

(Ordinance Summary published in The Hillsboro Star-Journal on Apr 12, 2023 and the full text of the Ordinance made available at <https://cityofhillsboro.net> for a minimum of one (1) week from the date of publication)

ORDINANCE NO. 1367

AN ORDINANCE OF THE CITY OF HILLSBORO, KANSAS AMENDING AND ADOPTING CHAPTER 2, ARTICLE 1, SECTIONS 2-103, 2-111, AND 2-112 OF THE CODE OF THE CITY OF HILLSBORO, KANSAS.

WHEREAS, the governing body of the City of Hillsboro, Kansas (the "City") has previously adopted Chapter 2, Article 1, Section 2-103 of the Code of the City of Hillsboro, Kansas (the "Code"), which contains provisions regarding livestock and fowl; and

WHEREAS, the City finds it necessary to amend and adopt Chapter 2, Article 1, Sections 2-103, 2-111, and 2-112 of the Code.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HILLSBORO, KANSAS:

Section 1. Chapter 2, Article 1, Section 2-103 shall be amended and replaced and shall read as follows:

**2-103. Prohibition on keeping or harboring livestock and fowl; exceptions.**

(a) It shall be unlawful to keep, harbor, shelter or maintain livestock or fowl within the corporate city limits.

(b) Exceptions:

- (1) Livestock and fowl under direct supervision of and upon the premises of fairs, livestock shows, rodeos or circuses shall be exempt from this restriction.
- (2) Livestock and fowl under the supervision of an educational institution.
- (3) Female members of the species *Gallus domesticus* in conformance with the provisions of Section 2-111 hereof.

Section 2. Chapter 2, Article 1, Section 2-111 is hereby adopted and shall read as follows:

**2-111. Domestic Chickens.**

It shall be permitted to keep female members of the species *Gallus domesticus* (domestic chicken) upon property within the City provided the following requirements are met:

(a) No more than 10 chickens may be kept upon any single property; provided, on properties of greater than 15,000 square feet, one additional chicken is permitted for each 1,000 square feet in excess of 15,000 square feet, up to a maximum of 15 chickens.

(b) No male chickens (roosters) shall be kept within the City.

(c) All chickens shall be provided with an adequate coop or shelter designed to protect chickens from weather or the elements and discourage predators or vermin.

(d) Chickens shall be confined within the property boundaries. Chickens and coops/shelters must be located in the rear or side yard of the property, located no closer than 10 feet from the property line, and at least 50 feet from any adjacent dwelling, church, school, or place of business, except for the dwelling located on the property. Chickens and coops/shelters shall not be permitted in the front yard of a property. Unconfined or inadequately confined chickens are prohibited.

(e) Every coop, shelter or yard in which chickens are kept shall be maintained in a clean, dry and sanitary manner to prevent the accumulation of waste, the emanation of noxious odors, or the presence of pests, rodents or other vermin.

(f) Odor from the maintaining of chickens perceptible at or beyond the property boundaries is prohibited.

(g) Perceptible noise from chickens loud enough at the property boundaries to disturb persons of reasonable sensibilities is prohibited.

(h) Chickens shall not to be kept for profit or commercial/business purposes. Commercial chicken operations are prohibited except as otherwise provided for in City Code or zoning regulations.

Section 3. Chapter 2, Article 1, Section 2-112 is hereby adopted and shall read as follows:

**2-112. Inspections; Violations.**

The public officer has the right of access and entry upon public property at any reasonable time for the purpose of making inquiry and inspection to determine compliance with this Article. Any violation of this Article, policies, rules, or regulations established by the public officer, or other condition that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is a nuisance and may be abated under Chapter 8 of this Code. In addition, any violation of this Article may be cited as a Code violation in municipal court punishable by a fine and court costs; and each day such violation continues shall be a separate offense.

Section 4. This Ordinance shall take effect and be in full force from and after its adoption by the Governing Body of the City, approval by the Mayor and either (a) publication

once in the official newspaper of the City, or (b) publication of a summary hereof certified as legally accurate and sufficient by the City Attorney.

*[Remainder of Page Intentionally Left Blank]*

PASSED, ADOPTED AND APPROVED by the Governing Body of the City of Hillsboro, Kansas this 4th day of April, 2023.



CITY OF HILLSBORO, KANSAS

  
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Lou Thurston, Mayor

  
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Danielle Bartel, City Clerk