

## ORDINANCE NO. 6, SERIES 2022

### AN ORDINANCE AMENDING CITY OF NEWCASTLE ZONING ORDINANCE NO. 13 SERIES 1985 AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF NEWCASTLE, WESTON COUNTY, WYOMING,

ORDINANCE NO. 13 SERIES 1985 IS HEREBY AMENDED AS FOLLOWS:

#### SECTION 6. DISTRICT REGULATIONS

**Section 6.c.(3) R-1 – Single-Family Residential District, subparagraph (3) is amended to include subparagraph 3(g):**

(g) The keeping of chickens shall be allowed subject to the following criteria:

- A person seeking to house chickens on their property shall submit an application and 20.00 fee. The application will state the name, address, and phone number of the applicant. If the applicant's residence is situated in R-1, the applicant shall be given a permit, subject to these requirements, lasting one year starting on the acceptance date of the application;
- The maximum chickens per lot shall be six, all chickens must be hens and all references to chickens in this section are to be interpreted as hens;
- Adjacent property means all parcels of property that the chicken owner's property comes into contact with at one or more points;
- At large is defined as any chicken being outside the confines of the owners fenced in property during the day or outside of the coop at night;
- Chickens shall be provided with what is commonly known as a chicken coop that is covered, fully enclosed and predator-resistant. Chickens shall be protected from predators by being enclosed in the coop from dusk until dawn;
- During daylight hours, the chicken hens shall have access to the coop at all times. If the chickens are permitted outside of the coop, then the area which they have access to must be secured, with a fence surrounding the chicken owners property, a neighbors fence cannot be used to meet the requirements of this section, and wing feathers shall be clipped to prevent the birds from flying and escaping;
- The coop and the fenced in property of the owner shall be cleaned and maintained so as not to cause excessive smells or odors, dust, or attract excessive insects or vermin. The frequency of cleaning shall be once every two weeks;
- All feed and other items associated with the keeping of chickens shall be protected in a weather-resistant container designed to prevent access by insects and animals. No live feed is permitted;
- Chicken coops must be set back five (5) feet from adjacent property as well as the chicken owner's dwelling unit. Interior space of chicken coops are required to have (3) three square feet per chicken;

- Power for heating lamps must use either Romex or outdoor rated electrical wiring and if extension cords are used they must be 14 gauge or more. If outlets are installed then the outlets must be equipped with ground-fault circuit interrupters (GFCI);
- Any person owning chickens within this district shall be subject to inspection by the Community Service Officer for compliance purposes of this section. Any person found in violation of this code may have their permit revoked;
- Any person in violation of the criteria above shall be subject to a fine of twenty (20) dollars, with each day the violation continues to constitute a new violation;
- For chickens that are at large, twenty (20) dollars shall be assessed to the chicken owner to receive their chicken back from the city, and three (3) dollars per day shall be assessed for the housing and upkeep of a lost chicken.

**Section 6.d.(3) R-2 – Single- and Two-family Residential District, subparagraph (3) is amended to include subparagraph 3(g):**

(g) The keeping of chickens shall be allowed subject to the following criteria:

- A person seeking to house chickens on their property shall submit an application and 20.00 fee. The application will state the name, address, and phone number of the applicant. If the applicant's residence is situated in R-2, the applicant shall be given a permit, subject to these requirements, lasting one year starting on the acceptance date of the application;
- The maximum chickens per lot shall be six, all chickens must be hens and all references to chickens in this section are to be interpreted as hens;
- Adjacent property means all parcels of property that the chicken owner's property comes into contact with at one or more points;
- At large is defined as any chicken being outside the confines of the owners fenced in property during the day or outside of the coop at night;
- Chickens shall be provided with what is commonly known as a chicken coop that is covered, fully enclosed and predator-resistant. Chickens shall be protected from predators by being enclosed in the coop from dusk until dawn;
- During daylight hours, the chicken hens shall have access to the coop at all times. If the chickens are permitted outside of the coop, then the area which they have access to must be secured, with a fence surrounding the chicken owners property, a neighbors fence cannot be used to meet the requirements of this section, and wing feathers shall be clipped to prevent the birds from flying and escaping;
- The coop and the fenced in property of the owner shall be cleaned and maintained so as not to cause excessive smells or odors, dust, or attract excessive insects or vermin. The frequency of cleaning shall be once every two weeks;

- All feed and other items associated with the keeping of chickens shall be protected in a weather-resistant container designed to prevent access by insects and animals. No live feed is permitted;
- Chicken coops must be set back five (5) feet from adjacent property as well as the chicken owner's dwelling unit. Interior space of chicken coops are required to have (3) three square feet per chicken;
- Power for heating lamps must use either Romex or outdoor rated electrical wiring and if extension cords are used they must be 14 gauge or more. If outlets are installed then the outlets must be equipped with ground-fault circuit interrupters (GFCI);
- Any person owning chickens within this district shall be subject to inspection by the Community Service Officer for compliance purposes of this section. Any person found in violation of this code may have their permit revoked;
- Any person in violation of the criteria above shall be subject to a fine of twenty (20) dollars, with each day the violation continues to constitute a new violation;
- For chickens that are at large, twenty (20) dollars shall be assessed to the chicken owner to receive their chicken back from the city, and three (3) dollars per day shall be assessed for the housing and upkeep of a lost chicken.

