARE FEET.

(D) A PERMIT SHALL BE ESTABLISHED AND ISSUED TO THE HOMEOWNER BY THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, THE COST OF THE PERMIT NOT TO EXCEED TWENTY-FIVE DOLLARS (\$25) IN ORDER TO KEEP A LOCAL RECORD OF RESIDENTIAL FLOCKS AND TO COVER CODE ENFORCEMENT COSTS WHEN APPLICABLE.

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SECTION 2. BE IT ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN that this Ordinance shall become effective at the expiration of twenty (20) calendar days following adoption.

EXPLANATION:

CAPS INDICATES MATTER ADDED TO EXISTING LAW

((Double Parenthesis)) indicate matter deleted from existing law.


Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.

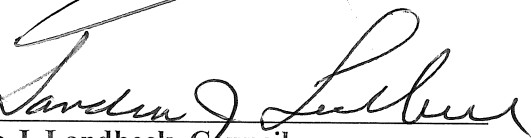
* * * indicates existing unmodified text omitted from Ordinance

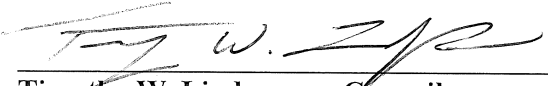
COUNCIL OF THE CITY OF ABERDEEN


Patrick L. McGrady, Mayor


Adam M. Hiob, Councilman


Jason W. Kolligs, Councilman


Sandra J. Landbeck, Councilwoman


Timothy W. Lindecamp, Councilman

ATTEST:

SEAL:


Monica A. Correll, City Clerk

Date

