

ORDINANCE NO. 827

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 1, OF THE CITY CODE OF THE CITY OF WASHINGTON, KANSAS, AND PROVIDING FOR THE KEEPING OF CHICKENS WITHIN THE CITY LIMITS OF THE CITY OF WASHINGTON, KANSAS.

WHEREAS, residents of the City of Washington, Kansas have expressed an interest in possessing a limited number of chickens within the City limits for the purpose of food and agricultural project purposes.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WASHINGTON, KANSAS:

Section 1. That Section 2-102 of Article I, Animals, Fowl Generally, of Chapter 2, Animals and Fowl, of the Code of the City of Washington, Kansas, shall be amended to read as follows:

2-102 HEALTH NUISANCES. No person shall own, keep or maintain at any place within the city limits any pen, yard, building or other place upon or within which are kept any poultry, animal or animals, except chickens, dogs and cats as further set forth herein.

Section 2. That Article I, Animals, Fowl Generally, of Chapter 2, Animals and Fowl, of the Code of the City of Washington, Kansas, shall be amended to add Section 2-104 which shall read as follows:

2-104 KEEPING OF CHICKENS IN CITY. The following will govern the keeping of chickens within the city limits of the City of Washington, Kansas, and are intended to prevent nuisances and prevent conditions that are unsanitary or unsafe. No person shall keep chickens within the city limits unless the following conditions and regulations are followed and adhered to:

1. **Number.** No more than six (6) hens shall be allowed for each single-family dwelling. The hens shall be utilized for personal egg or food production or as pets but shall not be utilized for any other purpose.

2. **Enclosure.** All hens shall be provided with a covered, predator-proof coop or cage that is well ventilated, provides protection from extreme weather conditions, and is designed to be easily accessed for cleaning. The sides shall be embedded into the ground not less than one (1) foot unless attached to a frame. All hens shall be contained at all times within a fence. Minimum coop requirements will be four (4) square foot per bird inside the coop and ten (10) square foot per bird inside the run.

3. **Setbacks.** Chicken coops, runs, and chicken tractors may only be located in the rear yard of the premises, located no closer than ten (10) feet from the property line, and at least fifty (50) feet from any adjacent dwelling, church, school, or place of business, except for the dwelling located on the property of the permit holder.

4. Sanitation. The coop and outdoor enclosure must be kept in a sanitary condition and free from offensive odors. All feed and other items associated with the care of the chickens that are likely to attract rodents must be properly stored. Waste products from the chickens should be composted on-site when possible. In the event that on-site composting is impractical, waste product shall be double bagged in clear plastic bags and placed in a rollout container for disposal along with regular household trash. Proper drainage must be provided to avoid accumulation of rainfall and other liquid waste.

5. Slaughtering. There shall be no outdoor slaughtering of chickens. The remnants from slaughtering shall be properly disposed of.

6. Roosters. It shall be unlawful for any person to keep roosters. Roosters shall be defined by their common meaning: a male chicken.

7. Permits. A current and valid permit shall be required to keep, harbor, house or possess any chicken within the city limits of the City of Washington. Said permit shall be obtained prior to any chicken being possessed or housed in the city by submitting an application to the City Clerk along with a non-refundable \$100.00 application fee. A permit will be granted only after completion of a site inspection and subsequent approval by the city. Permits will only be issued to adults, and only the person who has actual possession and control of the chickens may obtain a permit. As a condition of the issuance of a permit, the city shall have the right to entry and inspection of the applicant/permit holder's property. All applicants must sign an acknowledgement indicating said applicant's full understanding of the requirements to keep chickens as set forth herein. In the event the applicant is not the owner of the premises for which the permit is sought, then the signature of the property owner will be required on the application as well.

8. Permit Renewal. A permit will expire on the last day of September of each year in which the permit is subject to renewal. A person who wishes to continue keeping chickens shall obtain a renewal permit on or before the expiration of the date of the previous permit by submitting a renewal application to the City Clerk accompanied by the renewal permit fee in an amount established by the City Council by policy from time to time. Along with the renewal application, the permit applicant must have a reinspection of the habitation by the City before approval. Renewal applications shall be approved by the City Clerk unless a complaint has been filed with the City. If a complaint has been filed, then the renewal application may only be approved by the City Council upon hearing. The City Council may deny a renewal application or revoke a permit, after a public hearing upon seven (7) days notice to the permit holder, if it finds any of the following:

- a) The premises are being maintained in violation of any applicable law of the State of Kansas or of the City of Washington;
- b) The premises are being maintained as a public nuisance;
- c) The premises are being maintained so as to be detrimental to the health, safety, or peace of mind of persons residing within the immediate vicinity.

If the city council does not approve the permit renewal, the owner or keeper of the chickens shall have fourteen (14) days to remove said chickens from the city limits. Should the owner fail

to remove the chickens within said fourteen (14) day period, the City shall have the authority to immediately remove the chickens beginning the day after the expiration of the removal period.

9. Violations. A violation of any of these provisions shall result in a written warning being issued by city staff. The violation will require immediate corrective action on behalf of the permit holder within fourteen (14) days. Failure to correct any violation within said fourteen (14) day period will result in the permit being revoked and the City shall have the authority to immediately remove the chickens beginning the day after the corrective period.

10. Nuisances. The issuance of any permit under this section shall in no way shield the holder of said permit, or any other person, from violation of any other municipal or state code or laws regarding nuisances or any other violation of law, rules and regulations.

Section 3. This ordinance shall take effect after publication in the official city newspaper.

Passed and approved by the Governing Body this 7th day of July, 2025.

Garett Edgar, Mayor

ATTEST:

Denise M. Powell, City Clerk
(SEAL)