PROPOSED LANGUAGE FOR CHICKEN-RAISING ORDINANCE

Section 1: **Chapter 27 (Zoning Ordinance) of the City of Dunwoody Code of Ordinances shall be amended to add a definition of the term "coop" to Article I, Section 1-17 to read as follows:**

"coop" means an enclosure, cage or pen, usually with bars or wires, in which chickens are traditionally confined.

Section 2: **Chapter 27 of the City of Dunwoody Code of Ordinances shall be amended by adding the following accessory use to Article II, Sections 2A-4(c), 2B-4(c), 2C-4(c), 2D-4(c), 2E-4(c), 2F-4(c), 2G-4(b), 2H-2(a)(4), and 2I-2(a)(4):**

"Coops for chicken raising **(subject to additional regulations in Section 4-10.1)**."

Section 3: **Chapter 27 of the City of Dunwoody Code of Ordinances shall be amended by adding a new provision to Article IV, designated as Section 4-10.1, to read as follows:**

Sec. 4-10.1. Chickens in Single Family Residential Districts.

(a) *Purpose and Intent.* The purpose and intent of the City Council in enacting the following regulations is to allow Dunwoody citizens the right to raise backyard chickens in all single family residential zoning districts in the City of Dunwoody. Further, the City Council finds it appropriate to regulate backyard chicken raising in the manner presented in this section, so as to be permissive enough to easily allow citizens to keep chickens on their property, but restrictive enough to protect the interests of neighboring residents from unnecessary noise and odor and the invitation of rodents, wild birds and predatory animals to the property. Additionally, these regulations are intended to ensure the humane treatment of animals.

(b) Roosters and crowing hens are prohibited.

(c) The Maximum number of chickens allowed per residential lot is as follows:

    (1)   Lots between 10,000 and 15,000 square feet – six (6) chickens
    (2)   15,001 square feet up to one (1) acre – eight (8) chickens
    (3)   Lots over one (1) acre – eight (8) chickens per acre of lot size.

    No chickens may be kept on lots under 10,000 square feet.

(d) Each lot owner shall be required to apply for and obtain a permit for housing of chickens from the City Community Development Department. As part of the application, the lot owner shall provide the City with proof of purchase or construction of a coop as dictated by this section and pursuant to industry standards. Prior to obtaining a permit, the City shall inspect the applicant's lot for compliance with the City Code and this section, and the issuance of the

permit shall grant the right to a City Code Enforcement Officer to enter onto applicant's lot at any time to investigate any chicken-related complaints.

(e) *Chicken Coops.*

    (1)   Coops shall not exceed six (6) feet in height above grade and must allow for a footprint of at least two (2) square feet per chicken housed in the coop. The Maximum single coop footprint size is forty (40) square feet.

    (2)   Coops must be kept clean, sanitary and free from standing water at all times. Coops shall be designed and maintained in such a way as to be impermeable to rodents, wild birds, and predators, including, but not limited to, cats coyotes, dogs, raccoons and skunks.

    (3)   Coops must be located in the rear yard of the lot.

    (4)   Coops must be setback no less than thirty-five (35) feet from the rear property line and no less than fifteen (15) feet from side property lines. Coops must be separated at least five (5) feet from the owners' residence.

(f) Feed and any other food source provided to the chickens shall be stored in predator-proof containers.

(g) When not in the coop, chickens must be supervised by the owner or agent thereof. When no humans are immediately present and supervising the chickens, they shall be kept securely within the predator-proof coop.

(h) Failure of lot owner to abide by all the applicable regulations of this section, the City of Dunwoody Code of Ordinances or any state or federal law regarding chicken-raising and/or coops shall be a violation of City Ordinances punishable by up to $1,000 fine or six (6) month imprisonment, or both, for each separate violation.

(i) If the provisions of this section conflict with any other provisions of the City of Dunwoody Code of Ordinances, the provisions contained in this section shall control.