

**TOWN OF RED CLIFF, COLORADO
ORDINANCE 2, SERIES 2013**

AN ORDINANCE AMENDING PORTIONS OF CHAPTERS 7 AND 16 OF THE TOWN OF RED CLIFF MUNICIPAL CODE TO PERMIT THE KEEPING OF CHICKEN HENS.

WHEREAS, the keeping of chicken hens within the Town of Town of Red Cliff (“Town”) is currently not expressly permitted by the Town of Red Cliff Municipal Code (“Code”);

WHEREAS, the Board of Trustees of the Town is aware that residents of the Town have expressed interest in keeping chicken hens;

WHEREAS, in the interests of public health, safety and welfare, the Town desires to adopt ordinances that are intended to allow residents to keep and maintain chicken hens but not for the purpose of meat production;

WHEREAS, the Town is a municipal corporation and body politic organized under the laws of the State of Colorado and possessing the maximum powers, authority and privileges to which it is entitled under Colorado law;

WHEREAS, the Town, by virtue of its status, may adopt ordinances relative to local municipal matters as are necessary to effectuate the purposes and intent of the powers granted to municipalities;

WHEREAS, the Town possesses the authority to regulate the use of land and the keeping and harboring of animals within its jurisdiction; and,

WHEREAS, the Board now desires to adopt certain amendments to Chapters 7 and 16 of the Code to permit the keeping of chicken hens as set forth herein.

NOW THEREFORE, THE TOWN OF RED CLIFF ORDAINS:

Section 1: Section 60 of Article 5 of Chapter 7 of the Code is amended by the addition of a new subsection (4) to subsection (d) to read in its’ entirety:

- (4) The keeping of chicken hens pursuant to § 7-6-40.

Section 2: Article 6 of Chapter 7 of the Code is amended by the addition of a new Section 40 to read in its’ entirety as follows:

Sec. 7-6-40. Keeping Chicken Hens.

(a) The keeping of chicken hens as livestock animals is allowed as a special review use in the zone districts identified as MU/TC, MU/NC and R-1 by Chapter 16 of the Code subject to the requirements set forth in this section and in Article 6 of Chapter 16 of the Code.

(b) As used in this Chapter, “chicken hens” is defined to mean a female chicken(s).

(c) *Permitting.* Any person seeking to keep chicken hens shall obtain a

special review use permit pursuant to Article 6 of Chapter 16 of the Code and pay any annual fee imposed by the Town for the keeping of chicken hens.

(d) *Standards.* Chicken hens must be kept in accordance with the following standards:

(1) Chicken hens may only be kept in a covered, predator-resistant chicken house constructed of materials complementary to existing structures on the lot.

(2) The chicken house must be properly ventilated and designed for easy access, cleaning and maintenance.

(3) The chicken house must have an attached outdoor enclosure area (chicken run) which, together with the chicken house, must provide a minimum of four (4) square feet per chicken hen. The combined total area of the chicken house and chicken run shall not exceed two hundred (200) square feet.

(4) The chicken house shall be a maximum of six (6) feet tall, measured to the highest point of the structure.

(5) Neither the chicken house nor chicken run shall be located less than five (5) feet from any property line.

(6) The chicken house and chicken run must be regularly maintained in a manner to control dust, odor and waste and to prevent such areas from constituting a public nuisance or health hazard.

(7) Feed for chicken hens must be secured from wildlife, pets and other animals.

(8) All manure and waste products resulting from the keeping of chickens shall be composted or regularly collected and kept in tightly covered predator-, rodent- and insect-resistant receptacles and disposed of at least once a week.

(e) *Prohibitions.* The following are expressly prohibited:

(1) Keeping a rooster or other type of fowl other than a chicken hen;

(2) Keeping more than ten (10) chicken hens at any residential property;

(3) Keeping chicken hens inside any building or structure other than a chicken house;

(4) Keeping chicken hens as a home occupation or other commercial purpose;

(5) Breeding, selling or trading chicken hens and their offspring as a commercial enterprise; and,

(6) Slaughtering of chicken hens in public view.

(f) *Revocation.* The right to keep chicken hens pursuant to this section may be revoked or suspended for any violation of the terms and provisions of this section or for any failure to adhere to any special review use permit conditions imposed by the Town.

Section 3: Section 20 of Article 4 of Chapter 16 of the Code is amended by the addition of a new subsection (7) to subsection (c) to read in its' entirety:

(7) Keeping chickens in accordance with § 7-6-40.

Section 4: Section 30 of Article 4 of Chapter 16 of the Code is amended by the addition of a new subsection (4) to subsection (c) to read in its' entirety:

(4) Keeping chickens in accordance with § 7-6-40.

Section 5: Section 40 of Article 4 of Chapter 16 of the Code is amended by the addition of a new subsection (6) to subsection (c) to read in its' entirety:

(6) Keeping chickens in accordance with § 7-6-40.

Section 6: Severability. If any section, provision or part of this Ordinance is for any reason held to be unconstitutional or invalid, the remainder of this Ordinance shall continue in full force and effect, it being the legislative intent that this Ordinance would have been adopted even if such unconstitutional or invalid matter had not been included therein. It is further declared that if any section, provision or part of this Ordinance, or the application thereof to any person or circumstance, is held invalid, the remainder of the Ordinance and the application thereof to other persons shall not be affected thereby.

Section 7: Effective Date. This Ordinance shall become effective thirty (30) days after adoption thereof.

INTRODUCED, TITLE READ IN FULL, APPROVED ON THE FIRST READING AND ORDERED POSTED IN FULL THIS 2nd DAY OF April, 2013.

A public hearing on the SECOND READING of this Ordinance shall be held at the regular meeting of the Board of Trustees of the Town of Red Cliff, Colorado, on the 16th day of April, 2013 at 7:00 p.m. in the Town Hall of the Town of Red Cliff, Colorado.

TOWN OF RED CLIFF, COLORADO



M. Scott Burgess, Mayor


ATTEST:



Barb Smith, Town Clerk


ADOPTED AND ORDERED POSTED on this 7th day of May, 2013.

TOWN OF RED CLIFF, COLORADO



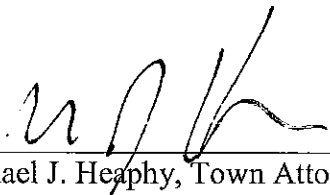
Scott Burgess, Mayor

ATTEST:



Barb Smith, Town Clerk

APPROVED AS TO FORM:



Michael J. Heaphy, Town Attorney