

ORDINANCE NO. 2025-1

AN ORDINANCE AMENDING SECTION 5-302 OF THE GWINNER REVISED
ORDINANCES OF 1996 RELATING TO CHICKENS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GWINNER,
NORTH DAKOTA:

That Section 5-302 of the Revised Ordinances of the City of Gwinner of 1996 is
hereby amended and re-enacted to read as follows:

5-302. DEFINITIONS.

A. The established definitions are for purposes of this section only. If any
conflict exists with other sections of this case, the more restrictive shall apply.

1. "Brood" means group of chickens, whether from the same hatching.
2. "Brooding" means the period in the animal's growth when supplemental
heat must be provided due to the bird's inability to generate enough body heat.
3. "Chicken" means a domesticated fowl more formally known and
scientifically called as gallus gallus domesticus.
4. "Coop" means a fully enclosed, non-residential structure for housing
chickens.
5. "Hen" means a female chicken.
6. "Rooster" means a male chicken.
7. "Run" means a fully enclosed and covered area attached to a coop
where the poultry can run unsupervised.

B. STANDARDS FOR KEEPING CHICKENS

1. No more than twelve (12) hens shall be permitted in any one lot.
2. Roosters shall not be permitted. As soon as a rooster is identified, it
shall be culled from the brood.
3. The chickens, coop, and run shall be located in the rear or side yard
obscured from view of any street, trail, public park, or other right-of-way.
4. Chickens outside of the coop and run shall be supervised at all times.
5. The coop dimensions shall total less than one-hundred twenty (120)
square feet.
6. Coop height as measured from the average ground elevation to the
highest point on the coop shall not exceed either (8) feet.
7. The coop and run shall be located no closer than ten (10) feet from the
property line and no closer than twenty (20) feet from an adjacent property
dwelling.
8. The coop shall be constructed in a manner which prevents rodent
infiltration.
9. The coop shall be constructed to provide a minimum of four (4) square
feet per chicken.
10. The run shall be constructed to provide a minimum of ten (10) square
feet per chicken.

11. Chickens shall at no time be located off the property.

12. Coops, runs, and manure storage shall be kept twenty (20) feet from streams, tributaries, ditches, storm water management facilities, drop inlets, or other storm drainage areas that would allow fecal matter to enter any city storm drainage system or stream.

13. Except for chickens properly slaughtered for consumption, dead chickens must be disposed of within 24 hours after death. Legal forms of chicken carcass disposal include burial and off-site incinerate or rendering. All slaughtering of chickens shall be conducted so as not to be visible to the public or adjacent property owners and occupants.

14. All grain and food stored for the use of the chickens shall be kept in a rodent proof container.

15. Chickens shall not be housed in a residential house or an attached or detached garage except for brooding purposes only.

16. All premises on which chickens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop, run, and their surroundings must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in any way that causes an unsanitary condition or causes odors detectible on another property. Failure to comply with these conditions may result in the city removing chickens from the premises.

C. PRIVATE RESTRICTIONS AND COVENANTS ON PROPERTY

Notwithstanding the issuance of a permit by the City, private restrictions and/or covenants on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by-laws, covenant declarations and deed restrictions. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

OFFERED BY ALDERMAN Bryton Ciesynski and placed on its first reading this 3rd day of March, 2025.

7/16 PLACED on its second and final reading, passed and approved and adopted this ___ day of April, 2025.


Jamie Gavin, Mayor

ATTEST:


Jessica Peterson, City Auditor

June 6, 2025