



City of Libby
Libby Montana
www.cityoflibby.com

PO Box 1428
952 E. Spruce Street
Libby MT, 59923
(406) 293-2731
Fax (406) 293-4090

\$30 ANNUAL FEE

Urban Chicken Permit Application

(Applications are Non-Transferrable)

Applicant Name: _____

Applicant Mailing Address: _____

Property Physical Address: _____

Applicant Phone #: _____ Email Address: _____

PROPERTY OWNER INFORMATION

(if different than applicant)

Property Owner Name: _____

Phone # _____

Address: _____

City _____ State _____ Zip Code _____

I, _____, as owner of the aforementioned physical property, hereby consent that the above name applicant be allowed to keep and care for up to (5) chickens, **NO ROOSTERS**, in accordance with Ordinance of the City of Libby, on my property listed as the physical address above.


_____,
Signature Date

Distance from chicken coop to nearest property line: _____

Distance from chicken coop to nearest dwelling occupied by anyone other than applicant: _____

Square feet of hen house: _____

Square feet of chicken coop: _____



Provide a sketch in the area above to identify property boundaries, the location of all structures on the property and distances between said structure and between property boundaries. The sketch must also indicate the location of the chicken enclosure and hen house.

NOTE: Any enclosure, building, structure, hen house or fence that will be brought onto or built on the property for the use of keeping chickens must first apply for and be issued a building permit if applicable.

Property Owner and/Tenant (if applicable) agree:

- All requirements of this permit must be met **PRIOR** to the issuance of a chicken permit.
- Chicken permits will be issued only when **ALL** permit application requirements are met.
- At all times, chickens will be kept in accordance with all of the conditions prescribed in **Ordinance 07.05**, or modification thereof. (copy attached)
- The maximum number of chickens that will be kept under conditions of this permit will not exceed **5** chickens, **NO roosters**.
- Chicken enclosure, including hen house must be located in rear yard **only** and must not be less than thirty (30) feet to any dwelling occupied by anyone other than the party permitted to keep the chickens, and not closer than fifteen (15) feet to any property line.
- Failure to obey such conditions will constitute a violation of this permit and City Ordinance and may result in revocation of said permit and/or immediate impoundment of the chicken(s).

(A renewal notice will be mailed out 60 days prior to expiration)

I, _____, as applicant, agree to keep and care for chickens, and hereby acknowledge that the information contained in this application is true, and that I will remain in compliance with the terms of this permit and City of Libby's Municipal Codes. Furthermore, I understand that as long as I hold this permit, I consent to inspections of the property previously listed, by the Lincoln County Health Department and any agents of the City.

Applicant Signature

Date

County Health Inspection:

Recommended for: ☐ APPROVAL ☐ DENIAL (based on the following reasons)

Lincoln County Health Department Signature

Date

City Staff Use Only

Date and time application received _____

Number of Permits Issued Prior to submittal of this application _____

Application Complete: ☐ Yes ☐ No

Hen House is a ☐ New structure or an ☐ Existing Structure

Approval of County Health Department met: ☐ Yes ☐ No

Fee Paid _____ Date _____ Permit No . _____

Or Permit Denied for the following reason(s):

City Official: _____ Date: _____

Attachment “A”

Title 7, Chapter 5 Urban Chickens

7.5.010 Chickens Allowed in Certain Zoning Districts

Chickens are allowed in Residential A, B and C Districts for single-family dwelling uses only.

