



Chicken Keeping Registration Application

City of Eden Prairie

Directions:

- Print legibly in blue or black ink.
- Answer all questions and indicate not applicable if appropriate. Any falsification of answers may result in denial of the registration.
- **Include a one-time \$75.00 registration fee (checks payable to The City of Eden Prairie).**
- Please complete both sides of the form and return to:

Eden Prairie Police Department, 8080 Mitchell Rd., Eden Prairie, MN 55344

GENERAL REQUIREMENTS CHECK LIST

- You must submit an application and have the City inspect your property *prior to* obtaining chickens.
- Roosters are not permitted.
- Properties may have up to four (4) chickens.
- Chicken keeping structures are only permitted in the back yard (no structures in front or side yards).
- Structures must be setback a minimum of ten (10) feet from any property line and fifty (50) feet from any neighboring home.
- Coops must have a solid roof and their construction must be done in a workmanlike manner utilizing durable materials that offer adequate insulation, ventilation and protection from all natural weather elements, predators, rodents and other pests.
- Structures shall be maintained in a reasonably clean and sanitary condition.
- Noise and odor associated with chickens are not permitted outside of the boundaries of the premises.
- Chickens may not be slaughtered on the premises.

- A building permit from the City of Eden Prairie is required for any structure over 200 square feet.
- An electrical permit from the State Electrical Inspector is required for any hard-wired electrical service running to the coop. Contact the State Electrical Inspector Jim Noonan at (612) 798-1877 or noonaninspections.com.
- First-time chicken keepers are strongly encouraged to educate themselves before undertaking the hobby. Websites that may be helpful in reaching a decision include backyardchickens.com and chickenrunrescue.org.

SECTION 1: APPLICANT

1. Name _____
Last First Full middle

2. Address _____
Street

City State Zip Code

3. Home Ph: _____ Cell Ph: _____ Business Ph: _____

4. Email Address 1: _____ Email Address 2: _____

SECTION 2: ACKNOWLEDGEMENTS

Please **check each box** and then sign and date indicating that you have read and agree with the following:

- A copy of city code 9.74 (the chicken keeping ordinance) is attached to this registration application. I acknowledge that I have read, understand and will comply with all the requirements of the ordinance.

- I understand and agree that I may not engage in the practice of chicken keeping within the City of Eden Prairie until I have: 1) Submitted an application, 2) Paid the associated registration fee, 3) Had my property inspected by City staff and 4) Received notification from the City that my chicken keeping registration has been approved.

