



## Application for the Keeping of Chickens and/or Quail (R-1 and R-2 Zones)

Applicant Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

### Application Requirements:

\_\_\_\_\_ Scaled diagram indicating the location of the coop and/or run, the size and distance from adjoining structures and property lines

\_\_\_\_\_ Number (limit 4) \_\_\_\_\_ and species of birds \_\_\_\_\_  
NO ROOSTERS ALLOWED

\_\_\_\_\_ Written consent/approval of keeping chickens or quail on your premises from all abutting property owners (Please Attach)

\_\_\_\_\_ \$20 fee received (two year license)

**Please do not get your chickens or quail until all your license requirements have been met and your license has been approved.**

I will always keep the chickens or quail in accordance with this ordinance and all the conditions prescribed by the Animal Control Officer. I understand failure to obey such conditions will constitute a violation of the provisions of this section and grounds for cancellation of the permit. If I will no longer be keeping chickens or quail on my premise, any coops or runs constructed or maintained shall be immediately removed from said premises after the expiration of the permit or shall be removed within 30 days upon ceasing to use the coop and/or run for the keeping of chickens or quail. If my premises are subject to private restrictions and/or covenants that prohibit the keeping of chickens or quail, any permit issued to me for the keeping of chickens or quail will be void.

This permit may be revoked or suspended for violation of this City Code 6.35 following written notice. The applicant may appeal the revocation or suspension of the permit by requesting in writing before the city council within seven days of the notice of relocation or suspension.

Signature of Applicant \_\_\_\_\_

License Dates \_\_\_\_\_ to \_\_\_\_\_

Approval of Animal Control Officer \_\_\_\_\_



**Adjacent Property Owner Consent Form for Backyard Chickens and/or Quail**

Applicant Name \_\_\_\_\_

Address where birds will be kept \_\_\_\_\_

No permit for the keeping of chickens and/or quail shall be issued by the city to any person unless all abutting or adjacent property owners provide their consent for the permit in writing. For purposes of this permit, abutting property owners includes all premises and parcels of property that the applicant’s property comes into contact with at one or more points, except for premises and parcels that are separated from the applicant’s property by a public street (not including an alley).

**Coop and Run Specifications**

All coops and runs must be located within the rear yard subject to a twenty (20) foot setback from any adjacent premises and be at least twenty-five (25) feet from any residential structure or dwelling or any other structures or dwellings on any adjacent premises. All coops must be a minimum of four (4) square feet per bird in size must not exceed ten (10) square feet per bird in size and must not exceed six (6) feet in total height. Attached fenced-in runs must not exceed twenty (20) square feet and fencing must not exceed six (6) feet in total height. Runs may be enclosed with wood and/or woven wire materials and may allow the birds to contact with the ground. Bird feed must be kept in metal predator proof containers. Manure may be placed in yard compost piles.

**Instructions to Adjacent Property Owners**

Your neighbor is applying for a permit to keep chickens or quail in their backyard. A maximum of four birds may be kept under this permit. If you are an adjacent property owner, your consent to this permit is required for issuance. Do not sign the form if you are NOT giving consent to the issuance of a permit. If you have concerns about this application, please call the Animal Control Officer immediately at 332-5862 to express your concerns.

*By signing this form, you are providing written consent for the issuance of this permit.*

**Owner Name**

**Street Address**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please return to the City of Fergus Falls – 112 W Washington Avenue, Fergus Falls, MN 56537

§ 91.52 CHICKENS.

(A) *Chickens permitted.* It is unlawful for any person to own, control, keep, maintain or harbor chickens on any premises within the city unless issued a permit to do so as provided in this section. No permit shall be issued for the keeping or harboring of more than four female chickens or hens on any premises. The keeping or harboring of male chickens or roosters is prohibited. Violations of this section are misdemeanors.

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**AT LARGE.** A chicken out of its chicken run, off the premises or not under the custody and control of the owner.

**CHICKEN.** A female chicken or hen.

**CHICKEN COOP.** A structure for housing chickens made of wood or other similar materials that provides shelter from the elements.