7.5.020 Permit required

- A. Prior to the keeping of any chickens, a party seeking to keep chickens must obtain an Urban Chicken permit from the City of Libby. Only one permit must be issued per household. An Urban Chicken permit is specific to the permit holder and the location of the permit. Each permit party must be provided with a specific permit number.
- B. An Urban Chicken permit must not be issued to any party not meeting all of the requirements of this chapter. The following provisions must apply to Urban Chickens permits:
 - 1. Inspection. The property must be inspected by the Health Department; such inspection must include the chicken house and secure enclosure, and setback of said structure from property lines and adjacent dwelling units.
 - 2. Recommendation. Following the inspection, the Health Department will recommend to the City either approval or disapproval of the application.
 - 3. Fee. An annual Urban Chicken permit fee must be established by resolution of the City Council.
 - 4. Renewals. All Urban Chicken permits must expire one year from the date of issuance unless revoked prior to that date. An Urban Chicken permit must be renewed within sixty days of the expiration date of the permit, or the permit will be treated as a new application. An Urban Chicken permit renewal fee must be established by resolution of the City Council.
 - 5. Permit Revocation. An Animal Control Officer will investigate all complaints concerning licensing or improperly operated chicken keeping and may recommend revocation of the permit if it is deemed necessary. The permit holder will be given at least five days written notice of such recommendation during which time the permit holder may appeal the Animal Control Officer's recommendation to the Health Department. The City will then take action as required.

7.5.030 Number/Type of chickens

- A. A maximum of five (5) chickens may be permitted subject to the following conditions:
 - 1. A minimum of ten (10) square feet per chicken of secured outdoor enclosure (confined run); and
 - 2. A minimum of three (3) square feet per chicken of coop space
- B. No male domestic chicken (rooster) over the age of three (3) months must be kept on any property.

7.5.040 Shelter requirement

- A. No chickens may run at large
- B. Chickens must be provided with a chicken coop consisting of two adjacent and connected parts:
 - 1. A covered, secure, predator-resistant outdoor chicken enclosure (run), that is of sufficient size to admit free movement of the chickens; and

2. A covered, predator-resistant chicken house that is thoroughly ventilated, of sufficient size to admit free movement of the chickens, and designed and built to be easily accessed, cleaned and maintained by the permitted chicken keeper. The chicken house must be adjacent to and provide unrestricted access to the outdoor secure enclosure.
- C. Chickens must be confined within the chicken house on the property of the permitted chicken keeper from sunset to sunrise.

7.5.050 Location requirement

A chicken coop, including the chicken house and secured outdoor enclosure (run), must be located in rear yards only. Coops must not be less than 30 feet from any dwelling occupied by a person or persons other than the party permitted to keep the chickens, as measured from the exterior wall of the chicken coop to the closest exterior wall of the adjacent dwelling. In no case must the chicken coop be located closer than 15 feet to any property line as measured from the nearest exterior wall of the chicken coop to such property line.

7.5.060 Supply of feed and water

- A. Chickens must have continuous access to adequate and appropriate feed and water.
- B. Stored feed must be kept in a rodent and predator-resistant container.

7.5.070 Sanitation

- A. Chicken coops must be kept in a neat and sanitary condition at all times, and must be cleaned on a regular basis so as to prevent offensive odors and/or the spread of disease.
- B. No chickens must be slaughtered within the public view.

7.5.080 Penalties and Violations

- A. Any violation of this chapter must be punishable pursuant to Section 1.28.010 of this Code. No jail sentence must be imposed.
- B. In addition to any penalties specified in this Chapter, the Court in its discretion may Order any of the following conditions;
 1. The Court may order relinquishment of a chicken(s) deemed to be a public safety risk and/or a repetitive nuisance that has not been abated or a chicken(s) that is a victim of cruelty, neglect or abandonment to the Animal Shelter for disposition.
 2. Upon finding of chicken cruelty or neglect (including provoking, poisoning, abandonment of a chicken), the court may order no chicken ownership for a determinate period.
 3. Violations of this Chapter may result in immediate impoundment of the chicken(s).
 4. Violation of any provision of this chapter may result in revocation of any permit(s).
 5. A person found guilty of a violation of this section is guilty of a misdemeanor punishable by a maximum fine of \$500

ORDINANCE 1922

AN ORDINANCE AMENDING
TITLE 7, ANIMALS
OF THE OFFICIAL CODE OF THE CITY OF LIBBY,
REGULATING URBAN CHICKENS
WITHIN THE CORPORATE LIMITS
OF THE CITY OF LIBBY, MONTANA
* * * * *

