ORDINANCE NUMBER 8 - 2014

AN ORDINANCE TO AMEND THE CITY OF GREER CODE OF ORDINANCES, CHAPTER 10 ANIMALS, ARTICLE II LIVESTOCK BY AMENDING SECTION 10-31 POSSESSION OF LIVESTOCK (a) AND (c), AND ADDING SECTION 10-32 RAISING OR KEEPING OF DOMESTICATED FEMALE CHICKENS.

WHEREAS, under the currently existing City of Greer Code of Ordinances, it is unlawful for any person to keep, harbor or confine any female chickens within the corporate limits of the City of Greer; and

WHEREAS, City Council is of the opinion that allowing residents of the City to obtain a permit to keep a limited number of domesticated female chickens, pursuant to certain restrictions and limitations calculated to reduce or minimize the potential adverse impact resulting from this practice, would be beneficial to the City; and

WHEREAS, City Council is of the opinion that the benefits to be derived from authorizing the keeping of a limited number of domesticated female chickens under carefully limited conditions pursuant to a permit to be issued for this purpose would significantly outweigh any deleterious or otherwise adverse impacts associated with maintaining these female chickens within the corporate limits of the City of Greer; and

WHEREAS, Greer City Council wishes to amend Chapter 10 Animals.

NOW THEREFORE, BE IT ORDAINED by the Mayor and the Council of the City of Greer, that the City of Greer Code of Ordinances Chapter 10 Animals, Article II Livestock, Section 10-31 Possession of livestock (a) and (c) be amended and Section 10-32 Raising or keeping of domestic female chickens be added as follows:

Chapter 10 ANIMALS

ARTICLE II. LIVESTOCK
Sec. 10 – 31. Possession of livestock

(a) No person shall keep or be permitted to keep on his premises any animal defined as livestock for sale, hire, slaughter or other food source, competition, display or for exhibition purposes whether gratuitously or for a fee unless otherwise allowed by applicable zoning. This section shall not be construed to apply to zoological parks, equestrian parks, performing animal exhibitions, circuses, licensed pet stores or farm supply stores, the raising or keeping of domesticated female chickens, or animals in a legally permitted parade.

(c) For the purposes of this section, livestock shall be construed to include cattle, horses, mules, asses, swine, potbelly pigs, sheep and goats, roosters, turkeys, ducks, guineas, pheasants, pigeons or other domestic fowl.

Sec. 10-32. Raising or keeping of domestic female chickens

(a) The keeping of domesticated female chickens shall be in compliance with the following, in addition to any zoning and/or building regulations that may be applicable to the construction of coops and:

(1) No more than six (6) domesticated female chickens shall be kept or maintained on a single premise. It shall be unlawful to keep roosters or more than six (6) domesticated female chickens. It shall be unlawful to keep or maintain domesticated female chickens at a duplex or apartment complex.

(2) Such domesticated female chickens must be confined in a coop which is fully enclosed and made of suitable, washable material. The coop shall be cleaned regularly with all droppings and excretions placed in a fly-proof container unless otherwise disposed of in accordance with any federal, state or local health regulations.

The chicken coop must be located at least 50 feet from the nearest residence other than that of the owner.

No coop shall be placed in a front or side yard.

Failure to confine the domesticated female chickens, maintain the coop or manage the droppings and excretions in compliance with this section shall be unlawful.

(3) It shall be unlawful to raise domesticated female chickens for commercial purposes within the corporate limits of the City.

(4) It shall be unlawful to keep domesticated female chickens on premises within the City without first obtaining a permit. Any permit would be subject to ordinance revisions adopted by Council. Should Council amend the Ordinance to prevent domesticated female chickens or any other new conditions, such amendment would apply to current permits within thirty (30) days from the date of adoption of
Council’s revisions.

(b) Permit. The permit to keep domesticated female chickens is personal to the permittee and may not be assigned. No permit shall be issued without the written consent of adjoining neighbors. In addition, the permit authorizes the keeping of domesticated female chickens only upon the property described in the permit. The permittee must occupy the residence on the property where the domesticated female chickens are kept as the permittee’s personal, primary residence. An applicant for a permit must either own the property or have permission from the property owner to be eligible for a permit. Only one permit is allowed per permittee. In the event the permittee is absent from the property for longer than thirty (30) days, the permit automatically shall terminate and become void.

A permit that is issued to a person whose property is subject to private restrictions that prohibit the keeping of domesticated female chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

(c) Fenced chicken coop.

(1) Domesticated female chickens must be kept in a fenced enclosure at all times. In addition to the fenced enclosure, domesticated female chickens shall be provided with a covered, predator-resistant chicken coop.

(2) A minimum of two (2) square feet per domesticated female chicken shall be provided for the chicken coop.

(3) Fenced enclosures and chicken coops must be properly ventilated, clean, dry, and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.

(4) The chicken coop and fenced enclosure must provide adequate ventilation and adequate sun, shade and must be constructed in a manner to resist access by rodents, wild birds and predators including dogs and cats.

(5) Chicken coops shall be enclosed on all sides and shall have a roof and doors. Opening windows and vents must be covered with predator- and bird-resistant wire of less than one (1) inch openings.

(6) All stored food for the domesticated female chickens must be kept either indoors or in a weather-resistant container designed to prevent access by animals. Uneaten food shall be removed daily.

(d) Application for Permit. Every applicant for a permit to keep domesticated female chickens shall:

(1) Complete and file an application on a form prescribed by the City.

(2) The City shall issue a permit if the applicant has demonstrated compliance with the
criteria and standards in this section.

