

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LEBANON, LACLEDE COUNTY, MISSOURI, (HEREINAFTER REFERRED TO AS "CITY") AMENDING THE CITY CODE OF ORDINANCES CHAPTER 6 ANIMALS TO ADDRESS CHICKENS WITHIN THE CITY.

*WHEREAS,* that the current Code of Ordinances does not address chickens inside the City of Lebanon; *and*

*WHEREAS,* that there has been an increasing demand from citizens wishing to raise chicken hens for the production of home-grown food products; *and*

*WHEREAS,* that in order to address this demand while continuing to work to provide a sustainable environment for our citizens, City Staff recommends amending the City Code of Ordinances Chapter 6 Animals to address Chicken hens within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEBANON, LACLEDE COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1: That the City Council of the City of Lebanon, Laclede County, Missouri, hereby amends Lebanon Code of Ordinances Chapter 6 Animals Article 1 General Section 6-1; deletions noted as red strikethroughs and additions noted in bold as follows:

Sec. 6-1. Definitions.

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***Chicken coop* means a structure used to safely and securely house chicken hens.**

***Chicken hen* means an adult female chicken.**

***Rooster* means an adult male chicken.**

SECTION 2: That the City Council of the City of Lebanon, Laclede County, Missouri, hereby amends Lebanon Code of Ordinances Chapter 6 Animals Article II Care and Control Sec. 6-21; additions noted in bold as follows:

Sec. 6-21. Number of animals; residential restriction

- (a) It is unlawful for any persons residing in one household, having the right of property or custody, to own, keep or harbor, or allow to remain on or about any premises occupied as a single-family dwelling zoned residential neighborhood, more than four adult canines, four adult felines, or a combination of more than four adult canines and adult felines. For purposes of this subsection, the term "adult" means an animal over the age of four months.
- (b) ~~A maximum of six chicken hens is permitted on a person's property.~~ **Six chicken hens are allowed for lots 5,000 square feet or greater. An additional hen is allowed for each 2,500 additional lot square footage to a maximum number of twenty (20) hens.<sup>1</sup>**

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<sup>1</sup> Amended per City Council on May 13, 2024

**The following table provides more information regarding the number of chickens allowed per property.**

Lot Size (sq. ft.)	Number of Chickens Permitted
5,000 (min.)	6
15,000	10
27,500	15
40,000	20 (max.) <sup>2</sup>

**(c) Roosters are strictly prohibited in the City of Lebanon.**

SECTION 3: That the City Council of the City of Lebanon, Laclede County, Missouri, hereby amends Lebanon Code of Ordinances Chapter 6 Animals Section 6-22; additions noted in bold as follows:

Sec. 6-22. Duties of animal owners generally.

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- (g) The owner of chicken hens shall ensure the chicken hens are securely constrained and enclosed in a chicken coop in such a way as to prevent their escape.**
- (h) The owner of chicken hens is permitted to let chicken hens roam free under direct supervision only, and chicken hens shall not be permitted to leave the property owner's lot.**
- (i) The owner of chicken hens shall ensure that chicken hens are kept and maintained in a clean and wholesome manner.**

SECTION 4: That the City Council of the City of Lebanon, Laclede County, Missouri, hereby amends Lebanon Code of Ordinances Chapter 6 Animals Section 6-26; additions noted in bold as follows:

Sec. 6-26. Sale of certain animals prohibited.

- (a)** It is unlawful for any person to sell, offer for sale, barter or give away baby chickens, ducklings or other fowl, until fully feathered out, or rabbits or other animals under the age of two months, as pets, toys, premiums or novelties; provided, however, that this section shall not be construed to prohibit the sale or display of baby chickens, ducklings, or other fowl or rabbits or other animals under the age of two months, in proper facilities by breeders or stores engaged in the business of selling them to be raised for commercial purposes.
- (b) The raising of chicken hens shall only be permitted for private, non-commercial, and non-breeding use.**

SECTION 5: That the City Council of the City of Lebanon, Laclede County, Missouri, hereby amends Lebanon Code of Ordinances Chapter 6 Animals Section 6-32; and additions noted in bold as follows:

Sec. 6-32. Removing fecal matter.

