

**TOWN OF SILT, COLORADO
ORDINANCE NO. 7
SERIES OF 2010**

**AN ORDINANCE AMENDING SECTIONS 6.08.010, 6.08.015, 6.08.016 AND
ADDING SECTIONS 6.08.017 AND 6.08.018 OF THE SILT MUNICIPAL CODE
TO ALLOW THE KEEPING OF CHICKENS IN CERTAIN AREAS WITHIN THE
TOWN OF SILT, COLORADO.**

WHEREAS, Chickens are known for consuming insects and bugs including, mosquitoes, grasshoppers, and slugs from the family gardens, and

WHEREAS, Chickens are a source of eggs reducing food costs and providing nutrition for families, and

WHEREAS, Chicken droppings are a source of highly sought after fertilizer for family gardens, and

WHEREAS, Chickens have been proven to be a beneficial part of neighborhoods in large cities as well as small towns.

**NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES
OF THE TOWN OF SILT, COLORADO THAT:**

SECTION 1 The following language in Sections 6.08.010, 6.08.015 and 6.08.016 is hereby amended to read as follows:

6.08.010 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

- A. "Animal" means any vertebrate creature other than a human being.
- B. "Animal litter" means defecation by an animal.
- C. "Animal owner" means a person who owns an animal; has a property right in an animal; or intentionally has an animal in his/her custody, possession, maintenance, care or control. Animal owner shall include a person who is temporarily boarding an animal or has undertaken the care, custody, control, maintenance or possession of an animal, and includes a person providing food, drink, shelter, or care to stray animals otherwise running at large.
- D. "Coop" means a structure providing roofed shelter for chickens.
- E. "Chicken" means the common domestic fowl (*Gallus gallus domesticus*) or its young.
- F. "Chicken facility" means the combination of the coop and runway.

- G. "Harboring" means the occupant of any premises on which an animal is kept or to which it customarily returns daily for food and care for a minimum period of ten (10) days is presumed to be harboring or keeping the animal.
- H. "Rabies vaccination" means inoculation of an animal with a rabies vaccine approved by the Colorado Department of Public Health and Environment.
- I. "Running at large" means anywhere off the real or personal property of the owner and not under the control of a person restraining the animal by leash.
- J. "Runway" means a fully enclosed, fenced area connected to the coop.

(Ord. 10-08 § 1 (part))

6.08.015 Prohibited animals.

A. No horse, mare, gelding, colt, mule, hinny, jack, burro, jennet, bull, steer, cow, heifer, calf, goat, sheep, pig or hog shall be permitted to run or be at large within the limits of the town.

B. It is unlawful for any person anywhere in the town to maintain, keep, harbor, raise, house, stable or corral any livestock, cattle, goats, sheep, swine, foxes, ducks, turkeys or geese or any more than four (4) rabbits, except in connection with the commercial slaughter and processing of animals.

(Ord. 10-08 § 1 (part))

6.08.016 General Exceptions.

Harboring of any prohibited animals shall cease on any property upon annexation to the Town, unless stated otherwise in an annexation agreement executed between the Town and the property owner.

SECTION 2 The following language is hereby added as Sections 6.08.017 and 6.08.018 to read as follows:

6.08.017 Exceptions for Chickens

Chickens may be kept or maintained, subject to the following conditions:

- a. Except as otherwise provided for in the Agricultural-Rural (AG) District, no more than three (3) chickens (hens only) are permitted per single-family residence in the Low-Density Residential District (R-1) and Agricultural-Rural (AG) District.
- b. Keeping of chickens shall not be allowed on lots of less than 5,000 square feet.
- c. Roosters are prohibited except in the Agricultural-Rural (AG) Zone District.
- d. Unattended chickens shall be confined within a chicken facility.
- e. Chickens may be permitted to roam outside of a chicken facility in the rear yard of a lot within a predator proof 6-foot high fenced area only when a person is present on the property and is available to attend to the chickens.
- f. It shall be the responsibility of the animal owner to fence out all predators with an adequately designed, constructed and maintained fence, chicken facility or combination thereof.
- g. A chicken keeping permit is required for all chicken facilities and shall be obtained from the town upon payment of a fee established by the Town,

submission of an application and supporting materials adequate to demonstrate compliance with the provisions of this ordinance. Such permit may be revoked upon conviction of any violation of the provisions of this section.

- h. Chickens and/or chicken facilities that are not kept or maintained in conformance with the requirements of this section shall be deemed a public nuisance and the owner or custodian shall be given thirty (30) days to rectify the conditions creating a public nuisance. If the owner or custodian has not rectified the conditions within 30 days of the date notice is provided, the Town may abate the nuisance as provided in the Silt Municipal Code.

6.08.018 Chicken Facilities

- a. Chicken facilities shall include a coop and runway that are fully enclosed and adequately designed and constructed to prevent escape of chickens or entry by predators and coops shall be constructed with a solid top.
- b. Coops shall not exceed (34) square feet, and shall provide at least four (4) square feet of floor space per chicken.
- c. The design of the coop shall be submitted for approval by the Town and the coop design should be compatible with the primary structure on the property, constructed of tightly fitting materials and designed/maintained to withstand continuous exposure to outdoor weather conditions.
- d. The maximum height of chicken facility shall not exceed seven (7) feet measured from the average finished grade within 5 feet of the structure to the highest point of the roof.
- e. Chicken facilities shall be designed to provide water at all times without freezing.
- f. Such facilities shall only be located in the rear yard of a lot.
- g. Chicken facilities shall be regularly maintained to control dust, odor, waste and in a manner that does not constitute a nuisance, safety or health hazard to adjacent properties.
- h. All waste materials shall be properly disposed of and not allowed to accumulate on the property.
- i. Dead animals shall be properly disposed of within 24 hours.
- j. All feed shall be stored in a resealable, airtight rodent proof container.
- k. Harvesting of chickens may be permitted provided however such harvesting is conducted outside of the direct view of the public.

Section 3 In any section, subsection, clause, phrase or provision of this ordinance, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

INTRODUCED, READ, APPROVED ON FIRST READING this 14th day of June, 2010 at the municipal building of the Town of Silt, Colorado.

PASSED AND APPROVED ON SECOND READING, ADOPTED AND ORDERED PUBLISHED following a public hearing this 28th day of June, 2010.

TOWN OF SILT

Mayor David C. Moore

ATTEST:

Town Clerk Sheila M. McIntyre, CMC