

ORDINANCE # 5714

**AN ORDINANCE TO AUTHORIZE THE KEEPING OF CHICKENS IN RAPID CITY
BY AMENDING SECTION 6.08.020(C) OF THE RAPID CITY MUNICIPAL CODE.**

WHEREAS, the City of Rapid City recognizes the benefits of locally produced food; and

WHEREAS, the City of Rapid City currently prohibits the keeping of chickens in the City; and

WHEREAS, the City of Rapid City deems it to be in the best interest of the City of Rapid City to allow residents to keep a limited number chickens for the providing eggs for the residents personal consumption.

NOW, THEREFORE, BE IT ORDINATED by the City of Rapid City that a new subsection is hereby added to section 6.08.020 of the Rapid City Municipal Code which shall read as follows:

6.08.020(C) Notwithstanding any other provision of this code, domestic chickens for the purpose of egg production may be kept in accordance with the provisions of this subsection.

1. Chickens may only be kept on a premises licensed by the City for the keeping of domestic chickens.
 - a. An application for a domestic chicken license shall be made to the finance officer, on the form provided by the Finance Officer.
 - b. The Finance Officer shall only accept an application for a chicken license if it is accompanied by a five dollar (\$5.00) application fee.
 - c. Domestic chicken licenses expire on January 31 of each year. Licenses may only be renewed in the month of December.
 - d. The Finance Officer shall not issue a license if, in the preceding twelve months, the applicant or location to be licensed has been the subject of two or more nuisance violations that resulted in a conviction for violation of a nuisance provision of the Rapid City municipal code or state law.
 - e. Upon a second conviction within a twelve month period for a violation of any provision of this section or any other nuisance provision of the Rapid City municipal code or state law, the domestic chicken license issued by the Finance Officer shall be null and void.
 - f. Notwithstanding any other provision of this section, the domestic chicken license granted under this subsection is immediately null and void upon the licensee's conviction of any cruelty to animal charge.

2. Each licensee shall meet the following criteria:
 - a. Chickens shall only be kept on property zoned for and actually used as a single family dwelling.
 - b. No more than six chickens may be kept on any licensed premises.
 - c. Roosters are prohibited.
 - d. No chickens may be kept inside of the single family dwelling.
 - e. Chickens shall be housed in a secure and well ventilated roofed structure that complies with all applicable provisions of Title 17 and any applicable provisions of Title 15 of this code.
 - f. The roofed structure shall be fully enclosed, wind proof, have one square foot of window to 15 square feet of floor space.
 - g. The floors and walls of the structure shall be kept in a clean, sanitary and healthy condition with all droppings and body excretions collected on a daily basis or more often if necessary to maintain a sanitary and healthy condition. Droppings and body excretions shall be placed in a fire-proof covered container until transported off the premises.
 - h. Chickens shall be kept in the roofed structure or any attached fenced yard enclosure at all times.
 - i. The fence around the yard enclosure shall be securely constructed with a mesh type material and shall have protective overhead netting to keep the chickens separated from other animals.