

(FIRST PUBLISHED IN THE ATCHISON GLOBE ON Oct 22, 2016)

ORDINANCE NO.6537

AN ORDINANCE ADDING A NEW SECTION 728 TO
ARTICLE VII, SUPPLEMENTARY REGULATIONS,
ZONING REGULATIONS OF THE CITY OF ATCHISON,
KANSAS, AS ADOPTED BY ORDINANCE NO. 6326

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF ATCHISON, KANSAS:

SECTION 1. That the Zoning Regulations of the City of Atchison, Kansas, are hereby amended to add a new section to Article VII, Supplementary Regulations, as adopted by Ordinance No. 6536, to wit:

729 Keeping Chickens within the City limits of Atchison

729.1 Chickens may be kept within the City limits of Atchison on any R-1 zoned lot as further provided herein. An initial permit shall be required by adult property owners or lessees desiring to keep chickens. The permit will not be required to be renewed and cannot be transferred to another party. Owner-occupants are required to show that no restrictive covenants exist for their property that would prohibit chickens. Tenants would be required to show proof of permission to keep chickens from their landlord or property manager.

729.2 Chickens may only be kept at an address that has a continuously occupied single family dwelling on the property. If at any time the dwelling is vacated the chickens and the associated structures shall be removed within 10 days.

729.3 Roosters shall not be kept within the City limits of Atchison. Roosters unknowingly purchased shall be removed from the flock as soon as possible. Violation of the noise ordinance may result in fines as imposed by the Municipal Court.

729.4 Chickens shall be confined to a coop and pen; chickens shall not be free ranging. Fenced yards shall not be considered pens. Pens shall have direct access to the coop.

729.5 Chicken coops and pens shall be located in the rear yard of the dwelling. Placement of chicken coops and pens shall be a minimum of 20 feet from any neighboring windows, decks, patios, pools, or other outdoor recreational areas other than the yard.

729.6 Chicken coops and pens shall be constructed in a workmanlike manner and maintained in a clean and sanitary condition. Chicken coops shall be elevated from the ground or placed on a concrete surface. The design of the coop and pen shall not permit the harboring of water or increase infestation. Coop design shall permit adequate space for each bird as recommended by the County Extension Office or other published authorities on poultry.

729.7 The quantity of birds maintained on any one property shall not exceed eight. Residential lots with less than 6,000 total square feet would be allowed to have a maximum of four chickens.

729.8 On site slaughter of chickens is prohibited within the City limits of Atchison. Disposal of dead chickens shall follow the regulations of Section 7-14 of the City's Municipal Code.

729.9 The zoning officer is hereby authorized and directed to enforce the provisions of this ordinance. The zoning officer shall have the authority to render interpretations of this ordinance and to adopt policies and procedures in order to clarify the application of its provisions and define the size, proportions and construction of the coop and pen. Policies and procedures hereby established by the zoning officer shall be approved by the city manager prior to implementation.

SECTION 2. That the Zoning Regulations of the City of Atchison, Kansas, are hereby amended; and

SECTION 3. This ordinance shall take effect from and after its passage and publication once in the City's official newspaper.

PASSED, this 17th day of October, 2016.



JACK BOWER

MAYOR

ATTEST:




DEBRA A. CLEM

CITY CLERK