Signature

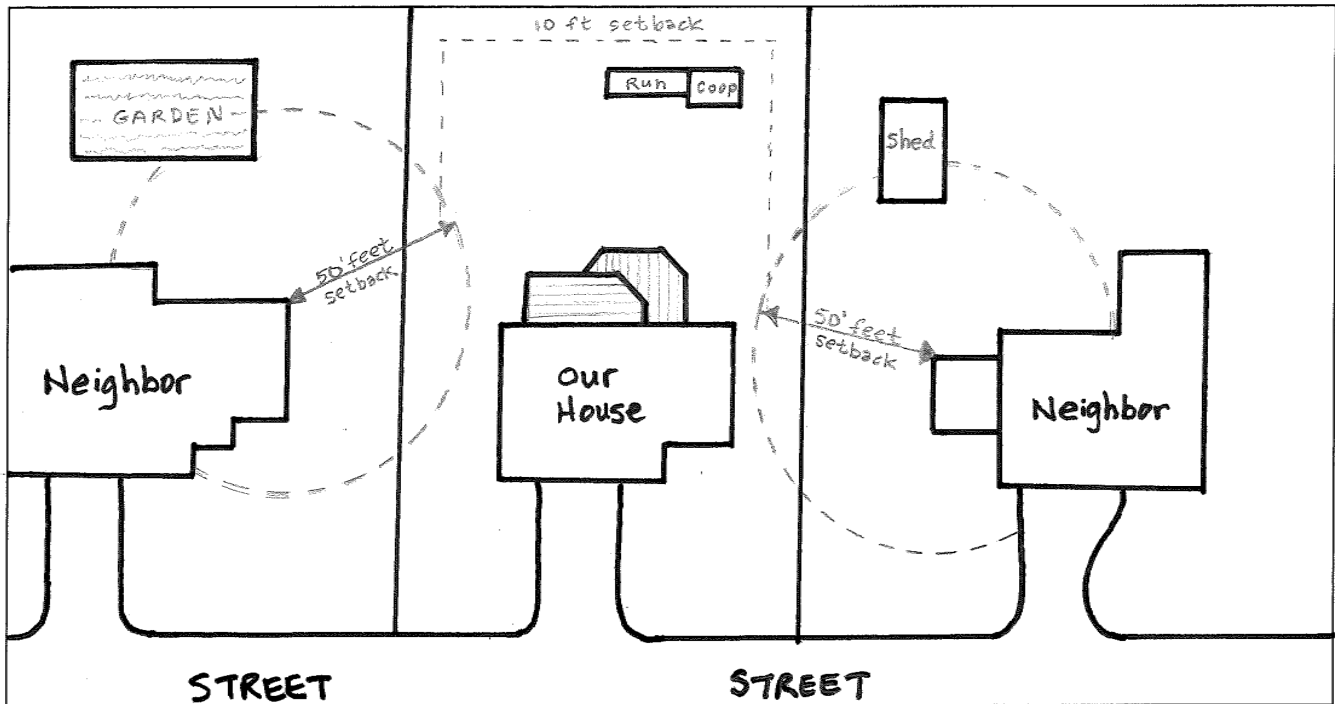
Date

SECTION 3: DIAGRAM OF CHICKEN YARD

On a separate sheet of paper, please supply a **scaled** sketch of your property and chicken keeping area.

The sketch **must be to scale** and include the location of your house, accessory structures, your lot lines, **setback measurements** and all chicken keeping accessory structures.

EXAMPLE:



FOR OFFICE USE ONLY

Date Received: _____	Initial Determination Date: _____
Fee Paid: _____	On Site Inspection: _____
ICR: _____	Approved/Denied: _____
District: _____	Approval Letter Sent: _____

**CITY OF EDEN PRAIRIE
HENNEPIN COUNTY, MINNESOTA**

ORDINANCE NO. 17-2017

AN ORDINANCE OF THE CITY OF EDEN PRAIRIE, MINNESOTA AMENDING CITY CODE CHAPTER 9 BY ADDING SECTION 9.74 RELATING TO THE KEEPING OF CHICKENS, AMENDING SECTIONS 9.07 AND 9.08 RELATING TO ANIMALS, AMENDING, SECTIONS 1.03, 2.99, 3.99, 4.99, 5.99, 6.99, 7.99, 8.99, 9.99, 10.99, 11.99, and 12.99 TO REMOVE GENDER-SPECIFIC REFERENCES, AND ADOPTING BY REFERENCE CITY CODE CHAPTER 1 AND SECTIONS 9.99 WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

THE CITY COUNCIL OF THE CITY OF EDEN PRAIRIE, MINNESOTA ORDAINS:

Section 1. City Code Chapter 9 is amended by adding Section 9.74 to read as follows:

SECTION 9.74. KEEPING OF CHICKENS.

Subd. 1. Definitions. As used in this Section, the following definitions shall apply:

- A. “Chicken” means a female fowl of any age of the Genus, Species and Subspecies *Gallus gallus domesticus*.
- B. “Chicken keeper” means a person who maintains chickens on a premises located within the City.
- C. “Coop” means an enclosed and covered accessory structure in which chickens are housed.
- D. “Exercise yard” means a larger fenced in area that provides space for exercise and foraging.
- E. “Heat lamp” means an electrical device equipped with a bulb that emits mainly heat rather than light, used as a heat source.
- F. “Premises” is as defined in City Code Section 1.02, Subd. 22.
- G. “Rooster” means a male fowl of any age of the Genus, Species and Subspecies *Gallus gallus domesticus*.
- H. “Run” means an enclosed and covered area attached to a coop in which chickens are allowed to roam freely.
- I. “Shore impact zone” is as defined in City Code Section 11.50, Subd. 4.
- J. “Slaughtering” means the killing of a chicken within the City.
- K. “Wetland buffer strip” is as defined in City Code Section 11.51, Subd. 3.

