DELL RAPIDS

302 East Fourth Street
PO BO Box 10
Dell Rapids, SD 57022-0010

Residential Section – Animals

Chicken Keeping Application and Site Plan

Name (print) _____ Phone_____

Address_____ Number of Chicken_____

1. Total square feet of coop and enclosure: _____ (Sq. Ft.)
2. Square feet of coop alone: _____ (Sq. Ft.)
3. Distance of enclosure to property line: (Rear)_____ (Side)_____ (Side)_____
4. Type of Fowl:_____

Use the area below to sketch chicken keeping site. Include distances from lot lines, structures (garage, shed), fences/barriers, pools etc. Identify neighbors whose property lines connect to your property including diagonals as well as any neighbor across the alley, but not across the street.

Indicate Direction

Issue Date _____ Permit Number _____

Sec. 6-31. Animal enclosure guidelines.

(a) All persons who keep animals in cages, kennels or enclosed structures shall be required to comply with the following guidelines:

(1) Animal enclosures must be provided which allow adequate protection against all weather extremes. Floors of buildings, runs and walls, must be constructed with an impervious material to permit proper cleaning and disinfecting.

(2) Building temperatures shall be maintained at a comfortable level. Adequate ventilation and adequate lighting shall be maintained at all times.

(3) Each animal shall have sufficient space to stand up, lie down and turn around without touching the sides or tops of cages.

(4) Cages are to be of material and construction that permit adequate cleaning and sanitation.

(5) Cages are to be of an impervious, washable material, radiantly heated, and shall have a resting board or some kind of bedding.

(6) Rooms shall provide an adequate exercise area and protection from the weather. Runs shall have an impervious surface.

(7) Animals shall have ample exercise time and human contact.

(8) All animal quarters and rooms are to be kept clean, dry and in a sanitary condition.

(9) Animal food shall be free from contamination, shall be wholesome, palatable and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition, age, and size of the animal.

(10) All animals shall have fresh, potable water available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping and be of a removable type.

(b) If an animal control officer has reasonable cause to believe that the standards set forth in this section are not being met, said officer shall be authorized to impound such confined animal or shall be authorized to issue a complaint or citation for a violation of this section.

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Neighbor Approval Form For Keeping of Chickens

My neighbor at _____ in the City of Dell Rapids desires to raise chickens at his/her residential property. I understand that my approval is required to allow this activity to occur since the property I own is immediately abutting.

I understand the requirements for chicken keeping within the City of Dell Rapids since the applicant has provided me a copy of the City Ordinance No. 844.

I verify that I am an abutting property owner. I hereby give my permission for chickens to be kept at this property.

Print Name: _____

Address: _____

Phone Number (Home): _____ (Cell) _____

Signature: _____ Date: _____

Applicant:
Bring this form for each abutting property owner, which includes diagonals, those whose property lines connect with your and the neighbor across the alley if so sited. Property across the street is not required for approval. Bring this form from each surrounding property owner and the Chicken Coop Site Plan to:

Dell Rapids City Hall
302 E. 4th St.
Dell Rapids, SD 57022

Bring check, cash, or card (additional fee required) for $25.00 payable to: City of Dell Rapids

ORDINANCE NO. 854

AN ORDINANCE OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, PROVIDING THAT THE REVISED ORDINANCES OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, BE CHANGED BY AMENDING CHAPTER 6 ANIMALS AND FOWL

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA:

Section 1. That Chapter 6 Animals and Fowl of the Revised Ordinances of the City of Dell Rapids, South Dakota, be amended by adding a definition of "Pigeons" to Section 6-1, by revising Sections 6-11 (b), 6-25, 6-30, 6-31(a)12 and 6-32, to read as follows:

"Chapter 6 ANIMALS, FOWL AND PIGEONS*

Sec. 6-1. Definitions.

...

Pigeons. Means any kind of pigeon whether wild or kept as a pet, or for hobby purposes such as breeding, showing or sporting.

...

Sec. 6-11. Keeping of animals.

...

