

**ORDINANCE NO. 2023-9**

**CITY OF BUFFALO  
WRIGHT COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING THE BUFFALO CITY CODE  
CHAPTER 6 TO ALLOW LIMITED KEEPING OF CHICKENS**

THE CITY COUNCIL OF THE CITY OF BUFFALO, MINNESOTA DOES HEREBY  
ORDAIN:

Section 1: That City Code is hereby amended by the addition of Chapter 6, Sec. 6-9. – Limited Keeping of Chickens which shall read as follows:

**Sec. 6-9. - LIMITED KEEPING OF CHICKENS.**

a) Conditions. The limited keeping of chickens may be permitted as an accessory use to a legally established single-family residence subject to the following:

1. The property shall be occupied with a single-family home in a R-1, R-2, or R-3 zoning district. The owner of the chickens shall live in the dwelling on the property and the property owner is in receipt of a permit as required by this Ordinance.
2. No person shall keep more than four total hen chickens.
3. No person shall keep roosters or adult male chickens.
4. By accepting this permit, you are authorizing an inspection of the coop at any reasonable time by an agent of the city.

b) Chickens shall be kept within a separate enclosed accessory building and fenced outdoor containment area subject to the following:

1. The accessory building shall be less than 40 square feet in size and not exceed six (6) feet in height.
2. The accessory building and containment area shall comply with all setbacks and other standards for accessory buildings, unless otherwise stated herein. All accessory buildings and containment areas must also be located outside of any easements and the shore impact zone if applicable.
3. The outdoor containment area shall be screened from view from all

neighboring properties and rights-of-way year-round and be placed on the property in a location relative to neighboring properties as inconspicuously as possible. Outdoor containment areas shall not exceed 20 square feet per bird and shall not have a fenced enclosure greater than six (6) feet in height.

4. The accessory building and containment area shall be in the rear yard only and shall be at least 25 feet from adjacent habitable structures on neighboring properties.
5. The accessory building shall be fully enclosed to prevent any escape by the chickens or entrance by migratory birds and other predators. The bottom floor of the coop shall be elevated at least 12 inches off the ground to prevent the burrowing of said predators.
6. Fencing used to contain chickens shall comply with the applicable conditions of the City Code.
7. Chickens shall not be kept within the primary dwelling unit or garage.
8. The accessory building shall be constructed of rot resistant materials and shall be painted and built to the same quality standards as a shed. The accessory building and containment area shall be maintained in good repair, in a clean and sanitary manner, free of vermin, and free of objectionable odors.
9. Chickens shall remain in the accessory building and / or containment area at all times and shall not run at large.
10. Chickens shall remain in the accessory building from sunset to sunrise each day to prevent nuisance noise and the attraction of vermin and predators.
11. The accessory building for the purpose of this ordinance shall not count towards the one accessory building limit, nor the allowable accessory building square footage, otherwise allowed for residential properties but is subject to all other limits and standards, including impervious surface standards.
12. The accessory building and containment area must be removed, and the site restored if the keeping of chickens is discontinued for more than 12 consecutive months. The accessory building may not be repurposed for use as storage if the keeping of chickens is discontinued.

c) The slaughter of chickens on site is prohibited.

d) The raising of chickens for breeding purposes is prohibited.

- e) The sale of eggs or other commercial activity on the premises is prohibited.
- f) Feces, waste, and discarded feed shall be regularly collected and only stored temporarily on site in a leak-proof container with a tight-fitting cover to prevent nuisance odors and the attraction of vermin. Such waste shall not be composted on site but can be composted at the City of Buffalo composting facility in a compostable bag or be disposed of in a separate, tightly secured bag in the trash.
- g) Chicken feed shall be stored in leak-proof containers with a tight-fitting cover to prevent attracting vermin.
- h) No chicken may be kept or raised in a manner as to cause injury or annoyance to persons or other animals on other property in the vicinity by reason of noise, odor, or filth.
- i) Dead chickens must be disposed of according to the Minnesota Board of Animal Health rules which require chicken carcasses to be disposed of as soon as possible after death, usually within 48 to 72 hours. Acceptable methods of chicken carcass disposal include burial or these off-site options: incineration, rendering.
- j) Application for and Issuance of a Permit. Any person desiring to keep and maintain chickens under this section shall first obtain a Chicken Permit from the City of Buffalo. The applicant for the permit shall be the owner of the parcel for the which the application is submitted.
  - 1. The individual applicant(s) represents, acts on behalf of, and binds all occupants of the parcel. The applicant(s) are responsible for assuring compliance with the terms and limitations of this section.
  - 2. The City shall create an electronic application that seeks information relevant to this section including the number of chickens that will be maintained on the parcel and the method for handling and disposal of chicken manure and waste.
  - 3. The permit shall be valid through the end of the calendar year (12/31/20xx) and must be renewed at the beginning of each calendar year. Each property is eligible for one permit per calendar year. Permits may be denied or revoked if the applicant has failed to comply with the terms of this ordinance.
  - 4. The applicant shall pay the fee as set by the City Council and is reflected in the City's current year Fee Schedule.
  - 5. The applicant shall verify that they have read and are familiar with the terms and limitations of this ordinance and agrees to comply therewith.

6. Abutting property owners shall be notified by the City upon receipt of the application – including annual permit renewals – as stated herein.
7. Permits are non-transferable and are not tied to the parcel.
8. The permit is a limited privilege and is subject to denial or revocation for failure or inability to comply with this section or with state or federal law or regulations, or for reasons relating to the health, safety, and welfare of citizens of the city, or for other violations of City Code, or for delinquent municipal utilities or property taxes. The issuance of the permit does not create a vested right in any person or in the property.
9. Anyone denied a permit or renewal thereof may file with the City Clerk a written request for a hearing before the Council on the denial. If the applicant does not request a hearing in writing within seven (7) days of receipt of notice, the revocation will be final.
10. Before revocation of any permit, the council shall give notice to the permittee and grant such permittee the opportunity to be heard. If the permittee does not request a hearing in writing within seven (7) days of receipt of notice, the revocation will be final.

This Ordinance shall be effective upon publication but not prior to September 1, 2023.

Passed by the Council this 21<sup>st</sup> day of August, 2023.

By Teri Lachermeier  
Teri Lachermeier  
Mayor

By Susan Johnson  
Susan Johnson  
City Clerk

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