

ORDINANCE NO. 23-1224

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE TO AMEND THE RED BANK ANIMAL AND FOWL ORDINANCE, ORDINANCE 21-1195, CODIFIED AT RED BANK CITY CODE TITLE 10, CHAPTERS 1 THROUGH 10, INCLUSIVE AND IN PARTICULAR AMENDING SECTION 10-77 OF SAID TITLE 10 OF THE RED BANK CITY CODE.

WHEREAS, the City Commission finds that the present regulatory provisions of and with respect to the keeping, controlling, and monitoring of domesticated animals in general, and with respect to female chickens, in particular, should be revised to reflect the experience of City Administration since 2021 and the perceived general will of the citizens of the City of Red Bank and in order to lessen the “minimal one-half” acre lot size requirement in order to permit certain limited numbers of female chickens who lay eggs to be kept in the residential areas of the City of Red Bank under certain restrictions; and

WHEREAS, the Centers for Disease Control (CDC) has published and made readily available ownership information regarding potential health hazards associated with possessing poultry (also known as domestic fowl such as chickens, turkeys, ducks, and geese); that certain outbreaks of disease are common and advises poultry owners the following diseases are possible: Bird Flu (Avian Influenza), E. coli (Escherichia coli), Histoplasmosis (Histoplasma capsulatum) and Salmonellosis (Salmonella spp.).

<https://www.cdc.gov/healthypets/pets/farm-animals/backyard-poultry.html>

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Red Bank, Tennessee as follows:

SECTION 1. Title 10, Article VIII, Section 10-77(c) of the Red Bank City Code shall be revised by deleting said subsection (c) in its entirety and substituting in its place and stead the following:

(c) All owner-occupied residential properties in zoning districts R-1 (Residential Zone) and R-1A (Residential Zone) which meet all of the other requirements of this article and this Code are eligible to have chickens, except that properties abutting Stringers Branch shall not be eligible to keep/house/shelter chickens under this Ordinance.

SECTION 2. Title 10, Article VIII, section 10-77(g) shall be revised to add: “(excluding Stringer’s Branch; keeping chickens is not allowed on any lot abutting or bordering Stringer’s Branch)” immediately following the words fifty (50’) feet from any stream and ten (10’) feet from the main structure.” in the fifth (5th) line of said subsection (g).

SECTION 3. Title 10, Article VIII, section 10-77(l) shall be revised by deleting subsection (l) in its entirety and by renumbering currently existing subsections (m) as (l), (n) as (m), and (o) as (n).

SECTION 4. Insert a new Section 5, as follows:

Section 5. Disposal of chicken litter, manure and waste, Chicken litter, manure, and waste must be disposed of in a manner consistent with current best practices as prescribed by the Center for Disease Control and shall include at least the following:

- a) Composting-stored waste may not be stored within 25 feet of any side yard or rear yard of an adjoining property and shall not be stored within fifty feet of any stream.
- b) The City of Red Bank will accept the disposal of a small amount of waste in the resident's city garbage receptacle. In order for the city to accept the waste the following requirements are applicable:
 - 1) All waste must be DOUBLE BAGGED in durable and sturdy trash bags at least three (3) mils in thickness and designed to hold household trash. Grocery Store type carry-out plastic bags are not allowed for this use.
 - 2) A ten-pound limit per week or at any other single disposal time (for those not using a weekly disposal method). Accumulating waste for monthly, or less frequent, disposal may not exceed ten pounds.
- c) Failure to follow these disposal restrictions will result in permit holders having their permit revoked in accordance with Section 4, (a)(2) (o) above.

SECTION 5. Insert a new Section 6 as follows:

SECTION 6. Annual Permit Renewals

- a) Permit holders are required to renew their chicken permits annually coincident with the anniversary date of issuance of their current permit.
- b) Permit applicants will follow the same procedures as a new applicant by logging into the city website, accessing the citizen portal, and completing the online application process.
- c) Permit applicants will be required to schedule a re-inspection of their chicken coop, set-back requirements, and disposal procedures prior to permit issuance.
- d) Fees for permit renewals will be the same as for new applications and based upon the city's fee schedule for chicken permits.

SECTION 6. Section 10-77 is further amended by renumbering currently existing Section 5 as Section 8 and Section 6 as Section 9.

SECTION 7. Every section, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not affect or impair any other section, sentence, clause, or phrase hereof.

SECTION 8. This Ordinance shall take effect from and after the date of its final passage the health, safety, and welfare of the Citizens of the City of Red Bank requiring it.

Tracey L Perry 3/9/23
City Recorder Tracey Perry (date)

February 7, 2023
Passed on First Reading

March 7, 2023
Passed on Second and Final Reading

Hollie Berry 3/9/23
Mayor Hollie Berry (date)

Approved as to form:
Arnold Stulce Jr 3/9/23
City Attorney Arnold Stulce, Jr (date)