

ORDINANCE NO. 2531

AN ORDINANCE OF THE CITY OF ERLANGER TO REGULATE AND ALLOW THE RAISING OF CHICKENS FOR PERSONAL, FAMILY, OR HOME USE IN RESIDENTIAL ZONES

WHEREAS, currently the City of Erlanger is sparse on its regulations of chickens with the only mention of chickens being in Section 104.02 of the Code of Ordinances, stating it should be a prohibition to have “any fowl or livestock within 500 feet of any residence other than that of the owner of such fowl or livestock”, and;

WHEREAS, ten cities in Northern Kentucky have modernized their ordinances related to fowl, and;

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF ERLANGER, IN KENTON COUNTY, KENTUCKY AS FOLLOWS:

Section 1.0

I. RAISING CHICKENS

(A) It shall be unlawful to keep or raise chickens for sale or profit in the city in any residential zone.

(B) It shall be lawful to keep or raise up to six (6) chickens in the city for personal, family, or home use.

(C) It shall be unlawful to use, operate, or maintain any coop, hutch, runway, or enclosure for chickens within 50 feet of any dwelling house, except the dwelling house on the same premises.

(D) It shall be unlawful for any person to raise a rooster in the city. It shall be unlawful to let any chickens run at large; and it shall be unlawful to keep or raise chickens or to maintain any coop, hutch, building, or enclosure for them in an unclean or unsanitary condition. It shall be unlawful to process any chickens in public view.

(E) *Civil offense.* The specific civil fine that shall be imposed for each separate violation of this chapter in the event that a citation for that violation is not contested is hereby established at \$100 for a first violation, \$250 for a second occurrence of the same violation, and \$500 for the third and each subsequent occurrence of the same violation, plus the costs of collection, including, without limitation, court costs and attorney fees approved by the City Council and City Administrator on a case-by-case basis.

The maximum civil fine that may be imposed for each separate violation of this chapter is hereby established at \$500 for a first violation, \$750 for a second occurrence of the same

violation, and \$1,000 for the third and each subsequent occurrence of the same violation plus the costs of collection, including, without limitation, court costs and attorney fees.

II. RAISING FOWL PROHIBITED

It shall be unlawful to keep or raise turkeys, guineas, ducks, or geese in any residential zone in the city.

III. ANIMALS OR FOWL RUNNING AT LARGE

It shall be unlawful to permit any animals or fowl to run at large on the streets of the city or permit the same to trespass upon the land of another.

Section 2.0

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

Section 3.0

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict. Specifically, this Ordinance repeals Section 104.02 (P).

Section 4.0

This ordinance shall be effective as soon as possible according to law.

Section 5.0 - Publication

This ordinance shall be published in summary pursuant to K.R.S. 83A.060 (9).

Adopted this 2nd day of November, 2021.

First Reading- October 5, 2021

Second Reading- November 2, 2021 Votes Cast 7 Yes 4 No

JESSICA FETTE, Mayor

ATTEST:

Sherry Hoffman, City Clerk