**Section 6.e.(2) R-3 – Multi-family Residential District, subparagraph (3) is amended to include subparagraph 3(h):**

(h) The keeping of chickens shall be allowed subject to the following criteria:

- A person seeking to house chickens on their property shall submit an application and 20.00 fee. The application will state the name, address, and phone number of the applicant. If the applicant's residence is situated in R-3, the applicant shall be given a permit, subject to these requirements, lasting one year starting on the acceptance date of the application;
- The maximum chickens per lot shall be six, all chickens must be hens and all references to chickens in this section are to be interpreted as hens;
- Adjacent property means all parcels of property that the chicken owner's property comes into contact with at one or more points;
- At large is defined as any chicken being outside the confines of the owners fenced in property during the day or outside of the coop at night;
- Chickens shall be provided with what is commonly known as a chicken coop that is covered, fully enclosed and predator-resistant. Chickens shall be protected from predators by being enclosed in the coop from dusk until dawn;
- During daylight hours, the chicken hens shall have access to the coop at all times. If the chickens are permitted outside of the coop, then the area which they have access to must be secured, with a fence surrounding the chicken owners property, a neighbors fence cannot

be used to meet the requirements of this section, and wing feathers shall be clipped to prevent the birds from flying and escaping;

- The coop and the fenced in property of the owner shall be cleaned and maintained so as not to cause excessive smells or odors, dust, or attract excessive insects or vermin. The frequency of cleaning shall be once every two weeks;
- All feed and other items associated with the keeping of chickens shall be protected in a weather-resistant container designed to prevent access by insects and animals. No live feed is permitted;
- Chicken coops must be set back five (5) feet from adjacent property as well as the chicken owner's dwelling unit. Interior space of chicken coops are required to have (3) three square feet per chicken;
- Power for heating lamps must use either Romex or outdoor rated electrical wiring and if extension cords are used they must be 14 gauge or more. If outlets are installed then the outlets must be equipped with ground-fault circuit interrupters (GFCI);
- Any person owning chickens within this district shall be subject to inspection by the Community Service Officer for compliance purposes of this section. Any person found in violation of this code may have their permit revoked;
- Any person in violation of the criteria above shall be subject to a fine of twenty (20) dollars, with each day the violation continues to constitute a new violation;
- For chickens that are at large, twenty (20) dollars shall be assessed to the chicken owner to receive their chicken back from the city, and three (3) dollars per day shall be assessed for the housing and upkeep of a lost chicken.

**Section 6.f.(2) M-H – Mobile Home District, subparagraph (3) is amended to include subparagraph 3(h):**

(h) The keeping of chickens shall be allowed subject to the following criteria:

- A person seeking to house chickens on their property shall submit an application and 20.00 fee. The application will state the name, address, and phone number of the applicant. If the applicant's residence is situated in M-H, the applicant shall be given a permit, subject to these requirements, lasting one year starting on the acceptance date of the application;
- The maximum chickens per lot shall be six, all chickens must be hens and all references to chickens in this section are to be interpreted as hens;
- Adjacent property means all parcels of property that the chicken owner's property comes into contact with at one or more points;

- At large is defined as any chicken being outside the confines of the owners fenced in property during the day or outside of the coop at night;
- Chickens shall be provided with what is commonly known as a chicken coop that is covered, fully enclosed and predator-resistant. Chickens shall be protected from predators by being enclosed in the coop from dusk until dawn;
- During daylight hours, the chicken hens shall have access to the coop at all times. If the chickens are permitted outside of the coop, then the area which they have access to must be secured, with a fence surrounding the chicken owners property, a neighbors fence cannot be used to meet the requirements of this section, and wing feathers shall be clipped to prevent the birds from flying and escaping;
- The coop and the fenced in property of the owner shall be cleaned and maintained so as not to cause excessive smells or odors, dust, or attract excessive insects or vermin. The frequency of cleaning shall be once every two weeks;
- All feed and other items associated with the keeping of chickens shall be protected in a weather-resistant container designed to prevent access by insects and animals. No live feed is permitted;
- Chicken coops must be set back five (5) feet from adjacent property as well as the chicken owner's dwelling unit. Interior space of chicken coops are required to have (3) three square feet per chicken;
- Power for heating lamps must use either Romex or outdoor rated electrical wiring and if extension cords are used they must be 14 gauge or more. If outlets are installed then the outlets must be equipped with ground-fault circuit interrupters (GFCI);
- Any person owning chickens within this district shall be subject to inspection by the Community Service Officer for compliance purposes of this section. Any person found in violation of this code may have their permit revoked;
- Any person in violation of the criteria above shall be subject to a fine of twenty (20) dollars, with each day the violation continues to constitute a new violation;
- For chickens that are at large, twenty (20) dollars shall be assessed to the chicken owner to receive their chicken back from the city, and three (3) dollars per day shall be assessed for the housing and upkeep of a lost chicken.

PASSED, ADOPTED AND APPROVED this 5 day of December, 2022.

CITY OF NEWCASTLE:

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Pam Gualtieri  
Mayor

ATTEST:

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Stacy J. Haggerty  
City Clerk/Treasurer

Passed on first reading: November 7, 2022  
Passed on second reading: November 21, 2022

PASSED, APPROVED AND ADOPTED on third reading this 5<sup>th</sup> day of December, 2022.

CERTIFICATION OF PUBLICATION

I Stacy J. Haggerty, City Clerk/Treasurer of the City of Newcastle, Wyoming, hereby certify that Ordinance No. \_\_\_\_\_, Series 2022 was published in the News Letter Journal, Newcastle, Wyoming, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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Stacy J. Haggerty  
City Clerk/Treasurer