

AN ORDINANCE OF THE CITY OF VALLEY PARK, MISSOURI AMENDING
SECTION 205.030 – FOWL OF THE MUNICIPAL CODE OF THE CITY OF VALLEY
PARK

WHEREAS, Section 205.030 of the Municipal Code of the City of Valley Park describes the rules and regulations pertaining to the keeping and sheltering of ducks, geese, turkey, pigeons, chickens, and other domestic fowl; and

WHEREAS, from time to time, the Board of Aldermen reviews the information included in Chapter 205 and changes definitions, requirements, and various other components; and

WHEREAS, City staff has requested that the Board of Aldermen amend the requirements pertaining to keeping chickens to remove language that requires applicants receive and submit permission from their subdivision trustees to keep chickens; and

WHEREAS, the Legislative Committee reviewed this requested amendment and has unanimously approved the request.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the City of Valley Park, Missouri as follows:

Section One: Section 205.030 – Fowl – Generally is hereby repealed in its entirety and replaced with the following language:

Section 205.030 Fowl – Generally

- A. The keeping, sheltering, and maintaining of any ducks, geese, turkeys, pigeons or other domestic fowl on residential property or on any public place is hereby declared to be a public nuisance and is prohibited.
- B. The keeping of chickens shall be allowed on all detached single-family lots under the following conditions, restrictions, and regulations:
 1. *Permits and fees.* Upon application submitted with a ten-dollar (\$10.00) application fee per household, the City may issue a permit if, after inspection, it is shown that the location and facilities provided comply with all regulations as set forth in this Section.
 2. *Chickens allowable.*
 - a. No chickens shall be allowed in multi-family complexes, including condominiums, apartments, and duplexes.
 - b. No roosters shall be allowed.
 3. *Enclosure/containment requirements.*

- a. Chickens are not permitted to run at large.
- b. Chickens may not be kept inside the habitable areas of the dwelling.
- c. A coop with a roof must be provided with a minimum square footage of three (3) square feet per bird. Design and construction of coop is to be reviewed and approved by the City. An outdoor pen must be provided.
- d. A pen must not be located indoors, including in a garage, basement, cellar, or accessory structure. It may not be located in the front yard.
- e. An outdoor coop used exclusively for chickens will not count towards the maximum number of accessory structures allowed.

4. *Maintenance of sanitary conditions.*

- a. All shelters, chicken coops, aviaries, or other outbuildings, any appurtenances thereto where any domestic animals permitted by the City are kept on either a temporary or a permanent basis shall be maintained so that the premises are in a clean and sanitary condition and free from all obnoxious smells or substances; otherwise, they shall be deemed to be a public nuisance. The owner of the premises and the tenant and custodian must promptly comply with orders of the City and/or the St. Louis County Department of Health in respect to any unsanitary condition found to exist.
- b. The presence of numerous flies or the presence of fly larvae in the vicinity of any such premises, enclosures, or structures shall be evidence of a lack of sanitary maintenance of the premises and shall constitute a public nuisance.
- c. Where manure will remain on the premises in excess of twenty-four (24) hours, a fly-proof receptacle shall be provided for containing such manure. Any unnecessary accumulation of debris, refuse, manure, or other removable material upon any surface within any such enclosed area or premises, or within any structure used or intended to be used for the housing of permitted domestic animals shall be evidence of a lack of sanitary maintenance of the premises, and shall constitute a public nuisance.
- d. Any obnoxious odor or allergen arising from any condition existing within the enclosure or within any structure used or intended to be used for the housing of permitted domestic animals shall be evidence of a lack of sanitary maintenance of the premises, and shall constitute a public nuisance.
- e. All premises, enclosures, or structures used or intended to be used for the keeping or housing of any such domestic animals permitted by the City shall be thoroughly cleaned and all debris, refuse, manure, or other removable material removed therefrom as often as may be necessary to effect satisfactory compliance with the provisions of this Article.
- f. Deceased domestic animals and fowl must be disposed of either through burial or incineration in accordance with Federal, State, and County regulations.
- g. All enclosures, refuse containers, and all feed containers intended for the

use of domestic animals and fowl permitted by the City shall be constructed, maintained and kept in such a manner as to be completely rodent-proof. The floors of every such enclosure shall be smooth and tight, and maintained so as to prevent accumulation of filth or water or harboring of vermin thereunder.

5. *Distance regulations.*
 - a. Outdoor pens, unless part of a boundary fence and coop, shall be situated a minimum of ten (10) feet from the property line.
 - b. Pen and coop design, materials and screening shall be subject to City approval for design, materials, and location.
6. *Slaughtering.* Any slaughtering of chickens shall not be visible on premises.
7. *Miscellaneous regulations.*
 - a. No chickens are to be bred for sale or sell any of their by-products.
 - b. Chicken feed must be stored in rodent-proof containers.
8. *Right of entry.* As a condition of each permit issued hereunder, the Animal Control Officer, official of the City, official of the St. Louis County Department of Health, or any other person, firm, corporation, organization or agency with which the City has contracted according to the provisions of this Article, and Police Officers, while in pursuit of a domestic animal or fowl running at large outside their property, shall have the right of entry to any lots or lands, including those of the owner of such domestic animal, for the purpose of collecting any domestic animal found in violation of this Article.
9. *Interference with enforcement officials.* Any person who shall interfere with or obstruct a City Official in the reasonable performance of his/her duty in apprehending any domestic animal or fowl, or investigation under this Article, or any person who shall refuse to deliver up his/her domestic animal or fowl, upon request by a proper City Official, whenever such official has reasonable cause to believe that such animal or fowl is unlicensed or such permit for keeping the animal or fowl has been revoked under the provision of this Article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as hereinafter provided.
10. *Penalty for violation.* Any person who violates any provision of this Article may be fined not less than ten dollars (\$10.00) or more than one hundred fifty dollars (\$150.00) for each violation and each day or part of a day shall be considered a separate violation.

Section Two: It is hereby declared to be the intention of the Board of Aldermen that each and every part, section, and subsection of this ordinance shall be separate and severable from each and every other part, section, and subsection hereof and that the Board of Aldermen intends to adopt each said part, section, and subsection separately and independently of any other

part, section, and subsection. In the event that any part of this ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections, and subsections shall be and remain in full force and effect.

Section Three: Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Administrator and City Attorney, may be corrected with the endorsement of the City Administrator or City Attorney without the need to present the ordinance back before the Board of Aldermen.

Section Four: This ordinance shall take full effect and be in full force upon its passage by the Board of Aldermen and Approval of the Mayor of the City of Valley Park.

Read two times and passed as read this 16th day of October 2023.

VOTES CAST:

To Approve Bill No. 2023-19

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| Motion: | <u>WALKER</u> | | Second: | <u>REYNOLDS</u> | |
| | Yes | No | | Yes | No |
| Reynolds | <u>X</u> | --- | Young | <u>X</u> | --- |
| Rose | <u>X</u> | --- | Walker | <u>X</u> | --- |
| Bowen | <u>X</u> | --- | White | <u>X</u> | --- |
| Halker | <u>X</u> | --- | Braswell | <u>X</u> | --- |

Absent: _____

Approved this 16th day of October 2023.



Chandra Webster
Mayor

ATTEST:



Nathan Schauf
City Administrator