

BILL NO. _____

ORDINANCE NO. 110922B

**AN ORDINANCE FOR THE DEFINING AND REGULATING OF THE
MAINTAINING OF DOMESTIC FOWL WITHIN THE CORPORATE LIMITS OF
THE CITY OF WHEATON**

WHEREAS, the Aldermen of the City of Wheaton, Missouri desire to enact an ordinance defining and regulating the maintaining of domestic fowl within the City Limits of the City of Wheaton.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WHEATON, AS FOLLOWS:

SECTION ONE: It shall be unlawful for any person to keep chickens within the corporate limits of the City of Wheaton, unless and except in accordance with this ordinance.

SECTION TWO: Any person may keep up to six (6) chickens per tract of land regardless of number of dwelling units on said tract of land, provided they comply with the following:

1. Female chickens only, roosters are prohibited;
2. No breeding or fertilizer production for commercial purposes;
3. No at-large (free-roaming) chickens allowed. Chickens must be kept in an enclosure or fenced area at all times. Chickens shall be secured in a henhouse or chicken coop or chicken tractor during non-daylight hours;
4. Enclosures must be kept in a clean, dry, odor-free, neat and sanitary condition at all times so as not to cause odor or noise problems with neighbors;
5. Enclosures must comply with all set-back requirements found in the zoning ordinances previously enacted, and be at least 25 feet from another residence or business. Enclosures must provide adequate ventilation and adequate sun and shade and must be impermeable to rodent, wild birds and predators, including dogs and cats;
6. The chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites;
7. Chickens found to be infested with insets and parasites that may result in unhealthy conditions to human habitation shall be removed by the owner; The chicken owner must provide for the storage and removal of chicken nature. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than ten (10) gallons of manure may be stored, and all other manure not used for fertilizer or compost shall be removed;
8. Odor from chickens, chicken manure or related activities shall not be detectable beyond the property boundaries;
9. Slaughtering of chickens may occur for personal use, provided it is conducted in a sanitary manner, does not generate noise that creates a nuisance and is not visible from adjacent properties or any public area right-of-way.

SECTION THREE: It shall be unlawful for any person to keep chickens in violation of this Ordinance. It shall be unlawful for any owner, renter or leaseholder of property to allow

chickens to be kept on property in violation of any provisions of this Ordinance. It shall be unlawful to erect a henhouse, coop or chicken tractor in violation of any provisions of this Ordinance.

SECTION FOUR: Any violation of his Ordinance constitutes a health hazard or interferes with the use or enjoyment of neighboring property is a nuisance. That nuisance may be abated or prosecuted in accordance with the Ordinances of the City of Wheaton.

SECTION FIVE: Upon conviction of a violation of this ordinance, the violator shall be subject to a fine of not more than \$500.00. A separate offense shall be deemed committed on each day during with the violation occurs or continues.

SECTION SIX: This ordinance supersedes and revokes any provisions of past ordinance(s) inconsistent with the provision of this ordinance.

SECTION SEVEN: If any provision of this ordinance is held invalid, such invalidity shall not affect any other provision, or the application thereof, which can be given effect without the invalid provision or application and to this end the provisions of this ordinance are declared to be severable.

SECTION EIGHT: This ordinance shall be in full force and effect from the date of its final passage and approval.

SECTION NINE: Said approval being effective the 9th day of November 2022.



DAVID SHOCKLEY, MAYOR

ATTEST:



JOGINA PARK, CITY CLERK

BE IT REMEMBERED that the above Ordinance was adopted upon its final reading, by the following vote:

ALDERMAN JON BRATTIN

VOTES yes

ALDERMAN JEREMY MARTELL

VOTES yes

ALDERMAN CASEY PREWITT

VOTES yes

ALDERMAN BRANDON SHOCKLEY

VOTES yes