

§ 170.01 Fowl.

- (a) No person shall keep, harbor, or maintain care, custody, or control over any fowl such as a chicken, turkey, duck, or pigeon, without obtaining a permit. Any person desiring a permit shall make written application to City of Alden. Approval of application is subject to reasonable conditions prescribed by City of Alden. Failure to adhere to permit conditions shall constitute cause for adverse action against the permit and shall be a violation of this section.
- (b) City of Alden may grant a permit pursuant to this section only after the applicant has provided evidence of notification to all immediately adjacent property owners, in a format supplied by or approved by and to the satisfaction of City of Alden. If the applicant is a renter, approval from the property owner shall be required. Neighbor notification will be the responsibility of the property owner, though it may be carried out by the applicant.
- (c) The requirements of this section shall not prohibit the adoption of fowl to the public by any releasing agency, private shelter, rescue group, or public sheltering agency provided the adoption contract specifies that the animal cannot be sold, transferred, or otherwise disposed of for a period of six (6) months following the adoption without written consent of the releasing agency, except for euthanization by a licensed veterinarian to prevent pain and suffering or disease transmission.
- (d) No person having the care, custody, and control of any fowl shall abandon said fowl or allow any fowl to run at large off the property of its owner or custodian.
- (e) All permits shall expire twelve (12) months from the date of issuance unless sooner revoked. The application fees for such permits shall be as established in the license fee schedule and shall be payable upon application. City of Alden may inspect the premises annually or as deemed necessary.
- (f) Permits shall consist of up to ten (10) hens with associated fees as established in the license fee schedule.
- (g) Standards of care, practice, restrictions, and enclosure requirements include the following:
 - (1) Residential coops, pens or other structures shall be limited to ten (10) fowl of any kind per permit. Permits in excess of the allowable number shall need to be approved by City of Alden and may require additional conditions.
 - (2) Location of coop, run, or pen must be in compliance with all zoning code requirements and enclosed to ensure fowl are confined to permittee's property. The enclosure must be of proper size for the number and type of fowl being housed as prescribed by City of Alden.

(3) Residential coops, pens, or other structures shall be an allowed accessory to a dwelling subject to the following:

a. The use shall be located not less than twenty (20) feet from any habitable building on an adjacent property.

b. The use shall be visually screened from any adjacent residential use.

c. The use shall be constructed of durable materials and shall be compatible with the principal structure and adjacent residential properties.

d. The use shall be located entirely to the rear of the principal residential structure.

(4) Fecal waste or litter shall be removed at such reasonable times to prevent odors from emitting over property lines. Such waste or litter must be double bagged and disposed of in city garbage or composted provided the method used and the location does not present a public nuisance or health issue.

(5) Slaughter of any kind shall be prohibited within the City of Alden.

(6) Roosters shall be prohibited.

(7) Any coop found to be a public nuisance provided notice to abate the issues has failed to correct the issue within a reasonable time is prohibited and all permits associated with the coop may be revoked or denied. The coop and all fowl shall be removed by the property owner within forty-eight (48) hours of notice of the revoked or denied permit at the expense of the permit holder or applicant.

(8) City of Alden may deny, suspend, revoke or take other authorized adverse action against any permit applied for or granted pursuant to this section if any condition or requirement is violated or if the keeping of fowl becomes a public nuisance or for other good cause.

(9) Public nuisance for the purpose of coops includes, without limitation, any chicken coop that on three (3) or more occurrences in a twelve (12) month period receives complaints of noise, odor, or any other violation from more than one complainant, provided the complaints are founded and established by City of Alden.

(10) No person, business, or entity shall maintain or cause to be maintained any commercial business related to the keeping of fowl on residential property

Adopted by the Alden City Council September 13, 2023

Jerry Reyerson, Mayor

ATTEST: Kimberly Knutson, Clerk