



\$30 Fee (\$15 Annual Renewal)

Urban Chicken Permit Application

*Applications are Non-Transferable • Please complete first three pages
City of Libby Municipal Code, Title 7, Chapter 5 — "Urban Chickens"*

APPLICANT INFORMATION

Applicant Name: _____

Mailing Address: _____

Property Address: _____

Phone Number: _____ Email Address: _____

PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT)

Owner Name: _____

Phone Number: _____

Address: _____

City: _____ State: _____

Zip Code: _____

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

Property Owner Signature

Date

PROPERTY MEASUREMENTS

Distance from coop to nearest property line: _____

Distance from coop to nearest occupied dwelling: _____

Square feet of hen house: _____

Square feet of chicken coop: _____

PROPERTY SKETCH

In the space below, provide a sketch identifying property boundaries, the location of all structures on the property, distances between structures and property boundaries, and the location of the chicken enclosure and hen house.

N ↑

[Sketch Area]

Note: Any enclosure, building, structure, hen house, or fence brought onto or constructed on the property for the keeping of chickens must first obtain a building permit, if applicable.

TERMS & CONDITIONS

The Property Owner and/or Tenant (if applicable) agree to the following:

- ▶ 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 conditions prescribed in Ordinance 07.05, or modification thereof.
- ▶ The maximum number of chickens kept under this permit shall not exceed five (5). **NO ROOSTERS** are permitted.
- ▶ Chicken enclosures, including the hen house, must be located in the rear yard only, not less than thirty (30) feet from any dwelling occupied by anyone other than the permitted party, and not closer than fifteen (15) feet to any property line.
- ▶ Failure to comply with these conditions constitutes a violation of this permit and City Ordinance, and may result in revocation of the permit and/or immediate impoundment of the chicken(s).

A renewal notice will be mailed approximately 90 days prior to permit expiration.

APPLICANT ACKNOWLEDGMENT

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

Applicant Signature

Date

COUNTY HEALTH DEPARTMENT REVIEW

Recommendation:

Approval

Denial

Reason for Denial (if applicable):

Lincoln County Health Department Signature

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.

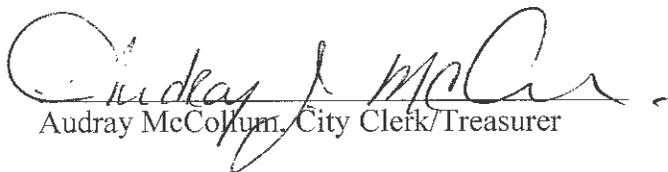
SECOND READING and adopted by the Libby City Council on AUGUST 6, 2018.

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:

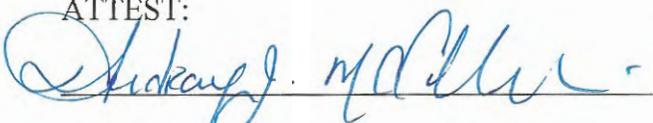
Urban Chicken Permit: \$30
Business License (New): \$90
Business License (Renewal): \$60

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