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ORDINANCE NO. 1405

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COLUMBUS, KANSAS, AMENDING REGULATIONS GOVERNING ANIMALS KEPT WITHIN THE CITY, AT SECTION CHAPTER II SECTION 2-110 OF THE CODE OF THE CITY OF COLUMBUS, KANSAS.

WHEREAS, the Governing Body of the City finds that residents desire to keep animals within the City limits;

WHEREAS, City Code 1999, City Code 2014, and Ordinance No. 1319 shall be amended with Ordinance No. 1403 incorporated.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COLUMBUS, KANSAS.

SECTION 1: That Chapter II, Section 2-110 shall be established and amends Code 1999 and Code 2014 as follows:

New Section 2-110. KEEPING ANIMALS. It shall be unlawful for the owner, lessee, occupant or person in charge of any premises in the City to possess and maintain any animal or fowl within the City or permit to be maintained thereon any stable, shed, pen or other place where horses, mules, cattle, sheep, goats or swine, or undomesticated animals are kept. This provision shall not apply to:

(a) The maintaining of a stockyard or sales barn for the loading, unloading, temporary detention and sale of such livestock, if the location of such stockyard or sales barn does not otherwise violate the zoning ordinances of the City.

(b) The maintaining of dogs which are regulated by Article 2 of this chapter.

(c) The maintaining of non-poisonous and non-vicious animals and fowl which are commonly kept as household pets such as cats, hamsters, rabbits, parakeets and comparable animals, when kept as household pets and in a safe and sanitary manner in accordance with Section 2-113 of this Chapter.

(d) The transporting of animals through the City by ordinary and customary means.

(e) **It is permissible for horses, cattle and chickens to be present in and upon the following parcels of land so long as they are in compliance with Chapter II, Article 1, Section 2-112, Section 2-113, and Section 2-110(f) below:**

**PARCEL NUMBERS: 136-14-0-30-04-012.00-0; 136-14-0-30-05-001.00-0;
136-14-0-30-04-010.00-0; 136-14-0-40-07-003.00-0; 136-14-0-40-10-009.00-0;
136-14-0-40-10-017.00-1; 136-14-0-40-11-001.01-0; 136-14-0-40-11-016.00-0;
136-24-0-20-01-006.00-0; 136-24-0-20-01-005.00-0; 136-24-0-20-01-004.00-0;
124-18-0-10-02-004.00-0; 124-18-0-20-03-002.00-0; 124-18-0-20-02-001.02-0;**

124-18-0-20-02-001.00-0; 124-18-0-20-03-003.00-0; 131-12-0-40-02-004.00-0;
131-12-0-30-03-017.00-0; 131-12-0-30-03-012.01-0; 131-12-0-30-01-001.00-0;
136-13-0-20-02-002.00-0; 136-13-0-20-02-001.00-0; 136-13-0-20-09-005.00-0;
136-14-0-40-08-004.00-0; and 136-14-0-10-03-004.00-0

(f) Chickens may be kept when maintained by owners in a safe and sanitary manner and in compliance with the following rules (incorporating Ordinance Number 1403):

A. Chickens are allowed only on properties within the City that have previously been designated for horses and cattle on parcels pursuant to Ordinance number 1319, now incorporated into City Code Section 2-110(e) above.

B. Residents who intend to keep chickens in the designated areas are required to purchase an annual \$25.00 permit.

C. The total number of permitted chickens allowed to be kept on an individual lot is one (1) hen chicken per five hundred (500) square feet of lot size, rounded down, but in no event shall the total number of permitted chickens on any lot exceed six (6).

D. Roosters and guineas are not allowed.

E. The number of permitted chickens (six or less) is not affected by the number of animals allowed by City Code Sections 2-124 and 2-125.

F. Any person who owns chickens shall provide a coop or other similar shelter, adequate laying boxes, roosts and an outdoor run for the chickens.

G. Chicken coop requirements:

1. Such shelter shall be screened or walled in a manner that allows the chickens to be reasonably protected from harsh weather and predators.

2. The coop shall be enclosed with a roof and at least three (3) of the four (4) sides enclosed.

3. The coop shall provide a minimum of two (2) square feet of floor space per adult chicken.

4. Each chicken shall be provided with a roost measuring ten (10) to twelve (12) inches in diameter and be situated at least two (2) to three (3) feet above the floor, free of drafts.

5. Nesting boxes for laying shall measure at least one (1) square foot each. One nesting box is required for every three (3) chickens.

6. The coop shall be equipped with supplemental heating for winter.

7. No coop shall be located closer than five (5) feet from any neighboring property line.

F. The outdoor run requirements include:

1. The outdoor run must provide a minimum of eight (8) square feet per chicken.

2. The outdoor run must be located in a well-drained area, fenced, and covered with wire or netting for protection.

G. The coop and run shall be kept in a clean and sanitary condition to

prevent the unreasonable accumulation of waste, noxious substances, odors and vermin. Litter control shall include a layer of six (6) to eight (8) inches of wood chips or straw, removed and refreshed regularly.

H. Compliance. A designated City official shall have the right to enter the property and inspect any chicken coop at any time for the purpose of ensuring compliance with this ordinance. Compliance with this ordinance shall not be a defense to a proceeding alleging nuisance, but such compliance may be offered as evidence of the owner of the chickens who has made efforts to abate any proven nuisance.

SECTION 2: All ordinances, resolutions or policies or parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

SECTION 3: This ordinance shall take effect and be in force from and after passage and publication in the official city newspaper.

PASSED and APPROVED by the Columbus City Council this 3rd day of April, 2017.

ATTEST:

Cherri Chancellor
Cherri Chancellor, City Clerk

William Schaiff
William Schaiff, Mayor

