

ORDINANCE NO. 3868

AN ORDINANCE AMENDING TITLE 7 OF THE EDMOND MUNICIPAL CODE BY AMENDING SECTION 7.09.130 CHICKENS OR LAYING HENS - LAND USE; PROVIDING FOR THE PROPER LAND USE, ACCOMMODATIONS, MAINTENANCE AND PERTAINING TO HUMAN HEALTH AND SAFETY RELATED TO CHICKENS OR LAYING HENS KEPT WITHIN EDMOND CITY LIMITS; AND PROVIDING FOR REPEALER AND SEVERABILITY.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF EDMOND, OKLAHOMA:

SECTION 1. Section 7.09.130 of the Edmond Municipal Code is hereby amended to read as follows:

7.09.130 Chickens or Laying Hens - Land Use.

A. Except as provided otherwise, chickens or laying hens may be kept on single family residential lots, so long as:

1. Such chickens or laying hens are maintained on land upon which the owner or occupant resides.

2. Roosters are not allowed.

3. No slaughtering of chickens or laying hens is permitted.

4. The number of chickens or laying hens allowed on a single family residential lot shall be governed by the following land use parameters:

a. The maximum amount of chickens or laying hens shall be governed by single family residential lot size as divisible by the aforementioned metrics, except there shall no more than four (4) chickens or laying hens on a single family residential lots less than 14,520 square feet (0.33 of an acre). There shall be no more than six (6) chickens or laying hens on single family residential lots of 14,520 square feet (0.33 of an acre) to 30,000 square feet (0.68 of an acre).

There shall be no more than eight (8) chickens or laying hens on any single family residential lot of 30,000 square feet to one (1) acre. For single family_residential lots in excess of one (1) acre, but less than five (5) acres, provided that the provisions of this section can be met, the following limit on the number of chickens or laying hens is permitted:

Excess of One (1) to two (2) acres =
Maximum of twelve (12);

Excess of Two (2) to Three (3) acres =
Maximum of eighteen (18);

Excess of Three (3) to Four acres =
Maximum of twenty-four (24);

Excess of Four (4) to Five (5) acres =
Maximum of thirty (30)

Single family residential lot size shall be determined by the records of the Oklahoma County Assessor.

5. The owner or occupant of the land upon which such chickens or laying hens are kept and maintained is responsible to erect and maintain a suitable barrier sufficient to insure compliance with the land use distance requirements set out in this Section. Appropriate screening of the coop and run from adjacent neighbors shall be provided by the owner or occupant of the single family_residential lot housing chickens or laying hens.

6. Such chickens or laying hens shall be kept within a designated coop and run, which shall be located in the rear or backyard of the property, and no coop or run shall be located in the side or front yard.

7. The coop and run shall be attached and shall be located no closer than five (5) feet from any side or rear property line and no closer than forty (40) feet from any dwelling unit other than the owner/occupants. Movable chicken enclosures are permitted as long as they meet the specifications indicated in this Section.

8. From dusk until dawn, chickens or laying hens shall be kept within the coop. During the other hours of the day, chickens or laying hens shall have access to a run and a coop.

9. Coop and Run Requirements:

a. A coop is a permanent structure that in addition to protecting human health and safety, provides the chickens or laying hens with protection from the elements and predators, and must include suitable clean ventilated air, bedding, nest boxes and roost space. Roosts should provide 18" of surface area, and have rounded corners and be free of splinters. One nest box per every four (4) chickens or laying hens.

b. Coops shall be predator resistant and any open wall or windows shall be designed and screened to prevent access by predators.

c. Minimum size for a coop shall be four (4) square feet per chicken or laying hen.

d. A run is an attached enclosed area where the chickens or laying hens are safe from predators, but free to be outside the coop, but also protects human health and safety.

e. Minimum size for a run shall be eight (8) square feet per chicken or laying hen.

f. Water and food shall be provided onsite and accessible at all times.

g. Coop shall have a suitable run attached and all areas of the coop should be easily accessible for proper cleaning and to prevent odor and build-up of food or bedding. Coops shall be located in areas that are not susceptible to stormwater run-off onto neighboring properties.

h. All areas where chickens or laying hens are present shall be cleaned daily to prevent an accumulation of food, fecal matter, bedding or nesting material so as to prevent a nuisance or unsanitary condition due to odor, vermin, debris or

decay. All waste not composted shall be properly bagged and placed in garbage containers.

i. Any electrical or heat sources shall comply with the City Building Code.

10. This section is not intended to be construed in derogation of or in conflict with any restrictive covenant that may be applicable to any property.

11. It shall be unlawful for any individual to keep chickens or laying hens within the corporate limits of the City of Edmond without first obtaining a permit therefor in compliance with the provisions of this Section, excluding those persons whose property is zoned for agricultural purposes or is over five (5) acres in size. The City Clerk is hereby authorized to make, adopt, and amend rules and regulations necessary for permit applications, issuance, expiration, recordkeeping, and revocation. The permit fee for said permit shall be twenty-five (25) dollars.

12. Any person applying for a permit must provide proof to the City Clerk of satisfactory completion of a class/course regarding the proper care and raising of chickens in an urban setting. Classes will be at least two hours in length and may be obtained from the Edmond Urban Chicken group, the Oklahoma Cooperative Extension Service or similar entity. Any person applying for a permit must provide proof to the City Clerk that the location of their coop will comply with the set back requirements set out in Subsection 7 above.

13. There will be a maximum of fifty (50) permits issued each year for those single family residential lots less than 30,000 square feet. (0.68 of an acre).

14. Any person who violates any provision of this Section shall, upon conviction thereof, be subject to punishment for a Class B offense as defined in Section 2.56.210.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

SECTION 3. SEVERABILITY. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

PASSED AND APPROVED the 11 day of October, 2021.


MAYOR

Attest:


City Clerk



APPROVED as to form and legality this the 11 day of October, 2021.


CITY ATTORNEY