

ORDINANCE # 349

AN ORDINANCE CREATING CHAPTER 6.10 OF THE MUNICIPAL CODE OF THE TOWN OF HANNA, WYOMING AND REVISE SECTIONS 17.48.150 AND 8.24.010 (M) TO PERMIT FOWL (LAYING HENS AND CHICKENS, ETC) IN THE TOWN WITH CERTAIN RESTRICTIONS

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF HANNA, WYOMING:

Section 1. Chapter 6.10 of the Hanna Municipal Code is hereby created and entitled Fowl. Section 6.10.010, 6.10.020, 6.10.030 and 6.10.040 is hereby created. Section 17.48.150 and 8.24.10(M) are hereby amended.

Section 2. Section 6.10.010 of the Hanna Municipal Code is hereby created to read as follows:

6.10.010 Definitions

(A) As used in this chapter, unless the context otherwise indicates, the following shall have the meanings specified in this section:

(i) “Fowl” means live chickens, laying hens, turkeys, ducks, geese or carrier pigeons.

Section 3. Section 6.10.020 of the Hanna Municipal Code is hereby amended to read as follows:

6.10.020 Keeping certain animals within city limits.

Except as specifically provided by zoning classification pursuant to Title 17 of the Hanna Municipal Code, no person shall keep or cause to be kept any fowl unless same are permitted pursuant to the provisions of Section 6.10.040 of this chapter.

Section 4. Section 6.10.030 of the Hanna Municipal Code is hereby created to read as follows:

6.10.030 Conditional use permits— Fowl (chickens, laying hens, etc.)

A. Those persons wishing to keep fowl on their property within the Town must apply for a permit.

B. The granting of the permit hereinabove set forth shall be in addition to all other state and federal permits, statutes and regulations regarding the care and keeping of fowl for which a permit is sought.

C. An application for a permit to board or keep fowl within the Town shall be made to the Town clerk and shall contain the following:

1. Name and address of applicant;
 2. Location and legal description;
 3. Plans and specifications addressing the restrictions noted herein.
- D. When, upon review of the application, and the Town clerk is satisfied that the proposed plan meets the requirements and regulations of this division, and the code of the Town, and provided, approval has been received from the Town Council and/or Planning Commission, a permit shall be issued.
- E. Upon the issuance of a permit for fowl (chickens, laying hens, etc.), the Town Clerk may place such conditions and restrictions upon the permit as it deems reasonable and necessary, including, but not limited to:
1. No permittee /family unit shall have more than six (6) Fowl (chickens, laying hens, etc.).
 2. Male Fowl (roosters) are prohibited;
 3. Fowl (chickens, laying hens, etc.) must be kept in a coop in a rear yard and must remain in the coop or an adjoining fenced enclosure at all times.
 4. Enclosures, which are subject to zoning standards for fence height and accessory buildings, must be at least 7.5 feet from any property line and 40 feet from any neighboring houses.
 5. The maximum size of a coop or enclosure may not exceed 10 square feet per chicken and both together may not exceed 15 square feet per chicken.
 6. Fencing, landscape buffering or screening of a minimum of 6 feet in height and enclosing the entire perimeter of the coop and chicken exercise area (yard) must be installed and maintained at all times;
 7. There shall be no slaughtering of Fowl (chickens, laying hens, etc.) on the premises. Harvesting of the chicken for meat or any purpose other than eggs shall be conducted at a USDA approved facility.
 9. Provisions for the removal of excrement from the property on a regular basis; and
 10. Any other matter which the city council deems reasonably pertinent or relevant to the issuance of the permit

- F. Any person whose application for a license under this chapter has been denied may request and shall be granted a hearing on the matter before the Town Council.
- G. Whenever, upon inspection, it is found that conditions or practices exist which are in violation of any provisions of this division or regulations issued under this division, the Town shall give notice in writing to the person to whom the permit was issued that unless such conditions or practices are corrected within a reasonable period of time specified in the notice by the Town, the permit will be suspended. At the end of such period, the Town shall re inspect such conditions or practices have not been corrected, the Town clerk shall suspend the permit and give notice in writing of such suspension to the person to whom the license is issued. Upon receipt of notice of suspension, such person shall cease keeping fowl.
- H. Any person whose license has been suspended or who has received notice from the Town that his permit will be suspended unless certain conditions are corrected, may request and shall be granted a hearing on the matter before the Town Council; provided, that when no petition for such hearing has been filed within ten days following the day on which notice of suspension was served, such license shall be deemed to have been automatically revoked at the expiration of such ten-day period.

Section 5. Section 17.48.150 of the Hanna Municipal Code is hereby amended to read as follows:

17.48.150 Livestock:

Livestock will not be allowed to be grown or boarded within the Town.

Section 6. Section 8.24.010 (M) of the Hanna Municipal Code is hereby created to read as follows:

8.24.010 Keeping of Fowl (chickens, laying hens etc.)—Permit.

M. The keeping, stabling and corralling of fowl, without a valid permit in any zoned district within the Town is considered a nuisance.

Section 7. Repealer. All ordinances or part of ordinances in conflict herewith are hereby repealed.

Section 8. **Severability.** If any section, subsection, sentence, clause, phrase or portion of this ordinance or application thereof to any person or circumstances 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 portions of the ordinance.

Section 9. This ordinance shall become effective after passage, approval and publication.

PASSED AND APPROVED THIS 22st DAY OF JULY, 2014.

Tony D. Poulos, Mayor

ATTEST:

Vivian Gonzales, Town Clerk

ATTESTATION

I, Vivian Gonzales, the Clerk of the Town of Hanna, Wyoming, do hereby attest and state that the above ordinance was published/posted in the manner required by law and that all procedures required by Wyoming State law were complied with.

By: _____
Vivian Gonzales, Town Clerk

Passed and Approved on First Reading This 30th day of June, 2014.

Passed and Approved on Second Reading This 8th day of July, 2014.

Passed, Approved, and Adopted on Third and Final Reading This 22st day of July, 2014.

Published:

Vivian Gonzales, Town Clerk