

AN ORDINANCE AMENDING ARTICLE II, SECTION 205.120 OF THE CODE OF ORDINANCES OF THE CITY OF DEARBORN, PLATTE COUNTY, MISSOURI, TO ADD A REQUIREMENT THAT ANY PERSON WISHING TO KEEP CHICKENS AND OR RABITS MUST OBTAIN A PERMIT AND ESTABLISHING A PERMIT FEE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF DEARBORN, PLATTE COUNTY, MISSOURI AS FOLLOWS:

Section 1. Purpose and scope.

It is the purpose of this ordinance to encourage compliance with the requirements of Article II, Section 205.120 of the Dearborn City Code by requiring any person wishing to keep chickens or rabbits must first obtain a permit. The ordinance further sets forth the information to be required by the permit and establishes a fee to cover the associated administrative and enforcement costs.

Article II, Section 205.120 of the Municipal Code of the City of Dearborn is hereby amended by adding a new Paragraph (F) and re-lettering Section (F) in the original ordinance to Section (G) as follows:

Keeping or maintaining chickens or rabbits shall be subject to the following provisions:

- (A) Location of pens; enclosure required. It shall be unlawful for any person to keep or maintain any chicken coop or rabbit hutch closer than 50 feet to the nearest portion of any residence or dwelling other than the dwelling occupied by the owner or keeper of the animals or fowl, except for such fowl or animals kept for sale within a bona fide produce market, commission house or store for purposes of trade and while so kept are confined in small coops, boxes or cages, or where such animals or fowl are kept for purposes of research in a laboratory or in areas zoned for agricultural use. Animals and fowl so kept or maintained shall be enclosed on all sides and shall not be allowed to run or fly at large.
- (B) Control of odors. Every coop and rabbit hutch shall be kept so that no offensive, disagreeable or noxious smell or odor shall arise therefrom to the injury, annoyance or inconvenience of any inhabitants of the neighborhood.
- (C) Storage and disposal of manure. Every coop and rabbit hutch shall be provided with a watertight and flytight receptacle for manure, of such dimension as to contain all accumulations thereof, which receptacle shall be emptied sufficiently often and in such manner as to prevent its becoming a nuisance. Such receptacle shall be securely covered at all times except when open during the deposit or removal of manure or refuse therefrom. No manure shall be allowed to accumulate except in such receptacle. All such manure, when removed from the receptacle, shall be buried with a covering of not less than six inches of earth, or, if used as fertilizer, thoroughly spaded into the ground, or shall be removed from the property.
- (D) Maintenance of enclosures for fowl. All earthen yards or runways wherein chickens are kept or permitted to be shall be spaded and then limed once every three months from the month of April through the month of December. For the purpose of killing flies and other insects, all structures, pens or coops wherein chickens are kept or permitted to be shall be sprayed with such substances as will eliminate such insects.
- (E) Condition of enclosure; inspections. Any structure, pen, coop or yard wherein chickens or rabbits are kept or permitted to be shall be maintained in a clean and sanitary condition, devoid of all rodents

and vermin, and free from objectionable odors. The enclosed area of all such structures shall be constructed in such a way as to be dry at all times on the inside. The person maintaining any such structure, pen, coop or yard in the city does by such act of maintenance authorize the director of health to at any time inspect any such structure or premises and issue any such order as may be necessary to carry out the provisions of this section.

(F) (1) Permit: Any person wishing to keep or maintain rabbits or chickens as set forth in this section shall first obtain a permit. To obtain a permit the following information shall be required:

- (a) Applicant name and address;
- (b) Number of chickens and/or rabbits to be kept;
- (c) A diagram showing the size and placement of pens as set forth in Section A hereof;
- (d) A description of the method of compliance with Sections B, C, D and E hereof;

(2) Permits must be renewed annually on the anniversary dated of the first issuance.

(3) A permit fee of \$20.00 for each annual permit shall be paid prior to issuance.

(G) The failure to abide by any of the requirements of this section shall constitute a nuisance as set forth in Section 210.010 of this Code.

Section 7. This ordinance shall take effect and be in full force from and after the date of passage.

READ TWO TIMES AND PASSED THIS 12<sup>th</sup> DAY OF OCTOBER 2020.

  
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Mayor, City of Dearborn, Missouri

ATTEST:

  
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Municipal Clerk

Be it remembered that the above ordinance was enacted by the city on the date indicated above, by a vote of the governing body of the city as follows:

Those voting "aye" were: Don Kerns, Pat Downing, Cory Hott, Breanna Cheadle  
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Those voting "nay" were:  
None  
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Municipal Clerk