Subd. 2. Registration.

- A. No person shall keep chickens on a premises in the City without completing a registration in accordance with this subdivision.
- B. A chicken keeper shall apply for registration with the City and receive approval of the registration prior to bringing any chicken into the City.
- C. The application for registration shall be upon the form provided by the City. All information required by the form shall be answered fully and completely by the chicken keeper.
- D. A registration fee shall be required. Such registration fee shall be in the amount set forth in the Fee Resolution adopted by the City Council, as the same may be amended from time to time.
- E. Upon the City's initial determination, based on the written application for registration, that the premises on which a chicken keeper proposes to keep the chickens meets the requirements of this Section, the chicken keeper shall allow an employee of the City access to inspect the premises and the proposed site of any coop, run, exercise yard, or associated site for the purpose of ensuring compliance with this Section. At the conclusion of the inspection, the City may administratively approve or deny the registration and notify the chicken keeper.
- F. The registration shall be valid as long as a person continues to keep chickens on the premises. A person no longer keeping chickens in the City shall notify the City within thirty (30) days.

Subd. 3. Required Conditions.

- A. No roosters shall be permitted on any premises in the City. A rooster shall be removed within seventy-two (72) hours of the date of discovery of the rooster.
- B. Any animal noise associated with chicken keeping shall be in compliance with City Code Section 9.07, Subd 6.B.
- C. No more than four (4) chickens shall be kept on any premises at any time, except for Rural-zoned properties of five (5) acres or greater, which shall be allowed a maximum of twenty-five (25) chickens at any time.
- D. Coops, runs, and exercise yards shall be maintained in a reasonably clean and sanitary condition, consistent with the requirements of Minnesota Rule 1721.0320, subpart 1.B, including the timely removal of feces, urine, and food scraps. No person shall allow odors associated with chickens to emit outside the boundary of the premises.
- E. Chickens shall be kept in a manner that complies with Minnesota Statutes Chapter 343.
- F. A coop conforming with this Section is required.
- G. A run or exercise yard conforming with this Section is required.
- H. All grain and other foods stored for the use of the chickens shall be kept in containers with tight-fitting lids and designed to prohibit access by rodents and other pests.

- I. Chickens shall be confined inside an enclosed coop, run, or exercise yard at all times and shall not be allowed to run at large.
- J. Chickens shall not be slaughtered on the premises or elsewhere within the City other than a retail establishment that employs a butcher.
- K. Deceased chickens shall be removed as soon as possible after death but no later than forty-eight (48) hours and shall be disposed of in manner consistent with City Code Section 9.01, Subd 8.

Subd. 4. Location.

- A. A registration application for keeping chickens shall be approved only for the keeping of chickens in the Rural and R-1 One Family Residential Districts. No registration application shall be approved for the keeping of chickens in any other zoning district.
- B. Except for premises that are zoned Rural and are five (5) acres or more in size, no chicken coop, run, or exercise yard shall occupy any front or side yard. For the purposes of this Section, a premises that is a corner lot shall be considered to have two (2) front yards.
- C. Chickens shall not be housed in a one-family residential house or an attached or detached garage.
- D. All coops, runs and exercise yards shall comply with minimum lot line setback requirements for accessory structures as specified in City Code Section 11.03, Subd. 2.B, Table 2, provided however in no instance shall any coop or run be closer than ten (10) feet from any lot line.
- E. No part of a coop, run or exercise yard shall be located closer than fifty (50) feet from any dwelling unit other than the dwelling unit on the premises where the coop or run is located.
- F. All coops, runs, and exercise yards shall comply with the required setbacks in all wetland buffer strip areas as specified under City Code Section 11.51, Subd. 8.
- G. No part of a coop, run, or exercise yard shall be located within any shore impact zone.
- H. No part of a coop, run, or exercise yard shall be located within fifteen (15) feet of any lake, pond, river, creek, or stream.
- I. No chicken, coop, run, or exercise yard shall occupy a back yard which directly abuts or adjoins any neighboring front yard.

