

# CITY OF ORR

## ORDINANCE 2026-01

### AN ORDINANCE ALLOWING KEEPING OF CHICKENS WITHIN THE CITY OF ORR, MINNESOTA

#### 1. PURPOSE AND INTENT

The purpose of this ordinance is to allow residents of the City of Orr to keep a limited number of hens on residential properties while protecting public health, safety, and the general welfare by establishing reasonable standards regarding noise, odor, animal welfare, and potential disease transmission, and to avoid conflicts with neighboring land uses in residential areas of the city.

#### 2. DEFINITIONS

For purposes of this section:

- **Chicken** means any domesticated fowl of the species *Gallus gallus domesticus*, including hens and pullets. For purposes of this ordinance, roosters are not permitted.
- **Farm animal or livestock** has the meaning given in the Orr City Code provisions regulating horses and farm animals.
- **Keep, maintain, or harbor** means to have possession of, care for, control, or responsibility for any chicken, whether owned by the person or not.
- **Hen** means a female chicken of laying age or non-laying age.
- **Permit** means a City of Orr chicken-keeping permit issued by the City Clerk.
- **Zoning district** means the designated land use classification assigned to a property under the Orr Comprehensive Plan and Zoning Ordinance.

#### 3. AUTHORIZATION TO KEEP CHICKENS

##### 3.1 General Authorization

Residents may own, keep, harbor, or maintain hens on residential property within the City of Orr only in accordance with the requirements of this ordinance and upon receipt of a valid permit from the City Clerk.

##### 3.2 Applicability by Zoning District

Chickens are allowed in the following zoning districts, subject to issuance of a permit and compliance with all provisions of this ordinance:

1. Residential Single-Family R-1
2. Residential Two-Family R-2
3. Residential Multi-Family R-3 (subject to landlord approval and lease provisions)

Chickens are not permitted in Commercial (C-1, C-2), Industrial (I-1, I-2), or Mixed-Use (MU) districts. Existing agricultural operations in AG or rural residential districts remain governed by existing city code provisions.

### **3.3 Rooster Prohibition**

The keeping of roosters is prohibited in all zoning districts within the city limits.

## **4. PERMIT REQUIREMENTS**

### **4.1 Permit Application**

Any person wishing to keep chickens must obtain a permit from the City Clerk before bringing chickens onto the property. The application shall include:

1. Name and contact information of the applicant and property owner (if different)
2. Address of the property where chickens will be kept
3. Proof of property ownership or landlord authorization
4. Scaled diagram showing the location of the chicken coop and run, including distance from adjoining structures and property lines and the pen's dimensions
5. Number of hens to be kept (maximum of 8 hens per residential lot)
6. Statement of compliance with all applicable city code provisions and this ordinance
7. Application fee as established by City Council resolution

### **4.2 Permit Issuance**

The City Clerk shall issue a permit upon receipt of a complete application and verification that:

1. The applicant meets all requirements of this ordinance
2. The proposed use complies with all applicable zoning and land use regulations
3. The applicant has submitted adequate documentation of property ownership or landlord consent
4. All applicable fees have been paid

### **4.3 Permit Duration and Renewal**

All initial permits will expire on December 31st of the following year after their issuance unless sooner revoked. Renewal permits shall expire on December 31st of the second year following their issuance unless sooner revoked. The City Clerk may deny renewal or

revoke a permit if the holder is found to be in violation of this ordinance or related animal control provisions. Prior to revoking a permit, the city shall provide the owner with written notice of the revocation and an opportunity to appeal the revocation to the City Council.

