

**AN ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF PLEASANT HILL, MISSOURI RELATING TO THE KEEPING OF CHICKENS.**

**WHEREAS**, the City Council desires to amend the City Code to provide regulations for the citizens of Pleasant Hill to own, keep, harbor, and maintain chickens.

**WHEREAS**, the City Council deems that such regulations are deemed expedient for the public health, welfare, and safety.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLEASANT HILL, MISSOURI, AS FOLLOWS:**

Section 1. That Chapter 8, Article I, Section 8-1 of the Code of Ordinances for the City of Pleasant Hill, Missouri, is hereby amended to include the following definitions:

*Chicken* means Gallus domesticus of the female sex. This definition does not include male chickens or roosters, or other fowl, such as, but not limited to, peacocks, turkeys, guinea fowls, ducks, or waterfowl, all of which are not permitted under this Chapter.

*Chicken Coop or Coop* means an enclosed and roofed immobile structure for housing chickens which provides shelter from the elements.

*Chicken Run or Run* means an enclosed outside yard or area for keeping chickens.

*Chicken Tractor or Tractor* means a movable chicken coop lacking a floor.

*Humane standards of care* shall include, but shall not be limited to, an animal's accessibility to food and water, proper medical attention, proper shelter from the elements, and clean animal waste areas with regular waste removal.

Section 2. That the following definitions in Chapter 8, Article I, Section 8-1, of the Code of Ordinances for the City of Pleasant Hill, Missouri, are hereby amended to read as follows:

*Department* means the animal control unit, police department, or code enforcement division, as appropriate, of the City of Pleasant Hill, Missouri.

*Public nuisance* means any animal (or group of animals which contains any animal) which:

- (1) Molests any passerby or chases passing vehicles including bicycles;
- (2) Attacks any other animal;
- (3) Is in heat and not properly confined as provided in section 8-59;
- (4) Is at large in violation of section 8-57;
- (5) Damages public or private property;

- (6) Vocalizes in an excessive fashion which is hereby defined as continuous or untimely so as to disturb the sleep or peace of an individual who is a neighbor (a neighbor, for this purpose, is hereby defined as an individual residing in a residence structure which is within 100 yards of the property on which the animal is kept or harbored);
- (7) Causes injury to people;
- (8) Threatens or causes a condition which endangers public health;
- (9) Causes obnoxious odors;
- (10) Creates an environment attractive to other animals, rodents, or insects; or
- (11) Impedes refuse collection by ripping any bag or tipping any container of such.

Section 3. That Chapter 8, Article I, Section 8-3 of the Code of Ordinances for the City of Pleasant Hill, Missouri, is hereby amended to read as follows:

No person shall own or harbor geese, ducks, turkeys, or other fowl or livestock of any kind, including hogs, horses, mules, asses, cattle, goats, sheep, etc., in the city limits in any area other than is presently zoned for the purpose. No owner, keeper, or harbinger of chickens, geese, ducks, turkeys or other fowl shall permit fowl or livestock to run unrestrained outside of the enclosure of such owners, keepers or harborers in the city. The owning and harboring of chickens shall only be as prescribed in Chapter 8, Article V and areas that are presently zoned for the purpose.

Section 4. That Chapter 8, Article V of the Code of Ordinances for the City of Pleasant Hill, Missouri, is hereby adopted as a new Article V to read as follows:

**DIVISION 1. – Keeping of Chickens**

**Sec. 8-176. – Keeping of Chickens permitted.**

- (a) It shall be unlawful for any person to keep or otherwise maintain chickens upon any property being used for residential purposes unless the chickens are kept in accordance with the provision of this Chapter.
- (b) It shall further be unlawful for any owner, renter, or leaseholder of any such property to allow chickens to be kept or maintained in or upon such property in violation of the provisions of this Chapter.
- (c) It shall be unlawful to engage in chicken breeding or fertilizer production for commercial purposes upon any property being used for residential purposes.
- (d) Chickens shall only be kept upon property which is the principal residence of the owner of the chickens. Tenants and renters of the property may keep chickens in accordance with the provisions of this Chapter only with the consent of the property owner.

