

Ordinance No. 860

AN ORDINANCE TO AMEND ETOWAH CODE OF ORDINANCES, TITLE IX, CHAPTER 90 TO PERMIT UP TO FOUR (4) BACKYARD CHICKENS PER RESIDENTIAL LOT

BE IT ORDAINED BY THE CITY OF ETOWAH BOARD OF COMMISSIONERS:

**Section 1: Title IX, Chapter 90, Section 90.01 DEFINITIONS** shall be amended to include the following definitions in the appropriate alphabetical location:

CHICKEN. A common domestic fowl (*Gallus gallus domesticus*) or its young.

CHICKEN RUN. An outdoor enclosed or fenced area where chickens feed or exercise.

COOP. A cage or roofed enclosure in which chickens are kept.

HEN. Female adult chicken.

ROOSTER. Male adult chicken.

**Section 2: Title IX, Chapter 90, Section 90.04 LIVESTOCK OR FOWL, Part D** is hereby amended by adding the following (addition underlined):

- (C) *Keeping near a residence or business restricted.* No person shall keep any animal or fowl except cats enumerated in the preceding section to come within 1,060 feet of any residence, place of business, and public street without a permit from the Codes Enforcement Officer. The Codes Enforcement office shall issue a permit only when in his sound judgement the keeping of such animals in a yard of building under the circumstances as set for in the application for the permit will not injuriously effect the public health. In no case shall a permit be issued to keep a rooster

**Section 3: Title IX, Chapter 90, Section 90.04 LIVESTOCK OR FOWL, Part F** is hereby amended to the following (deletions strikethrough, additions underlined):

- (F) *Limitations as to number of livestock and or fowl being allowed within the city limits of the City of Etowah.* Property owners wishing to maintain livestock and or fowl shall ~~have a minimum of five acres of land with a minimum of 60 feet from any other residence~~ meet the following requirements to be allowed to apply for a livestock/fowl permit with the City of Etowah Codes Enforcement Officer.

Animal	Number permitted per lot	Minimum lot size	Minimum distance to nearest residence	Dedicated <del>acre</del> area per animal
Horse/Cattle	2	5 acres	60 feet	2 acres
Goats/Sheep	6	5 acres	60 feet	2 acres
Hens	4	No minimum	No minimum	4 square feet per hen in coop plus 10 square feet per hen in enclosed run

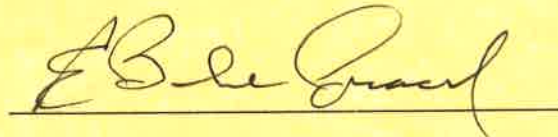
Section 4: **Section 90.06 PEN, ENCLOSURE TO BE KEPT AWAY FROM PUBLIC STREETS AND ALLEYS**, is hereby added to Title IX Chapter 90.

§ 90.06 PEN, ENCLOSURE TO BE KEPT AWAY FROM PUBLIC STREETS AND ALLEYS

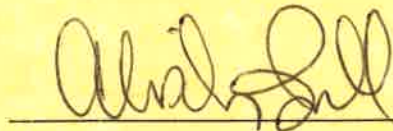
[A] When animals are kept within the corporate limits, the building, structure, corral, pen or enclosure in which they are kept shall be a minimum of 5 feet from any lot lines abutting alleys, streets or public right-of-ways.

**FIRST READING: October 5, 2020**

**SECOND READING: October 26, 2020**



**Mayor**

ATTEST 

**City Recorder**