**CHICKEN RUN.** An enclosed outside yard for keeping chickens.

**PERSON.** The resident, property owner, custodian or keeper or of any chicken.

**PREMISES.** Any platted lot or group of contiguous lots, parcels or tracts of land and is located within the city.

(C) *Permit.*

(1) No person shall maintain a chicken coop and/or chicken run unless granted a permit by the Animal Control Officer. The Animal Control Officer is authorized to issue a maximum of 20 permits annually for the keeping of chickens. The permit shall be subject to all the terms and conditions of this subchapter and any additional conditions deemed necessary by the Animal Control Officer to protect the public health, safety and welfare. The necessary permit application shall be obtained from the City Administrator's office. Included with the completed application must be a scaled diagram that indicates the location of any chicken coop and/or chicken run, and the approximate size and distance from adjoining structures and property lines, the number and species of chickens to be maintained at the premises and a statement that the applicant/permittee will, at all times, keep the chickens in accordance with this section and all the conditions prescribed by the Animal Control Officer, or modification thereof, and failure to obey the conditions will constitute a violation of the provisions of this subchapter and grounds for cancellation of the permit. The applicant shall include written consents/approval of the keeping of chickens on his, her or their premises from all abutting property owners, or shall provide proof of the certified mailing of a notice, and copies of the notice(s) to all abutting property owner(s) which advises the abutting property owner(s) the applicant is applying for a permit from the city for the keeping of chickens on his, her or their premises, the abutting property owner may object to the applicants permit application, any objection must be received by the Animal Control Officer within ten days of the mailing date of the notice, and failure to provide written objections to the Animal Control Officer within ten days of the mailing of the notice will authorize the Animal Control Officer to issue a permit for the keeping of chickens to the applicant at his, her or their premises.

(2) Upon receipt of a permit application, the Animal Control Officer shall determine if the application is complete and contains the required consents/approvals and/or proof of the certified mailing of the required notices. If the application is complete and includes written consents/approval from all abutting property owners, the Animal Control Officer shall issue a permit for the keeping of chickens to the applicant. If the application is complete and includes proof of mailing certified notices to abutting property owner(s) as required by this section, the Animal Control Officer shall issue a permit to the applicant ten days after receipt of the completed application, unless the Animal Control Officer receives a written objection from an abutting property owner objecting to the applicant's application for the keeping of chickens, in

which case no permit shall be issued. No permit shall be issued for an incomplete application or for the keeping of chickens on any rental premises.

(3) A permit for the keeping of chickens may be revoked or suspended by the Animal Control Officer for any violation of this section following written notice. The applicant/permittee may appeal the revocation or suspension of their permit by requesting in writing a hearing before the City Council within seven days of the notice of revocation or suspension. The request for hearing must be either postmarked or received in the City Administrator's office within seven days of the date of the notice. The City Council shall hold a hearing on the applicant/permittee's request for hearing within 30 days of the request for hearing.

(4) An annual fee will be set by resolution.

(D) *Confinement.* Every person who owns, controls, keeps, maintains or harbors chickens must keep them confined at all times in a chicken coop and chicken run and may not allow the chickens to run at large. Any chicken coop and chicken run shall be at least 25 feet from any residential structure or any other structures on any adjacent premises.

(E) *Chicken coops and chicken runs.*

(1) All chicken coops and chicken runs must be located within the rear yard subject to a 20-foot setback from any adjacent premises and be at least 25 feet from any residential structure or dwelling or any other structures or dwellings on any adjacent premises. All chicken coops must be a minimum of four square feet per chicken in size, must not exceed ten square feet per chicken in size and must not exceed six feet in total height. Attached fenced-in chicken runs must not exceed 20 square feet per chicken and fencing must not exceed six feet in total height. Chicken runs may be enclosed with wood and/or woven wire materials and may allow chickens contact with the ground. Chicken feed must be kept in metal predator-proof containers. Chicken manure may be placed in yard compost piles.