## **5. STANDARDS FOR KEEPING CHICKENS**

### **5.1 Housing and Enclosure**

1. All chickens must be housed in an enclosed pen that is maintained in good condition and of sufficient strength and size to allow the chickens to move about, but also able to prevent escape
2. The pen must provide a minimum of 4 square feet of space per animal and must not exceed 120 square feet in total size
3. The pen must be located in the backyard
4. Pens and runs must be maintained in a clean and sanitary condition at all times, devoid of all rodents and vermin and free from objectionable odors
5. Waste must be disposed of on a regular basis
6. All structures must comply with applicable setback requirements under the Orr Zoning Ordinance

### **5.2 Setback and Distance Requirements**

1. The enclosed pen must be set back at least 10 feet from any property line
2. The enclosed pen must be set back at least 25 feet from any residential dwelling on any adjacent lot

### **5.3 Sanitation and Health**

1. Grains and feed must be stored in rodent and raccoon-proof containers inside of a structure
2. Dead chickens must be disposed of according to the Minnesota Board of Animal Health rules, which require chicken carcasses to be disposed of as soon as possible after death, usually within forty-eight (48) to seventy-two (72) hours. Legal forms of chicken carcass disposal include offsite burial, offsite incineration or rendering, or offsite composting
3. No pesticides or chemicals that are toxic to chickens or pose a threat to public health may be used in areas where chickens are kept

### **5.4 Feeding and Water**

1. Chickens must be provided with adequate food and clean water daily
2. Food must be stored in sealed, animal-proof containers
3. Spilled feed must be cleaned up daily to prevent attracting rodents or other pests

## **5.5 Noise and Nuisance**

1. No person shall allow any chicken under his or her ownership or control to violate Ordinance 111, Nuisances, or any other applicable nuisance ordinance of the City of Orr
2. Residents shall not allow chickens to roam free on neighboring properties or on city streets
3. The keeping of chickens shall not substantially interfere with the quiet enjoyment of adjacent properties

## **6. ENFORCEMENT AND VIOLATIONS**

### **6.1 Violation Classification**

Keeping chickens in violation of this ordinance is a misdemeanor administrative offense punishable as provided in the general penalty provisions of the Orr City Code.

### **6.2 Penalties**

1. Any person violating any sections of this ordinance shall be deemed guilty of a petty misdemeanor
2. If any person is found guilty by a court for violation of this ordinance, their permit to own, keep, harbor, or have custody of chickens or other fowl shall be deemed automatically revoked and no new permit may be issued for a period of one (1) year
3. Any person violating any conditions of this permit shall reimburse the City for all costs borne by the City to enforce the conditions of the permit, including but not limited to the pickup and impounding of chickens

### **6.3 Enforcement and Inspection**

1. The City may inspect the premises for which a permit has been granted in order to ensure compliance with this ordinance. If the city is not able to obtain the occupant's consent to enter the property, it may seek an administrative search warrant
2. The City may revoke a permit for failure to comply with provisions of this ordinance or any of the permit's conditions
3. Prior to revoking a permit, the city shall provide the owner with written notice of the revocation and an opportunity to appeal the revocation to the City Council
4. Order the property owner to correct the violation or remove all chickens from the property within a specified time period not less than 10 days
5. Seize or impound chickens kept in violation of this ordinance
6. Seek injunctive relief or other equitable remedies in district court to compel compliance

## **7. PRIVATE RESTRICTIONS AND COVENANTS**

A permit is subject to all terms and conditions of this ordinance and any additional conditions deemed necessary by the city to protect the public health, safety, and welfare. Private restrictions such as covenants take precedence over the permit. A permit issued to a person whose premises are subject to covenants that prohibit the keeping of chickens is subject to be voided. The interpretation and enforcement of the private restrictions is the sole responsibility of the private parties involved. Persons that intend to no longer keep chickens on their premises shall notify the City Clerk. If there is a pen, it must be removed upon expiration of the permit or within thirty (30) days of ceasing to use the pen, whichever is earlier.

## **8. LIABILITY AND INDEMNIFICATION**

The City of Orr assumes no liability for injury, death, or property damage caused by chickens kept under permit. Property owners maintaining chickens shall maintain appropriate liability insurance and shall indemnify and hold harmless the City from any claims arising out of the keeping of chickens on their property.

## **9. AMENDMENTS TO CITY CODE**

This ordinance amends Title V Public Protection of the Orr City Code by amending Chapter 5.28 Animals, or by incorporation into the appropriate existing section of the city code as determined by the city attorney.

## **10. ADOPTION AND EFFECTIVE DATE**

This ordinance was duly adopted by the City Council of Orr, Minnesota, on [DATE] and shall take effect 30 days after publication in accordance with Minnesota law and the Orr City Charter.