Subd. 5. Accessory Structure Standards

- A. Except as otherwise provided in this Section, all chicken coops shall meet the following requirements:
 - 1. Only one coop shall be permitted per premises in the Rural and R-1 One Family Residential Districts.
 - 2. All coops shall provide a minimum of four (4) square feet of floor space per chicken.

3. All coops shall comply with maximum height requirements for accessory structures as specified in City Code Section 11.03, Subd. 2.B, Table 2.
 4. Coops shall contain a solid roof and their construction shall be done in a workmanlike manner utilizing durable materials that offer adequate insulation, ventilation and protection from all natural weather elements, predators, rodents and other pests.
 5. All coops shall have a minimum of one (1) sufficiently sized window to permit natural light to enter.
 6. The use of a heat lamp in a coop or run is prohibited.
- B. Except as otherwise provided in this Section, all chicken runs and exercise yards shall meet the following requirements:
1. No run or exercise yard shall exceed one hundred twenty (120) square feet in size.
 2. All runs and exercise yards shall be enclosed with fencing that prohibits the access of any predator.

Subd. 6. Inspection

- A. Upon prior notice to the owner or occupant of a premises, a City employee shall have the right to inspect any chicken coop, run, exercise yard, or associated site for the purpose of ensuring compliance with this Section.
- B. It shall be deemed a violation of this Section for any person to resist, impede or hinder a City employee in the performance of his or her duties in inspecting any coop, run, exercise yard, or associated site.

Subd. 7. Exemptions

- A. Rural zoned properties of five (5) acres or greater shall be exempt from the following provisions of this Section: (i) the registration requirement contained in subdivision 2; (ii) the slaughtering provision contained in subdivision 3.J; (iii) the size requirement for runs and exercise yards contained in subdivision 2.B.1; and (iv) the limitation on the number of coops contained in subdivision 5.A.1.
- B. Rural zoned property which is engaging in the activity of raising “farm animals” including poultry as a legal conforming or legal non-conforming use as of the date of adoption of this Ordinance shall be exempt from the requirements of this Section unless such use ceases for a period of one year.

Subd. 8. Denial, Revocation or Suspension of Registration

- A. Chicken keeping registrations under the provisions of this Section may be denied, revoked, or suspended by the Chief of Police or designee after notice and the right to request a hearing, for any of the following causes:
1. Fraud, misrepresentation or false statements on any application or registration form or during the course of the registered activity.

2. The keeping of chickens in an unlawful manner or a manner so as to constitute a breach of peace, or to constitute a menace to the health, safety or general welfare of the public.
3. Three (3) or more violations of this Section within a twelve (12) month period. For purposes of denial, revocation, or suspension of registration under this subdivision 8, a violation of this Section occurs when the City has notified the registrant of the violation in writing and the registrant has failed to cure the violation within the timeframe provided.

B. Notice of the denial, revocation or suspension, shall be in writing, specifically setting forth the grounds for denial, revocation or suspension and the registrant's right to request a hearing before the City Manager or designee. Such notice shall be mailed to the registrant at the address listed on the application. A registrant may request a hearing by filing a written request for hearing addressed to the City Manager within fifteen (15) days of the date of the notice. A hearing shall be held within thirty (30) days of the request. The City shall notify the registrant in writing of the time, date and location of the hearing at least five (5) days prior to the hearing. Within fifteen (15) days after the hearing the City Manager or designee shall issue a written decision and that decision shall be final. A copy of the decision shall be mailed to the registrant. If the registrant fails to request a hearing within fifteen (15) days of the date of the notice, the denial, suspension, or revocation shall automatically be deemed final. A revocation or suspension of a registration shall not be effective until issuance of a decision by the City Manager or designee. No appeal is allowed to the City Council under Section 2.80 of the City Code from a decision of the City Manager under this Section.

Section 2. City Code Chapter 9, Section 9.07, Subdivision 1 is hereby amended by deleting the phrase "Minnesota Statutes, 1994, Section 35.71" and replacing it with "Minnesota Statutes Section 346.47."

Section 3. City Code Chapter 9, Section 9.07, Subdivision 2 is hereby amended by deleting the word "Code" in the first line and replacing it with the word "Section."