(3) A permit to keep domesticated female chickens may be suspended or revoked by the City where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of any other applicable ordinance or law. Any denial, revocation or suspension of a permit shall be in writing and shall include notification of the right to and procedure for appeal.

(e) Penalty. A violation of this section shall be punishable by a fine of $100.00 or thirty (30) days in jail or both together with court costs.

Secs. 10-33 – 10-60. - Reserved

This Ordinance shall become effective immediately upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA

[Signature]
Richard W. Danner, Mayor

ATTEST:

[Signature]
Tammela Duncan
Municipal Clerk

Introduced By: Councilman Wryley Bettis
First Reading: May 13, 2014
Second and Final Reading: May 27, 2014

Approved as to Form:

[Signature]
John B. Duggan
City Attorney

Ordinance Number 8-2014
Keeping or Raising Domesticated Female Chickens
Page 4 of 4
PERMIT APPLICATION
KEEPING OR RAISING DOMESTICATED FEMALE CHICKENS

NAME OF APPLICANT: ____________________________________________

PERMIT ADDRESS: _____________________________________________

APPLICANT PHONE NUMBER:  
Primary  
Alternate

Total Number of Domesticated Female Chickens ______ (Not to Exceed 6)

Is the property location for which permit applied a rental property?  
☐ Yes  ☐ No

If yes, provide documentation of permission from property owner.

Please provide the addresses of all properties that abut the property for which a permit is being applied.

Adjoining Property Address: ___________________________________

Adjoining Property Address: ___________________________________

Adjoining Property Address: ___________________________________

Adjoining Property Address: ___________________________________

APPLICANT SIGNATURE: _______________________________________  
DATE: __________________

No person shall maintain domesticated female chickens or a chicken coop unless granted a permit by the City. The permit shall be subject to all terms and conditions of Sec. 10-32 of the City of Greer Code of Ordinances and any conditions deemed necessary by the City to limit the potential adverse impacts on the neighborhood surrounding the property on which the domesticated female chickens are kept.

The chicken coop must be located at least 50 feet from the nearest residence other than that of the owner. No coop shall be placed in a front or side yard.

The owner must also obtain written approval of the keeping of domesticated female chickens from all adjoining property owners.

A permit to keep domesticated female chickens may be suspended or revoked by the City where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of any other applicable ordinance or law. Any denial, revocation or suspension of a permit shall be in writing and shall include notification of the right to and procedure for appeal.

Permits are subject to any ordinance revisions adopted by Council.

Should Council amend the Ordinance to prevent domesticated female chickens or any other new conditions, such amendment would apply to current permits within thirty (30) days from the date of adoption of Council’s revisions.

<table>
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<th>Permit Number:</th>
<th>Received by:</th>
<th>Date</th>
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BUILDING AND DEVELOPMENT STANDARDS
301 East Poinsett Street  •  Greer, South Carolina 29651  •  (864) 848-2150  •  Fax (864) 848-2157
REQUIREMENTS FOR
KEEPING OR RAISING DOMESTICATED FEMALE CHICKENS

Domesticated female chickens must be confined in a coop which is fully enclosed and made of suitable, washable material. The coop shall be cleaned regularly with all droppings and excretions placed in a fly-proof container unless otherwise disposed of in accordance with any federal, state or local health regulations.

The chicken coop must be located at least 50 feet from the nearest residence other than that of the owner. No coop shall be placed in a front or side yard.

Failure to appropriately confine the domesticated female chickens, maintain the coop or manage the droppings and excretions shall be unlawful.

It shall be unlawful to raise domesticated female chickens for commercial purposes within the corporate limits of the City.

It shall be unlawful to keep domesticated female chickens on premises within the City without first obtaining a permit. Any permit would be subject to ordinance revisions adopted by Council. Should Council amend the Ordinance to prevent domesticated female chickens or any other new conditions, such amendment would apply to current permits within thirty (30) days from the date of adoption of Council’s revisions.

Permit

The permit to keep domesticated female chickens is personal to the permittee and may not be assigned. No permit shall be issued without the written consent of adjoining property owners. In addition, the permit authorizes the keeping of domesticated female chickens only upon the property described in the permit.

The permittee must occupy the residence on the property where the domesticated female chickens are kept as the permittee’s personal, primary residence.

An applicant for a permit must either own the property or have permission from the property owner to be eligible for a permit.

Only one permit is allowed per permittee.
In the event the permittee is absent from the property for longer than thirty (30) days, the permit automatically shall terminate and become void.

A permit that is issued to a person whose property is subject to private restrictions that prohibit the keeping of domesticated female chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

Requirements for Fenced Chicken Coops
Domesticated female chickens must be kept in a fenced enclosure at all times. In addition to the fenced enclosure, domesticated female chickens shall be provided with a covered, predator-resistant chicken coop.

A minimum of two (2) square feet per domesticated female chicken shall be provided for the chicken coop.

Fenced enclosures and chicken coops must be property ventilated, clean, dry, and odor free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.

The chicken coop and fenced enclosure must provide adequate ventilation and adequate sun, shade and must be constructed in a manner to resist access by rodents, wild birds and predators including dogs and cats.

Chicken coops shall be enclosed on all sides and shall have a roof and doors. Opening windows and vents must be covered with predator- and bird-resistant wire of less than one (1) inch openings.

All stored food for the domesticated female chickens must be kept either indoors or in a weather-resistant container designed to prevent access by animals. Uneaten food shall be removed daily.

Applications for Permit
Every applicant for a permit to keep domesticated female chickens shall complete and file an application on a form prescribed by the City.

A permit to keep domesticated female chickens may be suspended or revoked by the City where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of any other applicable ordinance or law. Any denial, revocation or suspension of a permit shall be in writing and shall include notification of the right to and procedure for appeal.