WHEREAS, it is the intent of the City Commission of the City of Libby to provide for and protect the health, safety and welfare of the citizens of Libby, promote residential harmony and ensure the well-being of properly maintained domestic chickens through effective regulation; and,

WHEREAS, the City Council of the City of Libby acknowledges that having chickens within an urban environment has the potential to affect the interests of others; and,

WHEREAS, certain minimum standards for keeping urban chickens is necessary to protect the health, welfare and quality of life of both the animals and citizens of Libby; and,

WHEREAS, it is the intent of the City Council of the City of Libby to provide and maintain, for the citizens of Libby, opportunities for the healthy consumption of locally produced foods and products; and,

WHEREAS, the City Council of the City of Libby, acknowledges that the act of food production on one's own property may improve the quality of life of its residents; and,

WHEREAS, the City Commission of the City of Libby acknowledges that the husbandry of an appropriate number of domestic female chickens may provide a sustainable and cost-effective food source.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LIBBY, STATE OF MONTANA:

Section 1. That the table of contents of Title 7 of the Official Code of the City of Libby be amended to add the titled chapter reading as depicted in Attachment "A" and that a new chapter to Title 7 be added. Chapter 5 shall read as depicted in Attachment "A:" and;

Section 2. That the word "chickens" be struck **from 7.48.010 – Livestock prohibited in city** as follows:


7.48.010 - Livestock prohibited in city.

No person owning or having control of any of the following classes of domestic animals: Horses, mules, asses, cattle, sheep, goats, ~~chickens~~, ducks, turkeys, or any other of these species, shall keep the same within or upon his own premises at any time in the city.

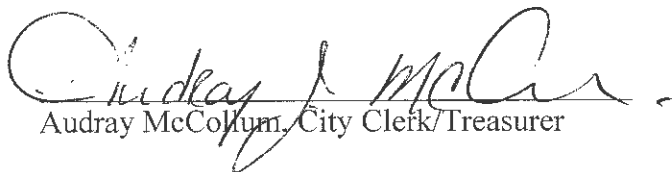
FIRST READING and adopted by the Libby City Council on JULY 16, 2018.

SECOND READING and adopted by the Libby City Council on AUGUST 6, 2018.

SIGNED by the Mayor on AUGUST 6, 2018.


Brent Teske, Mayor

ATTEST:


Audray McCollum, City Clerk/Treasurer

RESOLUTION NO. 1930 OF THE CITY OF LIBBY, MONTANA

A RESOLUTION OF THE CITY OF LIBBY, A MUNICIPAL CORPORATION OF MONTANA, ADOPTING A SCHEDULE OF FEES FOR CERTAIN ADMINISTRATIVE SERVICES PROVIDED AND REGULARLY CHARGED AS SPECIFIED BY CITY CODE, AND PROVIDING FOR THE EFFECTIVE DATE OF ALL FEES.

WHEREAS, On August 6, 2018, the City of Libby adopted an ordinance allowing chickens to be kept inside the city limits under specific circumstances pursuant to obtaining a permit; and

WHEREAS, On September 13, 2018, the City of Libby adopted an ordinance changing certain provisions of Title 5, Chapter 4, Business Licenses including removal of fee structure from ordinance;

NOW THEREFORE, BE IT RESOLVED by the City Council of Libby that the fees below be used as the city fee schedule for chicken permits and business licenses:

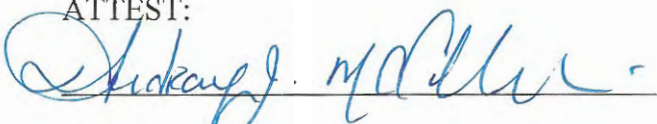
Urban Chicken Permit: \$30
Business License (New): \$90
Business License (Renewal): \$60

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF LIBBY, MONTANA,
THIS 17th DAY OF September, 2018.



Brent Teske, Mayor

ATTEST:


Audray McCollum, City Clerk