

AN ORDINANCE AMENDING CHAPTER 91, ANIMAL CARE AND CONTROL, OF THE FORT WAYNE, INDIANA CODE OF ORDINANCES IN ORDER TO ALLOW URBAN CHICKENS

WHEREAS, Fort Wayne, Indiana City Code § 91.001 defines *DOMESTIC FARM ANIMALS*:

“DOMESTIC FARM ANIMAL. Calves, cattle, emus, goats, horses, ponies, llamas, ostriches, poultry, sheep, pigs or porcine of any variety including Vietnamese pot-bellied pigs, and similar animals (pigeons shall not be considered to be domestic farm animals)”; and

WHEREAS, Fort Wayne, Indiana City Code § 91.019 reads:

“No person shall keep a domestic farm animal in the city limits unless approved by the Department of Planning Services”; and

WHEREAS, hundreds of cities nationwide, including New York, Chicago, Los Angeles, Seattle and Indianapolis, allow residents to possess chickens to provide additional quality of life opportunities for their residents; and

WHEREAS, to allow homeowners the additional utility of their property and improve quality of life for the residents of the City of Fort Wayne, the Common Council of the City of Fort Wayne believes it is appropriate and in the best interest of the City to permit residents to possess a limited number of chickens within City Limits.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Fort Wayne, Indiana Code of Ordinances Chapter § 91.001 shall be amended to read:

“DOMESTIC FARM ANIMAL. Calves, cattle, emus, goats, horses, ponies, llamas, ostriches, poultry, sheep, pigs or porcine of any variety including Vietnamese pot-bellied pigs, and similar animals (pigeons shall not be considered to be domestic farm animals) excluding urban chickens”

A new definition for the term ***“URBAN CHICKENS”*** is added to read:

“URBAN CHICKENS. Chicken (*gallus gallus domesticus*), that conforms to the restrictions imposed in this code”

1 **SECTION 2.** Fort Wayne, Indiana Code of Ordinances Chapter § 91.019, “**DOMESTIC**
2 **FARM ANIMAL**” shall be amended to read:

3
4 **§ 91.019 DOMESTIC FARM ANIMAL**

5
6 (A) No person shall keep a domestic farm animal in the city limits unless approved by the
7 Department of Planning Services, except urban chickens.

8
9 (B) Notwithstanding anything in Chapter 157 to the contrary, a person living within the city limits
10 shall be permitted to keep Urban Chickens on his or her property, without approval by the
11 Department of Planning Services or the Board of Zoning Appeals, provided that the following
12 conditions are met:

- 13
14 1. No Roosters (male chickens) shall be kept under provision of this ordinance
- 15
16 2. There shall be no more than five (5) hens on any parcel
- 17
18 3. Urban chickens must be kept completely and securely enclosed and under the control
19 of the owner and on the owner’s property at all times
- 20
21 4. A chicken coop, an enclosed structure for harboring chickens that provides shelter
22 from the elements, shall be provided. The chicken coop shall be situated a minimum
23 of ten (10) feet from all property lines. The coop shall be less than ten (10) feet
24 high. The coop must provide at least ten (10) square feet of space per chicken kept
25 therein
- 26
27 5. Chickens and coops shall be confined to the rear yard of the property
- 28
29 6. Any chickens kept in accordance with the provisions of this Section shall be for
30 non-commercial, personal use only and may not be slaughtered on the property
- 31
32 7. The chicken coop shall be maintained in a sanitary condition and in compliance
33 with all applicable health regulations of the State of Indiana, and Allen County
- 34
35 8. This ordinance does not effect in any manner prohibitions by neighborhood
36 associations of farm animals, including chickens
- 37
38 9. Chickens may not be kept on multi-family properties
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SECTION 3. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Jason Arp, Common Council
Member

APPROVED AS TO FORM AND LEGALITY

Joseph G. Bonahoom, City Council Attorney