

PERMIT FOR BACKYARD CHICKENS

APPLICATION INFORMATION:

1. **Address:** _____

2. **Name of Property Owner:** _____
Mailing Address (if different than property address): _____

Phone (Cell): _____ **(Office):** _____

Email Address: _____

3. **Name of Applicant (if different than owner):** _____
Mailing Address: _____
Phone (Cell): _____ **(Office):** _____

Additional Submittals

- Property owner and applicant, if different than the property owner, signed understanding of the requirements and responsibilities outlined in this section.

- Site plan illustrating:
 - Property lines and distance to proposed coop and run
 - Neighboring residence(s) location and distance to proposed coop and run
 - Type and style of back and side yard fence

- **Construction drawings including at least one of the following:**
 - Materials used in the construction of the coop and run
 - Diagram and illustration if provided in a prefabricated kit

- **Fee (non-refundable)**
 - New Application - \$100
 - Renewal Application - \$50

Please Note: Late renewal applications not accepted. Late renewal applications shall be treated the same as new applications, including fee and submittal requirements.

Property Owner: _____

Date: _____

Admin use only

Receipt Number: _____

Acknowledgement of Understanding of Requirements and Responsibilities

Read the following portion of the Mandan Municipal Code governing chickens. These regulations must be followed or the property owner(s) may be cited for a violation by code enforcement.

Sec. 105-1-16 - Chickens

- (a) Purpose. It is the purpose of this section to regulate the keeping of chickens at an individual or household scale to promote the health, safety, and general welfare of the citizens of the city. This section in no way applies to commercial production and processing of poultry as regulated in Section 105-3.
- (b) Permit required. A renewable permit issued by the city planner or his/her designee shall be required prior to conducting any keeping of chickens at an individual or household scale. The permit shall be good for one calendar year as measured from the date of issuance and is tied to both the applicant and the land. Permits shall be non-transferrable.
- (c) Revocation. A permit may be revoked by the city planner or his/her designee for failure to comply with the requirements outlined in this section or any other local or state regulation governing keeping or cruelty to animals. Any person whose permit is revoked shall, within ten business days thereafter, humanely dispose of all chickens being owned, kept or harbored by such person, and no part of the application fee shall be refunded.
- (d) Appeal. The permittee may appeal the revocation or refusal of renewal of the permit by timely request for a hearing before the Board of City Commissioners. The request for hearing must be received by the city planner or his/her designee within ten business days following the date of the notice of revocation or refusal of renewal. The Board of City Commissioners shall hold a hearing on the permittee's request for hearing and shall render a final decision on the matter after said hearing.
- (e) Multiple Property Limitation. An applicant owning multiple properties abutting or in close proximity is limited to a single permit. The planner or his/her designee shall make the determination of what is considered "close proximity."
- (f) Application. An application for a permit shall include:
 - 1. General form established by staff to capture applicant, property owner, and property information, including necessary signatures.
 - 2. Property owner and applicant, if different than the property owner, signed understanding of the requirements and responsibilities outlined in this section.

3. Site plan illustrating:

- a. Property lines and distance to proposed coop and run
- b. Neighboring residence(s) location and distance to proposed coop and run
- c. Type and style of back and side yard fence

4. Construction drawings including at least one of the following:

- a. Materials used in the construction of the coop and run
- b. Diagram and illustration if provided in a prefabricated kit

5. Fee. A non-refundable application fee as established by the Board of City Commissioners shall be required at the time of application. The Board of City Commissioners may establish a different fee to be applied to new applications and renewal applications.

(g) Late renewal applications not accepted. Late renewal applications shall be treated the same as new applications, including fee and submittal requirements.

(h) Definitions. The established definitions are for purposes of this section only. If any conflict exists with other sections of this code the more restrictive shall apply.

Brood means group of chickens, whether or not from the same hatching.

Brooding means the period in the animal's growth when supplemental heat must be provided due to the bird's inability to generate enough body heat.

Chicken means a domesticated fowl more formally known and scientifically classed as *gallus gallus domesticus*.

Coop means a fully enclosable, non-residential structure for housing chickens.

Hen means a female chicken.

Rooster means a male chicken.

Run means a fully enclosed and covered area attached to a coop where the poultry can roam unsupervised.

(i) Standards

- 1. No more than four (4) hens shall be permitted on any one lot.
- 2. Roosters shall not be permitted. As soon as a rooster is identified it shall be culled from the brood.

3. The chickens, coop, and run, shall be located in the rear or side yard obscured from view from any street, trail, public park, or other right-of-way.
4. Chickens outside of the coop and run shall be supervised at all times.
5. The coop dimensions shall total less than one-hundred-twenty (120) square feet.
6. Coop height as measured from the average ground elevation to the highest point on the coop shall not exceed eight (8) feet.
7. The coop and run shall be located no closer than ten (10) feet from the property line and no closer than twenty (20) feet from an adjacent property dwelling.
8. The coop shall be constructed in a manner which prevents rodent infiltration.
9. The coop shall be constructed to provide a minimum of four (4) square feet per chicken.
10. The run shall be constructed to provide a minimum of ten (10) square feet per chicken.
11. Chickens shall at no time be located off the property for which they have been permitted.
12. Coops, runs, and manure storage shall be kept 20 feet from streams, tributaries, ditches, storm water management facilities, drop inlets, or other storm drainage areas that would allow fecal matter to enter any city storm drainage system or stream. Dumping chicken manure into the city's storm drainage system is prohibited.
13. Except for chickens properly slaughtered for consumption, dead chickens must be disposed of within 24 hours after death. Legal forms of chicken carcass disposal include burial and off-site incinerate or rendering. All slaughtering of chickens shall be conducted so as not to be visible to the public or adjacent property owners and occupants.
14. All grain and food stored for the use of the chickens shall be kept in a rodent proof container.

By signing below, you acknowledge that you understand the requirements outlined in Section 105-1-16 related to the keeping of chickens.

PLEASE NOTE: Neighborhood Covenants, Conditions, and Restrictions (CC&Rs) supersede the right provided through this permit. By signing below, you indicate to the best of your knowledge no CC&Rs exist that prohibit backyard chickens on your property. No refund shall be granted for reasons related to CC&Rs and the inability to exercise the right granted through this permit.

Applicant Signature: _____ Date: _____

Property Owner Signature: _____ Date: _____