**Sec. 8-177. - General Requirements**

- (a) The general requirements for keeping chickens are that such keeping will not create a nuisance in the surrounding neighborhood, that humane care will be provided, and that

the premises where the chickens are kept are suitable for the keeping of chickens and are in conformity with all City regulations and ordinances. General requirements include:

1. Chickens shall be kept or maintained at all times in a safe and sanitary manner.
2. The chicken coop in which the chickens are kept or confined shall be adequately ventilated and is so constructed and maintained that the chickens are kept in a clean and sanitary condition.
3. The health and well-being of the chickens shall not in any way be endangered by the manner of keeping or confinement.
4. The keeping of the chickens shall not harm the surrounding neighborhood or disturb the peace and quiet of the surrounding neighborhood.
5. The keeping of the chickens shall not cause fouling of the air by offensive odors and thereby create or cause unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the chickens are kept.
6. The chickens shall not unreasonably annoy humans, endanger the life, health or safety of other animals or persons or substantially interfere with the rights of citizens to the enjoyment of life or property.
7. The chickens shall not be allowed to run at large, shall not damage or deposit excretory matter upon the property of anyone other than their owner, and shall not molest or intimidate pedestrians or passersby.
8. The chickens shall not make disturbing noises, including but not limited to, continued and repeated or untimely crowing, whining, growling, crying, or other utterances causing unreasonable annoyance, disturbance or discomfort to neighbors and others who are in close proximity to the premises where the chickens are kept, or otherwise be offensive or dangerous to the public health, safety, or welfare, by virtue of their behavior, number, type, or manner of keeping.
9. Live slaughter of chickens is prohibited on residential property.
10. For the purposes of this Chapter, any dog attacking a chicken running at large shall not be construed as a dangerous animal based upon the attack of the chicken.
11. It shall further be unlawful to picket or tie any such chicken in any of the streets or rights-of-way of the City for the purpose of grazing or feeding.
12. The keeping of the chickens shall adhere to the Performance Standards set forth in Division 2.

#### DIVISION 2. - Performance Standards

##### Sec. 8-178. - Types and Numbers of Chickens

- (a) This Chapter allows chickens as defined in Section 8-1. Other fowl, such as, but not limited to roosters, peacocks, turkeys, guinea fowls, ducks or waterfowl, are not permitted under this Chapter.
- (b) The maximum allowable number of chickens shall be limited to five (5).
- (c) The keeping of roosters is prohibited; chicks that are at least 18 weeks old and known to be roosters must be removed by the property owner.

##### Sec. 8-179. - Location Requirements

- (a) Subject to the provisions of this Chapter, chickens are allowed to be owned, kept, harbored, and maintained on residentially-zoned properties developed with a detached single-family dwelling
- (b) Chickens are not allowed in R-2, R-3, or higher density residential zoning classifications developed with duplexes or other types of multi-family dwelling units.
- (c) Chapter 8, Article V does not apply to properties within an Agricultural (A) zoning designation; refer to guidelines for livestock within an A zoning classification.

Sec. 8-180. - Setback Requirements for Chicken Coops, Mobile Pens and Runs

- (a) No chicken coop, chicken tractor or chicken pen shall be placed in any area of property that is considered frontage or a side yard.
- (b) Chicken coops, chicken tractors and chicken pens must be located at least ten (10) feet from the property line and at least fifty (50) feet from any adjacent residential dwelling, church, school, or place of business, other than that of the owner.

Sec. 8-181. - Chicken Coops and Enclosures

- (a) Chickens must be provided a secure and well-ventilated chicken coop. Mobile pens or chicken tractors shall not be used as the primary chicken coop.
- (b) Chicken coops and chicken tractors shall be designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to other residents in the neighborhood.
- (c) A chicken coop or chicken tractor shall be enclosed on all sides and shall have a roof and doors. Access doors must be shut and locked at night. Open windows and vents must be covered with predator and bird proof wire with less than one-inch openings.
- (d) The materials used in making a chicken coop or chicken tractor shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials.
  - 1. The use of scrap, waste board, sheet metal or similar materials is prohibited.
  - 2. Materials used shall be impervious to moisture so that the surface does not permit the absorption of fluids. This may be accomplished by sealing with paint, or using a material that is impervious to moisture by nature, i.e., plastic, metal, concrete, tile, etc.
  - 3. All surfaces shall be routinely maintained as defined in Chapter 59-202, Property Maintenance Code, Exterior Structure Maintenance.
- (e) Chicken coops and enclosures shall be made available for inspection by an Animal Control Officer, Police Officer, or Code Enforcement Officer to investigate complaints or concerns about welfare of animals.
- (f) The floor area of the chicken coop or a combination of the floor area and attached pen area shall equal at least 10 square feet of area per chicken.
- (g) No chicken coop, mobile pen or run shall exceed 100 square feet or have an overall height to exceed 8 feet from grade.
- (h) Chickens shall be housed in a chicken coop, attached pen or detached mobile pen whenever they are unattended by the keeper. During daylight hours, when attended by the

keeper, the chickens are allowed to be out of the enclosure in a completely fenced-in yard. Chickens shall not be allowed to run at large.