(b) The keeping of pigeons or domestic fowl such as ducks, geese or chickens shall be by a licensed permit issued in accordance with section 6-32. The keeping of wild animals, such as skunks, fox, raccoons, birds of prey, coyotes or bears, or exotic animals as pets, shall be by special permission of the city council.

...

ARTICLE II. DOGS,CATS AND FOWL

Sec. 6-25. Licensing

Every owner of a dog or cat in the city shall, before May 1 of each year, pay to the municipal finance officer a license fee of five dollars ($5.00) for each dog or cat owned by the owner; and shall place on the dog or cat's neck a durable collar upon which shall be firmly attached a metal plate or tag to be furnished by the municipal finance officer, showing the year for which the license fee is paid and the tag number. The municipal finance officer shall also furnish to the owner a duplicate receipt showing the name and sex of the dog or cat, the name and address of the owner, the year for which the license fee is paid and the tag number. The municipal finance officer shall retain the original receipt in his records. No tag shall be attached to any dog or cat collar unless and until the license fee has been paid. Fowl and pigeons are permitted with an approved license in accordance with Section 6-32.

Sec. 6-30. Number of animals or fowl.

It shall be unlawful for any person to keep, maintain, harbor or possess more than four (4) dogs, six (6) months of age or older. A maximum of six (6) fowl and twelve (12) pigeons may be kept on private land within residentially zoned properties in the city with an approved license in accordance with Section 6-32. Roosters are strictly prohibited.

(Ord. No. 539, § 1, 7-2-96, Ord No. 844, 1-3-17)

Sec. 6-31. Animal enclosure guidelines.

(a) All persons who keep animals fowl and pigeon cages or lofts, kennels or enclosed structures shall be required to comply with the following guidelines:

...

(12) Structures and yards for fowl and pigeons must meet the following additional minimum standards;

i. A separate coop or loft is required to house the fowl and pigeons together with a reasonably satisfactory yard, run or yard fencing so as to keep fowls confined at all times. Garages both attached and detached are acceptable to be used as coops and lofts.

ii. The structure is to be located in the rear or side yard and not to be placed on any drainage or utility easements.

iii. Only one building to house the fowl and pigeons and one enclosed outdoor area shall be allowed per lot.

iv. Any structures to house the fowl and pigeons must meet setback and all other applicable zoning code requirements.

v. Coops and lofts must be maintained in good repair and must be constructed of materials consistent with the requirements for accessory buildings; in particular they must have finished exterior surfaces (painted, stained, sealed, etc.)

vi. A floor is not required for a building housing fowl and pigeons.

vii. The structure as well as any manure storage shall be kept at least twenty (20) feet from the door or window of any dwelling of an occupied structure other than the owner's dwelling.

...

Sec. 6-32. Keeping of Fowl and Pigeons on Residential Lots.

(a) **License Required**. No person shall keep chickens or other fowl and pigeons on any residentially zoned property within the city without first obtaining a license from the city. The keeping of chickens or other fowl and pigeons on a residential property shall be limited to single family lots.

(b) **Types of Fowl and Pigeons Permitted**. Domestic Fowl of the Galliformes in the genus of Gallus (chickens) are permitted. Domestic Fowl of the order of Gallinaceous birds (fowl like birds that are not chickens) and the order of Anseriformes (water fowl) are permitted on a limited basis. Ducks, Geese, and other small bodied waterfowl are permitted. Other large bodied Fowl such as but not limited to Turkeys and Guineas are not allowed unless special permission by the City Council is received. Domestic Pigeons commonly known as "fancy pigeons" may be kept. This includes "rollers", "tumblers", and "homers". Feral Pigeons may not be kept.

(c) **Application**. An application for a license to keep fowl shall be made to the city on a form provided by the city. The applicant must provide all the information required on the form and pay a one-time license fee of twenty-five dollars ($25.00) to the city.

(d) **Consent from surrounding property owners**. The applicant shall be required to obtain written consent from 75 percent of property owners within thirty (30) feet of the applicant's property. The applicant is responsible for obtaining signatures from the surrounding property owners for the application process.

(e) **Leased Property**. Applicants who lease property must submit written permission from the property owner allowing the applicant to keep fowl or pigeons on the premises.

