

KEEPING OF CHICKENS ORDINANCE

ORDINANCE NO. 553

AN ORDINANCE AMENDING THE CODE OF BARNESVILLE, GEORGIA, BY ADDING CHAPTER 11 – KEEPING OF CHICKENS WITHIN THE CORPORATE LIMITS OF THE CITY OF BARNESVILLE; TO REPEAL CONFLICTING CODE PROVISIONS, ORDINANCES, OR PORTIONS THEREOF, IN CONFLICT WITH THE FOREGOING; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Barnesville, for the purposes of promoting the health, safety, prosperity and general welfare, find it necessary to adopt certain regulations and laws; and

WHEREAS, the Mayor and Council have given consideration to the adoption of the following regulations and laws does hereby ordain and enact the following amendment to the City of Barnesville Code of Ordinances.

The Municipal Code of the City of Barnesville is amended by adding a new Chapter 11, to be numbered Article I, Section 11-1 through Section 11-10 which shall include the following language:

Article I – In General

Sec.11- 1. Regulations as to the Keeping of Chickens within the Corporate Limits of the City of Barnesville.

This Article shall be known as “The City of Barnesville Regulations as to the Keeping of Chickens in the City” Ordinance.

Sec. 11-2. Animal Control Officer.

The Animal Control Officer and such other persons as may be designated by the City Manager shall be responsible for the enforcement of this Chapter.

Sec. 11-3. Keeping of Chickens.

Keeping of chickens is lawful only in residential and agricultural districts subject to the standards and limitations in this article.

Sec. 11-4. Number of Chickens.

- a) The maximum number of female chickens allowed on any parcel is defined in the table below. Male chickens (roosters) are prohibited except as defined in section (f) of this Section and Section 11.5 below.
- b) The minimum lot size of 20,000 square feet of any parcel is required for the keeping of up to 3 chickens.
- c) Lots consisting of 20,000 square feet to 30,000 square feet are allowed 6 chickens.
- d) Lots consisting of 30,000 square feet to 40,000 square feet are allowed 9 chickens.
- e) Lots consisting of over 40,000 square feet are allowed 12 chickens.
- f) Lots consisting of over 40,000 square feet are permitted to have one (1) rooster, subject to compliance with the nuisance ordinances, laws, and regulations governing the abatement of nuisances.

Sec. 11-5. Presence of Roosters Prohibited.

It shall be unlawful to have, keep, maintain, or harbor, within the city limits, any type of rooster except as provided herein. Upon the complaint of any citizen of the city or by a determination of the Animal Control Officer and such other persons as may be designated by the City Manager that a rooster or chicken(s) is deemed a nuisance, the Animal Control Officer may serve the owner of the rooster or the responsible party in charge of the property with a notice of violation and an order to take corrective action, may issue a warning, or may immediately issue or cause to be issued a violation citation.

Sec. 11-6. Enclosures for Keeping of Chickens.

A pen, coop, house, or other enclosure shall be provided. It shall be covered, predator proof, thoroughly ventilated, and of sufficient size to permit the free movement of the chickens. No chicken house, pen, or enclosure shall be closer than 30 feet to any property line and no closer than 50 feet to any residence other than the owner's residence. All enclosures must be in rear yard.

Sec. 11-7. Sanitation of enclosures.

It shall be unlawful for any person with chickens to allow any pen, coop, house or enclosure to become filthy, malodorous or insanitary. The detection of odors upon the adjacent property is considered a nuisance and a violation of this Chapter. Upon the complaint of any citizen of the city, and verified by Animal Control, the Animal Control Officer may serve the owner of the chickens or the responsible party in charge of the property with a notice of violation and an order to take corrective action, may issue a warning, or may immediately issue or cause to be issued a violation citation.

Sec. 11-8. Chickens at Large.

It shall be unlawful to allow any chickens to run at large in or upon the public or private property inside the city limits of Barnesville. The Animal Control officer is authorized to capture any chickens found running at large and will investigate to determine ownership of the at large chicken(s) and take corrective and enforcement action.

Sec. 11-9. Repeal .

All ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed. Should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the municipal governing authority.

Sec. 11-10 Penalty of Violation.

Any person who shall violate any provision of this chapter shall upon each conviction, be punished as follows:

a) First Offense - \$100.00 per violation. Each day a violation is allowed to continue constitutes another violation.

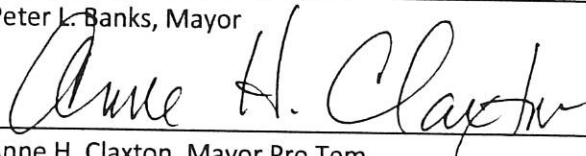
b) Second Offense - \$200.00 per violation. Each day a violation is allowed to continue constitutes another violation.

This ordinance shall become effective immediately upon its adoption by the City Council.

SO ORDAINED, this 5 day of December, 2016.



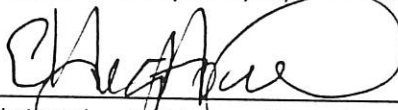
Peter L. Banks, Mayor



Anne H. Claxton, Mayor Pro Tem



Sammie D. Shropshire, Jr., Councilmember



Christopher Hightower, Councilmember



Larry B. Whitworth, Councilmember



Mark R. Stone, Councilmember

ATTEST:



Carolyn S. Parker
City Clerk