- (i) The chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by an Animal Control officer, Police Officer, or Code Enforcement Officer.
- (j) All grain and food stored for the use of chickens shall be kept in rodent-proof containers.

#### Sec. 8-182. - Storage and removal of Chicken Manure

- (a) The chicken owner must provide for the storage and removal of chicken manure. All stored manure shall be contained in a fully enclosed structure with a roof or lid over the entire structure.
- (b) No more than 3 cubic feet of manure shall be stored at one time. All other chicken manure not used for composting or fertilizing shall be regularly removed in a manner complying with all applicable federal, state and local regulations.
- (c) The chicken coop, chicken tractor and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

#### Sec. 8-183. - Removal of Chickens and Chicken Coops

- (a) Upon recommendation of the Animal Control Officer and/or the Codes Enforcement Officer, the removal of chickens and/or chicken coops may be ordered by the Municipal Court upon a showing any of the following:
  - 1. The chickens' place of keeping constitutes a nuisance to the surrounding neighbors.
  - 2. Chickens running at large.
  - 3. Humane standards of care are not being met by the owner.
  - 4. A failure to meet or to continue to meet any applicable Performance Standard or requirement of this Chapter.
  - 5. In the event it is reasonably necessary to protect against an immediate threat or danger to public health or safety.
  - 6. Failure to comply with any provision of this Chapter shall be considered good cause for removal of chickens and/a chicken coop, chicken tractor, or run.

#### Sec. 8-184. - Immediate Removal of Chickens

- (a) If the Animal Control Officer, or law enforcement officer or Code Enforcement Officer, in the absence of an animal control officer, believes that there exists an imminent threat to the safety and welfare of a chicken, may remove or have removed the chicken(s) to a temporary shelter until the case can be heard through the Municipal Court.
- (b) Chickens "at large" shall be considered an imminent threat to the safety and welfare of the chicken, as they are exposed to possible predators and other hazardous situations and may be removed by an Animal Control Officer, or law enforcement officer or Code Enforcement Officer for the safety of the animal.
- (c) Costs for the shelter and upkeep of the animals will be at the City's expense until the case is adjudicated.

Sec. 8-185 - Impoundment; Notice; Destruction

- (a) Chickens found running at large or not under control, or abandoned or in violation of provisions set forth herein, shall be seized and impounded in a humane manner by the humane officer or any police officer. Impoundment may be in any registered coup, pound, animal shelter or licensed veterinary clinic.
- (b) The City shall use reasonable means to identify and locate the owner, or if the owner is unknown, written notice shall be posted for five consecutive days at a conspicuous place at the animal shelter and such notice shall describe the chicken and the place and time of taking.
- (c) If a chicken is not redeemed by the owner within seven working days after impoundment, the chicken may be disposed of by a painless method approved by the Humane Society of the United States.

Division 3 - LICENSE

Sec. 8-186 - Required; application

- (a) No person shall own, keep, harbor, or maintain chickens within the city without first registering the property where the chickens are owned, kept, harbored, or maintained as herein provided. A license shall be required for each property that keeps, harbors, or maintains chickens.
- (b) Written application for a chicken license shall be made to the finance department, on a form provided by the finance department.
- (c) The finance director is authorized to promulgate appropriate rules and regulations in order to establish and administer a program in which veterinarian clinics serve as a place where citizens can apply for and obtain licenses provided under this chapter. Subject to a service contract, participating veterinarian clinics may collect the application fees and a portion of such fees may be retained by a participating veterinarian clinic for providing such services in relation to this program.

Sec. 8-187 - Fees

- (a) The annual license fees for chickens shall be as provided in the city fee schedule.

Sec. 8-188 - Term

- (a) All chicken licenses shall be issued for one year and run from January 1 to December 31.

Sec. 8-189 - Transfer; fee

- (a) In the event a permit holder moves from one residence to another and chickens are relocated, each permit holder shall provide a change of address update to the City within thirty (30) days of relocation at no additional charge.

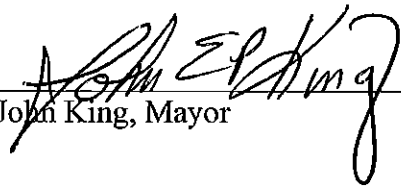
Section 5. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 6. That this Ordinance shall be in full force and effect on March 31, 2025.

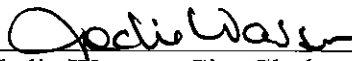
Section 7. That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

Section 8. That the City Clerk is authorized by this ordinance to correct any scrivener's errors identified within this Ordinance.

Passed and adopted by the City Council of the City of Pleasant Hill, Missouri, this 10<sup>th</sup> day of February, 2025.

  
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John King, Mayor

ATTEST:

  
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Jodie Wasson, City Clerk