(2) Chicken coops must either be:

(a) Elevated with a clear open space of at least 24 inches between the ground surface and framing/floor of the coop; or

(b) The coop floor, foundation and footings must be constructed using rodent-resistant construction;

(3) Chicken coops are not allowed to be located in any part of a home and/or garage;

(4) Chickens must be secured in a chicken coop from sunset to sunrise each day.

(F) *Conditions and inspections.* No person who owns, controls, keeps, maintains or harbors chickens shall permit the premises, whether the chickens are kept to be or remain in an unhealthy, unsanitary or noxious condition or to permit the premises to be in such condition that noxious odors are carried to adjacent public or private property. Any chicken coop or chicken run authorized by permit under this section may be inspected at any reasonable time by the Animal Control Officer, law enforcement officer or other agent of the city. A person who has been issued a permit shall submit it for examination upon demand by the Animal Control Officer, law enforcement officer or other agent of the city. Slaughter and breeding of chickens on any premises within the city is prohibited.

(G) *Private restrictions and covenants on property.* Notwithstanding the issuance of a permit by the city, private restrictions and/or covenants on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include, but are not limited to, deed restrictions, condominium master deed restrictions, neighborhood association by-laws, covenant declarations and deed restrictions. A permit issued to a person whose premises are subject to private restrictions and/or covenants that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

(H) *Refusal to grant or renew permit.* The Animal Control Officer may refuse to grant or renew a permit to keep or maintain chickens for failure to comply with the provisions of this section, submitting an inaccurate or incomplete application, if the conditions of the permit are not met, if a nuisance condition is created, or if the public health and safety would be unreasonably endangered by the granting or renewing of the permit.

(I) *Removal of chicken coop and chicken run.* Any chicken coop or chicken run constructed or maintained on any premises shall be immediately removed from the premises after the expiration of the permit or shall be removed within 30 days upon ceasing to use the chicken coop and/or chicken run for the keeping of chickens.

(J) *Residential Agricultural District.* This section does not apply to premises located in a Residential-Agricultural District, as that area is defined in this code of ordinances.

(K) *Prohibited.* The keeping of chickens, male or female, is prohibited in R-3, R-4 and R-5 Multiple-Family and Multiple-Residence Districts and all Business and Industrial Districts (B-1 through B-6 and I-1 through I-3), as those areas are defined in this code of ordinances. (Ord. 22, Eighth Series, effective 2-27-2022)

Amendment Adopted on July 17, 2023

ORDINANCE NO. 42, EIGHTH SERIES  
AN ORDINANCE OF THE CITY OF FERGUS  
FALLS, MINNESOTA, AMENDING CITY CODE  
CHAPTER 91.52, DEFINITIONS OF CHICKENS.  
THE CITY OF FERGUS FALLS DOES ORDAIN:

Section 1. The heading of City Code Chapter 91.52 is changed to read CHICKENS AND  
QUAIL

Section 2. City Code Chapter 91.52, paragraphs (A) and (B) are amended to read as follows:

(A) Chickens and Quail permitted. It is unlawful for any person to own, control, keep, maintain or harbor chickens or quail on any premises within the city unless issued a permit to do so as provided in this section. No permit shall be issued for the keeping or harboring of more than four female chickens or hens or quail on any premises. The keeping or harboring of male chickens or roosters is prohibited. Violations of this section are misdemeanors.

(B) Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AT LARGE. A chicken or quail out of its chicken/quail run, off the premises or not under the custody and control of the owner.

CHICKEN. A female chicken or hen and includes quail of either sex. All references to chicken in this chapter also includes quail.

CHICKEN COOP. A structure for housing chickens or quail made of wood or other similar materials that provides shelter from the elements.

**CHICKEN RUN.** An enclosed outside yard for keeping chickens or quail.

**PERSON.** The resident, property owner, custodian or keeper or of any chicken or quail.

**PREMISES.** Any platted lot or group of contiguous lots, parcels or tracts of land and is located within the city.