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<sup>2</sup> Amended to add table per City Council on May 13, 2024

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- (c) **Any manure or other waste from the chicken hens shall be collected and properly removed from the subject property or tilled into the soil on the subject property promptly and regularly to alleviate offensive smells and prevent the spread of diseases.**

SECTION 6: That the City Council of the City of Lebanon, Laclede County, Missouri, hereby amends Lebanon Code of Ordinances Chapter 6 Animals by adding Section 6-33; additions noted in bold as follows:

**Sec. 6-33. Chicken Coop Regulations.**

- (a) **The keeping of chicken hens requires the installation of a chicken coop.**
- (b) **No person shall keep chickens in any pen having an area of less than 144 square feet or the exterior boundary of which is less than 50 feet at the nearest point from the dwelling of another, a church, a school or a place of business of another<sup>3</sup>.**
- (c) **If more than 12 chickens are kept in a pen, the pen must have an area equal to 12 square feet for each additional chicken in such pen.<sup>4</sup>**
- (d) **No person shall keep more than 12 chickens in any pen the exterior boundary of which is less than 100 feet at the nearest point from the dwelling of another, a church, a school or a place of business of another.<sup>5</sup>**
- (e) **Chicken coops are accessory buildings and are permitted in the following zoning districts: RS-1, RS-2, RS-3, RS-4, RS-5, C-2.**
- (f) **Chicken coops shall not be attached to the main building<sup>6</sup>**
- (g) **The minimum lot size of 5,000 sf. is required for a chicken coop.**
- (h) **Chicken coops shall be kept in good repair and free of peeling paint, untreated or rotted wood, and rust.**
- (i) **Chicken coops shall have gutters and downspouts, 4:12 sloped roofs. Proper water drainage and management to eliminate standing water.<sup>7</sup>**
- (j) **Chicken coops shall have cross ventilation and use hardware cloth to cover ventilation openings. Ventilation openings shall have regular maintenance to prevent dust build-up and vegetation growth near ventilation openings. Adequate ventilation will reduce moisture buildup.<sup>8</sup>**
- (k) **The floors of every chicken coop shall be a minimum of one foot off the ground, smooth, tight, resistant to moisture<sup>9</sup>, and maintained so as to prevent accumulation of filth or water or harboring of vermin thereunder.**

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<sup>3</sup> Amended to add per City Council on May 13, 2024

<sup>4</sup> Amended to add per City Council on May 13, 2024

<sup>5</sup> Amended to add per City Council on May 13, 2024

<sup>6</sup> Amended to add per City Council on May 13, 2024

<sup>7</sup> Amended to add per City Council on May 13, 2024

<sup>8</sup> Amended to add per City Council on May 13, 2024

<sup>9</sup> Amended to add per City Council on May 13, 2024

- (l) All chicken coops, refuse containers and feed containers intended for the use of chicken hens shall be constructed, maintained, and kept in such a manner as to be completely rodent proof.
- (m) Chicken coops shall have adequate roosting bars and nesting boxes in ratio to amount of hens broods<sup>10</sup>.
- (n) The chicken environment shall have adequate shade at all times in the year.<sup>11</sup>
- (o) The presence of numerous flies or the presence of fly larvae in the vicinity of any chicken coop shall be evidence of a lack of sanitary maintenance and shall constitute a public nuisance.
- (p) Any obnoxious odor or allergen arising from any condition existing with the chicken coop shall be evidence of a lack of sanitary maintenance and shall constitute a public nuisance.
- (q) The property owner, tenant, or custodian shall promptly comply with orders of the City and/or County Health Department in respect to any unsanitary condition found to exist.
- (r) Deceased chicken hens shall be disposed of either through burial or incineration in accordance with federal, state and county regulations.

SECTION 7: Should any part of this Ordinance be rendered or declared invalid by a court of competent jurisdiction in the State of Missouri, such invalidation of such part or portion of this Ordinance shall not invalidate the remaining portions thereof and shall remain in full force and effect.

SECTION 8: That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

Passed and approved by the City Council of the City of Lebanon, Laclede County, Missouri, on this 13th day of May 2024.

(Seal)

Attest:

City Clerk Laina Starnes

Mayor Jared Carr

1<sup>st</sup> Reading: April 8, 2024

2<sup>nd</sup> Reading: May 13, 2024

<sup>10</sup> Amended to add per City Council on May 13, 2024

<sup>11</sup> Amended to add per City Council on May 13, 2024