

ORDINANCE NO. **345**

AN ORDINANCE OF THE TOWN COUNCIL OF COLUMBUS, MONTANA,  
ADDING SECTION 17.96.015 UNDER CHAPTER 17.96 OF THE  
MISCELLANEOUS PROVISIONS OF THE COLUMBUS MUNICIPAL  
CODE TO ALLOW A LIMITED NUMBER OF FEMALE CHICKENS IN  
RESIDENTIAL AREAS.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF COLUMBUS,  
MONTANA, that Section 17.96.015 is hereby added to Chapter 17.96, Miscellaneous Provisions,  
of the Columbus Municipal Code to read as follow:

**17.96.015 Chickens (Female Gallus gallus domesticus)**

SECTION 1: Up to twelve (12) chicken hens (Female Gallus gallus domesticus) may be kept  
on a premise subject to the following requirements and subject to all other applicable provisions of  
the Columbus Municipal Code:

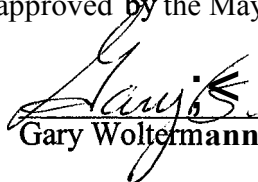
- (1) The chicken hens must be kept on a single-family parcel. Chicken hens are prohibited on any multi-dwelling parcel.
- (2) No male chickens (roosters) shall be permitted.
- (3) The owner must obtain an annual permit from the Town Clerk.
  - (a) The fee for this permit shall be \$10.00 and shall be nonrefundable.
  - (b) The fee for this permit may be periodically adjusted by Resolution duly adopted by the Town Council.
- (4) The chicken hens shall be provided with a covered, predator-proof chicken house that is thoroughly ventilated, of sufficient size to admit free movement of the chicken hens, designed to be easily accessed, cleaned and maintained by the owners, be at least 2 square feet per chicken hen in size and the coop and enclosure cannot be more than (12) twelve feet at its peak in height.
- (5) No chicken house, outdoor chicken enclosure, or chicken hen shall at any time be located closer than 10 feet to any public right-of-way, sidewalk, or neighboring property line.
- (6) The chicken hens shall be shut into the chicken house at night, from sunset to sunrise.
- (7) During daylight hours the adult chicken hens shall have access to the chicken house and, weather permitting, shall have access to an outdoor enclosure on the subject property, adequately fenced to contain the chicken hens and to prevent access to the chicken hens by predators.
- (8) Stored feed must be kept in a rodent- and predator-proof container.

- (9) It is unlawful for the owner, custodian, or keeper of any chicken hen to allow the animal(s) to be a nuisance to any neighbors, including but not limited to: noxious odors from the animals or their enclosure and noise of a loud and persistent and habitual nature.
- (10) No chicken hen(s) shall be allowed to run at large in the Town. No owner or keeper shall allow or permit any chicken hen(s) to be at large off the owner's or keeper's property. Any chicken hen(s) found to be running at large in the Town or on private property in violation of this section shall constitute a public nuisance and shall be impounded in the animal shelter. Any impounded chicken hen shall not be released to the owner until the owner has paid an impoundment fee of \$15.00 per chicken hen per day or any part of a day. Any chicken hen not reclaimed by the owner within 72 hours of impoundment shall be deemed abandoned and may be destroyed or otherwise disposed of in a manner deemed appropriate by the Animal Control Officer.
- (11) No chicken house, chicken enclosure, or chicken hen shall be located in a front yard.
- (12) No chicken hens shall be slaughtered within view of adjacent property or the public.
- (13) Changes to the standards contained in this section shall require any permit holder to comply with any new standard, regulation, or condition and no notice to a permit holder is required prior to enforcement of any new standard beyond that required for adoption of a new or revised ordinance.
- (14) A chicken house required under this section must meet the setback requirements of the zoning district in which the chicken house is located.
- (15) Chicken hens shall not be permitted in areas where prohibited by subdivision covenants.
- (16) A violation of this ordinance is a municipal infraction with civil penalties as specified in Section 7-1-4150 and 7-1-4151, MCA.

**SECTION 2: Severability.** If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

**SECTION 3: Effective Date.** This Ordinance shall become effective thirty (30) days after its passage and approval.

PASSED by the Town Council and approved by the Mayor on second reading this **3rd** day of **March**, 2014.

  
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Gary Woltermann-Mayor

ATTEST:

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