

AN ORDINANCE AMENDING CHAPTER 91 OF THE FORT WAYNE, INDIANA CODE OF ORDINANCES IN ORDER TO ALLOW URBAN CHICKENS

WHEREAS, the Fort Wayne, Indiana Code of Ordinances (“Code”) § 91.001 defines *DOMESTIC FARM ANIMALS* as follows:

“**DOMESTIC FARM ANIMAL.** Calves, cattle, emus, goats, horses, ponies, llamas, ostriches, poultry, sheep, pigs or porcine of any variety including Vietnamese pot-bellied pigs, and similar animals (pigeons shall not be considered to be domestic farm animals)”;

WHEREAS, § 91.019 of the Code reads:

“No person shall keep a domestic farm animal in the city limits unless approved by the Department of Planning Services”; and

WHEREAS, hundreds of cities nationwide, including New York, Chicago, Los Angeles, Seattle and Indianapolis, allow residents to possess chickens within city limits to provide additional quality of life opportunities for their residents; and

WHEREAS, to allow homeowners the additional utility of their property and improve quality of life for the residents of the City of Fort Wayne, the Common Council for the City of Fort Wayne (“Common Council”) believes it is in the best interest of the City to permit residents to keep a limited number of chickens on their properties.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. § 91.001 of the Code titled “DEFINITIONS” shall be amended as follows:

The definition for the term “**DOMESTIC FARM ANIMAL**” is amended to read:

DOMESTIC FARM ANIMAL. Calves, cattle, emus, goats, horses, ponies, llamas, ostriches, poultry, sheep, pigs or porcine of any variety including Vietnamese pot-bellied pigs, and similar animals (pigeons shall not be considered to be domestic farm animals), excluding Urban Chickens.

A new definition for the term “**URBAN CHICKENS**” is added to read:

URBAN CHICKENS. Female chickens of the species *gallus gallus domesticus*, that conform to the restrictions imposed in this code. This

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A new definition for the term "**URBAN CHICKENS**" is added to read:

URBAN CHICKENS. Female chickens of the species *gallus gallus domesticus*, that conform to the restrictions imposed in this code. This definition excludes all other poultry and fowl such as, without limitation, roosters, peacocks, turkeys, and waterfowl.

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2 **SECTION 2.** § 91.019 of the Code titled "DOMESTIC FARM ANIMAL"
3 shall be amended to read:

4 **§ 91.019 DOMESTIC FARM ANIMAL**

5 (A) No person shall keep a Domestic Farm Animal in the city limits unless
6 approved by the Department of Planning Services.

7 (B) Notwithstanding anything in Chapter 157 to the contrary, a person
8 living within the city limits shall be permitted to keep Urban Chickens
9 on his or her property, without approval by the Department of Planning
10 Services or the Board of Zoning Appeals, provided that the following
11 conditions are met:

12 (1) No Roosters (male chickens) shall be kept under provision of
13 this ordinance.

14 (2) There shall be no more than five (5) Urban Chickens on any
15 parcel.

16 (3) Urban Chickens must be kept completely and securely enclosed
17 and under the control of the owner and on the owner's property
18 at all times.

19 (4) A chicken coop, an enclosed structure for harboring chickens
20 that provides shelter
21 from the elements, shall be provided. The chicken coop shall
22 be situated a minimum of ten (10) feet from all property lines
23 and twenty (20) feet from any neighboring dwelling. The coop
24 shall be less than ten (10) feet high. The coop must provide at
25 least ten (10) square feet of space per Urban Chicken kept
26 therein.

27 (5) Urban Chickens and coops shall be confined to the rear yard of
28 the property.

29 (6) Any Urban Chickens kept in accordance with the provisions of
30 this Section shall be for non-commercial, personal use only and
may not be slaughtered on the property.

 (7) The chicken coop shall be maintained in a sanitary condition
and in compliance
with all applicable health regulations of the State of Indiana, and
Allen County.

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(8) This ordinance does not affect in any manner prohibitions by neighborhood associations of farm animals, including chickens.

(9) Urban Chickens may not be kept on multi-family properties.

(C) Any violations of this Section shall be subject to the applicable penalties set forth in §91.999.

SECTION 3. This resolution shall be effective from and after passage and any necessary approval by the Mayor.

COMMON COUNCIL OF THE
CITY OF FORT WAYNE,
INDIANA

Jason Arp, Common Council Member

APPROVED AS TO FORM AND LEGALITY

Joseph G. Bonahoom, City Council Attorney

REPORT OF COMMITTEE ON REGULATIONS

June 6, 2017

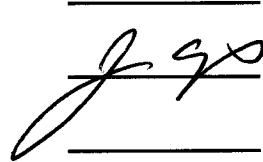
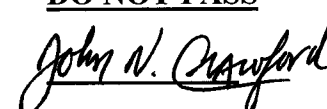


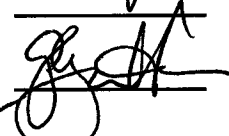
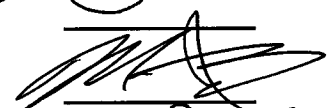
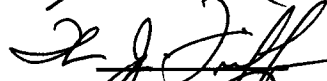
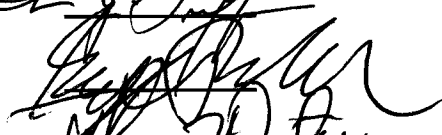
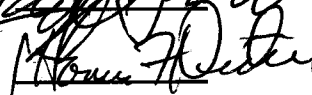
John Crawford Chair

Michael Barranda Co-Chair

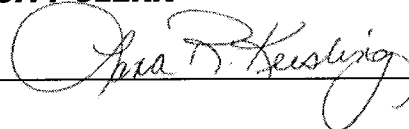
All Council Members

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COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
			
			
			
			
			
			
			

**LANA R. KEESLING
CITY CLERK**



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- (A) No person shall keep a Domestic Farm Animal in the city limits unless approved by the Department of Planning Services.
- (B) Notwithstanding anything in Chapter 157 to the contrary, a person living within the city limits shall be permitted to keep Urban Chickens on his or her property, without approval by the Department of Planning Services or the Board of Zoning Appeals, provided that the following conditions are met:
 - (1) No Roosters (male chickens) shall be kept under provision of this ordinance.
 - (2) There shall be no more than five (5) Urban Chickens on any parcel.
 - (3) Urban Chickens must be kept completely and securely enclosed and under the control of the owner and on the owner’s property at all times.
 - (4) A chicken coop, an enclosed structure for harboring chickens that provides shelter from the elements, shall be provided. The chicken coop shall be situated a minimum of ten (10) feet from all property lines and twenty (20) feet from any neighboring dwelling. The coop shall be less than ten (10) feet high. The coop must provide at least ten (10) square feet of space per Urban Chicken kept therein.
 - (5) Urban Chickens and coops shall be confined to the rear yard of the property.
 - (6) Any Urban Chickens kept in accordance with the provisions of this Section shall be for non-commercial, personal use only and may not be slaughtered on the property.
 - (7) The chicken coop shall be maintained in a sanitary condition and in compliance

with all applicable health regulations of the State of Indiana, and Allen County.

(8) This ordinance does not affect in any manner prohibitions by neighborhood associations of farm animals, including chickens.

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