

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 3-501 OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH REQUIREMENTS TO KEEP AND MAINTAIN CHICKENS OR LAYING HENS IN R-1, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, AND ADDING SECTIONS 3-115 AND 3-116 TO INCLUDE DEFINITIONS FOR REQUIRED STRUCTURES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That Sections 3-115 and 3-116 of Chapter 3 of the Code of the City of Norman, Oklahoma, shall be added to read as follows:

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Sec. 3-115. Chicken Coop.

A chicken coop is a small structure or enclosure where chickens nest, roost or perch and may include feeding and water devices.

Sec. 3-116. Chicken Run.

A chicken run is an enclosed area physically connected to the coop where chickens are able to walk or run about which may include feeding and watering devices.

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§ 2. That Section 3-501 of Chapter 3 of the Code of the City of Norman, Oklahoma, shall be amended to read as follows:

Sec. 3-501. Keeping of Animals other than dogs and cats.

(a) Except as provided otherwise, all animals commonly known as domesticated farm animals may be kept and maintained in any of the City's zoning districts only as long as:

- (1) The provisions of Chapter 22 of this Code pertaining thereto are complied with;
- (2) Such animals are maintained on land upon which the owner or occupant resides;
- (3) Such animals maintained on single-family, two-family or multi-family districts are not permitted closer than:

- [a] Twenty-five (25) feet to a lot line upon which is situated an inhabited dwelling, nor
 - [b] One hundred (100) feet to any dwelling other than the owner's;
- (4) The owner or occupant of the land upon which such animals are kept and maintained erects and maintains a suitable barrier sufficient to insure compliance with the above distance requirements.
- (b) Except as provided otherwise, chickens or laying hens may be kept and maintained in the R-1 Zoning District so long as:
- (1) The provisions of Chapter 22 of this Code pertaining thereto are complied with;
 - (2) Such chickens or laying hens are maintained on land upon which the owner or occupant resides;
 - (3) Chickens or laying hens may only be kept under the following conditions:
 - [a] No more than four (4) chickens or laying hens are allowed per R-1-zoned parcel unless additional setback conditions can be achieved as described in Section 3-501(a);
 - [b] Roosters are not allowed;
 - [c] The chickens are kept within a designated chicken coop and chicken run, unless supervised as described in (3)[m] below;
 - [d] The chicken coop and chicken run shall be located in the rear or backyard of a residential property. No part of the coop or run shall be located in the side or front yard;
 - [e] The chicken coop and chicken run shall be attached and shall be located no closer than five (5) feet from any side or rear property lines and no closer than twenty-five (25) feet from any dwelling unit other than the owner's. Movable chicken enclosures are permitted as long as they meet the setbacks as indicated in this paragraph;
 - [f] The minimum size for a chicken coop shall be four (4) square feet per animal and the chicken run shall be eight (8) square feet per animal;
 - [g] During daylight hours, the chickens shall have access to a chicken run and a chicken coop;

- [h] From dusk until dawn, chickens shall be kept within the chicken coop as protection from predators;
- [i] Chicken coops shall be predator resistant and any open walls or windows shall be designed to prevent access by predators;
- [j] Chicken runs shall be adequately fenced and protected from predators;
- [k] The outside openings of any enclosure shall be screened to prevent the spread of disease by flies and vermin;
- [l] Water shall be provided onsite and accessible to chickens at all times;
- [m] Chickens are permitted to be outside of a run or coop during daylight hours but must be supervised and contained inside a fenced yard at all times; chickens that stray outside the fenced yard may be regarded as nuisance animals under §3-111 of this chapter;
- [n] All chicken enclosures shall be cleaned regularly to prevent an accumulation of food, fecal matter, or nesting material from creating a nuisance or unsanitary condition due to odor, vermin, debris, or decay.

(4) Outdoor slaughter of chickens is prohibited.

(5) Electrical and heat sources shall comply with the City's building code.

(c) No person shall own, keep, or maintain a swine within the City limits, except in those areas zoned A-1 or A-2 and only then when in compliance with the limitations regarding those areas.

(d) However, where a person has continually kept and maintained such animals since April 23, 1968, such keeping and maintenance constitutes a nonconforming use, and may continue until such time that those animals expire, are removed, or are otherwise disposed of.

(e) Except as otherwise provided, no person shall keep and maintain, or allow to be maintained any exotic or native wildlife or dangerous or poisonous reptiles.

(f) Persons excepted from subsection ~~(d)~~(e) shall be:

- (1) Duly authorized and licensed circuses or educational institutions;
- (2) Agents or employees properly authorized by an educational institution to keep and maintain that institution's animals in connection with any lawful experimental or research program;
- (3) Zoological gardens;
- (4) Zoos which are supervised and publicly maintained;
- (5) Falconry facilities that have a current license issued by the U.S. Department of the Interior, by the U.S. Fish and Wildlife Service, or a license issued by the Oklahoma Department of Wildlife Conservation under the rules adopted in 50 CFR 21 of the federal regulations.

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§ 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day of _____, 2012.

NOT ADOPTED this _____ day of _____, 2012.

Cindy Rosenthal, Mayor

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ATTEST:

Brenda Hall, City Clerk