Section 4. City Code Chapter 9, Section 9.07, Subdivision 2, Subsection A is hereby deleted in its entirety and replaced with the following:

- A. "Animal" includes any mammal, reptile, amphibian, fish, bird (including all fowl and poultry) or other member commonly accepted as part of the animal kingdom.

Section 5. City Code Chapter 9, Section 9.07, Subdivision 8 is hereby amended by: (1) deleting the phrase "Minnesota Statutes, 1994, Section 35.71" in the second sentence and replacing it with "Minnesota Statutes Chapter 346"; and (2) deleting the last two sentences of the subdivision.

Section 6. City Code Chapter 9, Section 9.07, Subdivision 13 is hereby amended by adding in the first sentence "as required by Minnesota Statutes Section 346.47" after "City Animal Shelter."

Section 7. City Code Chapter 9, Section 9.07, Subdivision 15 is hereby amended by deleting the second sentence in its entirety and inserting the following after the first sentence:

Areas in which animals are kept shall be maintained in a reasonably clean and sanitary condition, consistent with the applicable requirements of Minnesota Rules Chapter 1721, including the timely removal of feces, urine, and food scraps. No person shall allow odors

associated with an animal to emit outside the boundary of the premises on which the animal is kept.

Section 8. City Code Chapter 9.07, Subdivision 19, Subsection D is hereby deleted in its entirety and replaced with the following:

- C. Dog enclosures shall be maintained in a reasonably clean and sanitary condition, consistent with the requirements of Minnesota Rule 1721.0520, subpart 5.G, including the timely removal of feces, urine, and food scraps. No person shall allow odors associated with a dog to emit outside the boundary of the premises on which the dog is kept.

Section 9. City Code Chapter 9, Section 9.08, Subdivision 1, Subsection A is hereby deleted in its entirety and replaced with the following:

- A. “Farm animals” mean cattle, mules, sheep, goats, swine, ducks, geese, turkeys, quail, pheasants, guinea fowl, and pea fowl.

Section 10. City Code Chapter 9, Section 9.08, Subdivision 1, Subsection B is hereby deleted in its entirety and replaced with the following:

- B. “Animals” include any mammal, reptile, amphibian, fish, bird (including all fowl and poultry) or other member commonly accepted as part of the animal kingdom, including farm animals and domestic animals as defined in this Section.

Section 11. City Code Chapter 9, Section 9.08, Subdivision 1 is hereby amended by adding the following new subsection C:

- C. “Domestic animals” means horses, ponies, dogs, cats, gerbils, hamsters, caged household birds, female chickens, and other animals commonly kept as domesticated household pets.

Section 12. City Code Chapter 9, Section 9.08, Subdivision 2 is hereby amended by adding the following at the end of the sentence: “, or (6) domestic animals kept in compliance with any other applicable section of the City Code.”

Section 13. City Code Chapter 9, Section 9.08, Subdivision 7, Subsection A is hereby amended by deleting “, 1990.”

Section 14. City Code Chapter 1, Section 1.03, Chapter 2, Section 2.99, Chapter 3, Section 3.99, Chapter 4, Section 4.99, Chapter 5, Section 5.99, Chapter 6, Section 6.99, Chapter 7, Section 7.99, Chapter 8, Section 8.99, Chapter 9, Section 9.99, Chapter 10, Section 10.99, Chapter 11, Section 11.99, and Chapter 12, Section 12.99 are hereby amended by replacing every instance of the word “he” with the phrase “he or she.”

Section 15. City Code Chapter 1 entitled “General Provisions and Definitions Applicable to the Entire City Code Including Penalty for Violation” and Section 9.99 entitled “Violation a Misdemeanor or Petty Misdemeanor” are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 16. This ordinance shall be in effect from and after the date of its passage and publication.

FIRST READ at a regular meeting of the City Council of the City of Eden Prairie on the 13th day of June, 2017, and finally read and adopted and ordered published at a regular meeting of the City Council of said City on the 11th day of July, 2017.

Kathleen Porta, City Clerk

Nancy Tyra-Lukens, Mayor

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