

CITY OF HIGH POINT

AGENDA ITEM



Title: Ordinance Amendment – Title 12 Chapter 2 Animals

From: Randy E. McCaslin, Deputy City Manager

Meeting Date: January 19, 2016

Public Hearing: N/A

Advertising Date

Advertised By:

Attachments: Proposed Ordinance Amendment

PURPOSE:

An amendment is needed to allow for the commercial sell of eggs and slaughter of chickens for personal consumption.

BACKGROUND:

The Greater High Point Food Alliance has made several recommendations to the P&L Committee regarding the sell and keeping of certain animals within the City limits. These recommendations have been thoroughly researched and discussed by our attorney's office, Planning staff, and the P&L Committee.

BUDGET IMPACT:

None

RECOMMENDATION / ACTION REQUESTED:

The P&L Committee recommends that the City Council approve the amendments to the existing ordinance which will allow for the commercial selling of eggs and the slaughter of chickens for personal consumption.

**ORDINANCE AMENDING TITLE 12 – OFFENSES – CHAPTER 2. ANIMALS –
ARTICLE A. GENERAL PROVISIONS – SECTION 12-2-2 REQUIREMENTS OF
PENS AND ENCLOSURES FOR CHICKENS, PIGEONS, RABBITS, ETC.**

An amendment affecting the keeping of chickens under Section 12-2-2 *Requirements of Pens and Enclosures for Chickens, Pigeons, Rabbits, etc.* regarding the specific standards and regulations for the keeping of female chickens (hens).

SECTION 1.

Section 12-2-2 is hereby amended as follows:

(a) The maintenance of any chicken house, chicken yard, pen or other enclosure ("enclosure") in which chickens, or other fowl, pigeons, rabbits or other small animals are kept in a manner as to produce obnoxious odors or which is or may become a breeding place for flies is hereby prohibited. This subsection shall not prohibit the keeping of such animals in sanitary conditions that remain in compliance with the provisions of this section.

(b) It shall be unlawful for any person to keep enclosures for fowl and/or small animals under this section within 40 feet of any dwelling house or structure used as a dwelling house, unless the house or structure is occupied by the owner of the animal or fowl.

(c) The keeping of chickens under this section shall be limited to hens and the keeping male chickens (roosters) shall be prohibited. A maximum of five (5) chickens may be kept per dwelling house and in no event shall the keeping of any animals under this section be allowed for any multifamily dwelling structures.

(d) Any enclosure under this section must be located in the back yard of the dwelling house and must be of sufficient height and material as to prevent the animals from leaving the enclosure and prevent predators or rodents from entering the enclosure. It shall be the responsibility of the owner of the dwelling house keeping the chickens to ensure that the enclosure is maintained in a clean and sanitary manner. All enclosures under this section must be physically separate from the dwelling house.

(e) ~~Keeping chickens under this section shall be for personal use only.~~ No commercial sale of chickens or chicken products, ~~including~~ **except** eggs, is allowed under this section. **Eggs may only be sold by the owner of the chickens that produced them and only in places that are allowed under Chapter 9 of the High Point Code of Ordinances.** The slaughtering of chickens on the premises is ~~also prohibited~~ **allowed under the conditions set forth below:**

- (i) slaughter must be for personal consumption only and must be done on the property of the owner of the chickens being slaughtered.**
- (ii) slaughter shall not be visible from any public area, public right-of-way, or any adjacent property.**
- (iii) slaughter must be performed in a sanitary manner with proper disposal of all waste materials.**

(f) The prohibitions of this section shall not apply to any agricultural or rural zoning districts as described in the City of High Point's development ordinance.

SECTION 2.

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4.

This ordinance shall become effective upon adoption.