(f) **Granting Issuance of License**. The City Administrator or their designee may grant a license provided the following have been met:

(1) All required information is completed on application.
(2) Appropriate one-time $25 fee is paid.
(3) The application filed demonstrates all requirements of this subsection including the shelter and enclosure requirements.
(4) Received written consent from 75 percent of property owners within 30 feet of applicant's property.
(5) Received written consent from the property owner if fowl or pigeons will be kept by a tenant on leased property.
(6) The applicant has no more than two property zoning or nuisance violations within the preceding 12 month period.

(g) **Revocation of License**. A license may be revoked by the city for a violation of any conditions of this section or any other restrictions, limitations, conditions or prohibitions that may be placed on the property as recorded on the issued permit.

(h) **Penalty for Violation**. Violation of this ordinance will be handled in accordance with Section 6-13.

(i) **Shelter and Enclosure Requirements**. Shelter and Enclosure Requirements are in accordance with Section 6-31.

(j) **Additional Standards for the keeping of Fowl and Pigeons**. Any person keeping fowl on residential properties must comply with the following;

(1) No more than 6 total fowl and 12 total pigeons are permitted. No Roosters or adult males of fowl are permitted.

(2) The owners of the fowl and pigeons shall live in the dwelling on the property.

(3) The raising of fowl and/or pigeons for breeding or commercial purposes is prohibited.

(4) The owner or custodian of any fowl or pigeons shall not allow the fowl to disturb the peace of any other person. Section 6-8 shall apply to any fowl making excessive noises.

(k) **Conditions/maintenance and inspections**. No person who owns, controls, keeps, maintains or harbors fowl or pigeons shall permit the premises where the animals are kept to be or remain in an unhealthy, unsanitary or noxious condition or to permit the premises to be in such a condition that noxious odors to be carried to adjacent public or private property. Any building to house fowl and pigeons or enclosed outdoor area for the fowl or pigeons authorized under this ordinance may be inspected at any reasonable time by the authorized designated city staff to inspect for compliance with this ordinance and other relevant laws and regulations.

(l) **Cleaning**. All premises on which fowl and pigeons are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surrounding area must be cleaned frequently enough to control odor. Manure and coop waste shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property. Manure and coop waste that is not composted or immediately spread as fertilizer must be secured and double bagged in solid waste bags and kept in a solid waste container.

(m) **Food Storage and removal**. All stored food for fowl and pigeons must be kept either indoors or in a weather-resistant rodent proof container. Uneaten food shall be removed daily to prevent animals and insects."

Dated at Dell Rapids, South Dakota this 2nd day of July, 2018.

ORDINANCE 775

AMMEND AN ORDINANCE OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, PROVIDING THAT THE REVISED ORDINANCES OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA, BE CHANGED BY AMENDING SECTION 6-13., ESTABLISHING FINES FOR VIOLATION OF ANIMAL ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DELL RAPIDS, SOUTH DAKOTA:

Section 1. That the Revised Ordinances of the City of Dell Rapids, South Dakota, be amending Section 6-13 thereto, to read as follows:

"Sec. 6-13. Complaint or citation; impoundment.

(a) Any person who violates any animal ordinance of the City of Dell Rapids is subject to civil or criminal prosecution. In addition to a private citizen complaint, the Sioux Falls Humane Society representative or any law enforcement officer agent shall be authorized to issue a complaint or citation for a violation of the animal ordinances of the City of Dell Rapids. Owners allowing their animal(s) to run at large (as defined in section 6-1) or otherwise violating any provision of this chapter, shall be fined a minimum of one hundred dollars ($100.00) for the first offense and a minimum of one hundred and fifty dollars ($150.00) for the second offense and two hundred dollars ($200.00) for the third and subsequent offenses committed within one (1) year. In addition, allowing more than one (1) animal to run at large at any one (1) time shall constitute more than one (1) offense at that time.

Dated at Dell Rapids, South Dakota this 3rd day of September, 2013.

FOR THE GOVERNING BODY OF THE
CITY OF DELL RAPIDS, SOUTH DAKOTA

By_____
Scott Fiegen, Mayor

ATTEST:

By_____
LeAnn Kerzman, Finance Officer