

**TOWN OF MEAD, COLORADO
ORDINANCE NO. 679**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, AMENDING
ARTICLE VI, OF CHAPTER 7, OF THE MEAD MUNICIPAL CODE TO ALLOW
RESIDENTS TO KEEP BACKYARD CHICKEN HENS ON RESIDENTIAL
PROPERTY WITH A PERMIT.**

WHEREAS, it is the desire of the Board of Trustees to allow Town of Mead residents to keep a limited number of backyard chick hens on residential property without a public hearing and with a permit to keep such animals.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE
TOWN OF MEAD, WELD COUNTY, COLORADO, THAT;**

Section 1. Article 7-6-40 of the *Mead Municipal Code* is hereby repealed in its entirety and reenacted to read as follows:

“Sec. 7-6-40. Special use permits for keeping animals.

The Board of Trustees may issue a special use permit for the keeping of domestic hoofed livestock, small livestock, fowl, **except for backyard chicken hens**, reptiles, swine or other animals not otherwise prohibited by Section 7-6-35 above or regulated by this Article. Such special use permits shall be issued only after a public hearing called for that purpose and after placing appropriate conditions upon the permit, including the term of the permit. Criteria to be considered in the issuance of the permit shall include but not be limited to noise, smell, proximity to adjacent property, the kind and number of animals, the size of animals, the facilities of the applicant, sanitation facilities and requirements and other neighborhood considerations. The special use permit may not be transferred to another owner or to another property. Property owners within three hundred (300) feet of any lot line of the premises of the applicant shall be given written notice by first-class mail, sent postage prepaid as certified mail, return receipt requested, not less than fifteen (15) days prior to the date of the hearing, and a legal notice shall be published containing the text of the notice in the newspaper of general circulation within the Town not less than fifteen (15) days prior to the date of the hearing, and the same legal notice shall be posted in three (3) posting places in the Town as provided for in Section 1-3-60 of this Code. The application fee for a special use permit shall be **fifty dollars (\$50.00)**, which is not refundable and includes the Town’s cost to mail the legal notice to adjacent property owners. In addition, the applicant shall pay the cost of publication of the legal notice in the newspaper.

Article VI, of Chapter 7, Mead Municipal Code is hereby amended by the addition of a new Section 7-6-45 to read as follows:

“Sec. 7-6-45. **Backyard Chicken Hens.**

The Town of Mead may issue a special use permit for the keeping of backyard chicken hens. Such special use permit shall be issued without requiring a public hearing and subject to the following criteria:

1. No more than four (4) chicken hens are permitted per parcel.
2. Roosters are prohibited. No person may own or keep a rooster in any district not zoned agricultural. Upon determining that a chick is actually a rooster, the permit holder shall have seven days to remove the rooster from the permitted property.

3. Backyard chicken hens are restricted to the rear or backyard of any lot in a residential zoning district or the rear yard or backyard of a residential use in all other zoning districts.
4. All chicken hens shall be kept in a coop that shall meet the following requirements.
 - a. Be predator-proof with a solid top.
 - b. Provide water at all times.
 - c. Are limited to a maximum of 120 square feet (including coop and chicken run) with at least four square feet of space per chicken for the chicken coop and run.
 - d. Be no taller than seven feet at the highest point of the roof.
 - e. Not be located between the rear of the structure and the front yard lot line.
 - f. Meet the setback requirement for the zoning district in which the property is located.
 - g. All coops shall be regularly cleaned not less than monthly to control dust, odor, and waste and not constitute a nuisance, safety hazard, or health problem to surrounding properties. All waste shall be removed from the premises.
 - h. No slaughtering allowed.
 - i. Chicken feed must be stored in a resealable, airtight, metal, rat proof container to discourage attracting mice, rats and other vermin.
 - j. The minimum lot size required for a permit to be issued shall be 7,000 square feet.
5. The cost of the special use permit is twenty-five dollars (\$25.00) which is non refundable.
6. No more than 30 permit shall be issued by the Town of Mead.
7. After the effective date of this ordinance, the Town staff shall review the merits and impacts of this ordinance and submit a written report regarding the same to the Town Board three months prior to the conclusion of a trial period ending December 31, 2012.

Section Two. Effective Date. This ordinance shall be published and become effective as provided by law.

Section Three. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid

Section Four. Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

Section Five. Certification. The Town Clerk shall certify to the passage of this ordinance and

make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 9th DAY OF August, 2010.

ATTEST:

By Charlene Reed
Charlene Reed, CMC, Town Clerk

TOWN OF MEAD
By Richard W. Macomber
Richard W. Macomber, Mayor

