

AN ORDINANCE REPEALING CERTAIN PROVISIONS OF THE ANIMAL CONTROL CODE RELATING TO THE KEEPING OF CHICKENS AND POULTRY AND UPDATING WITH THE ADDITION OF NEW SECTION/S; AND AN ORDINANCE REPEALING CERTAIN PROVISIONS OF THE UNIFORM DEVELOPMENT ORDINANCE RELATING TO THE KEEPING OF CHICKENS/POULTRY AND UPDATING WITH THE NEW SECTION/S

WHEREAS, discrepancy has been found between City’s Animal Control Code Ordinance Number 011-001 and City’s Unified Development Ordinance Number 022-007 which need to be amended, supplemented, modified or repealed by the Board of Aldermen, and

WHEREAS, The Board of Aldermen finds that in order to provide for the allowance of chickens/ poultry upon single parcel, residential properties in the City, there is a need to regulate and set minimum standards for the keeping of such chickens/poultry in order to mitigate any detrimental impact to neighboring properties and to protect the public health, safety, and welfare of the residents of the City, and;

WHEREAS, on Tuesday, March 17, 2026, the Board of Alderman requested that staff create a “Keeping of Chicken” ordinance establishing certain regulations and performance standards for the keeping of chickens and poultry in the City of Cleveland, and;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLEVELAND, MISSOURI, AS FOLLOWS:

SECTION 1. Section 4.2 of Unified Development Ordinance No. 022-007 is amended to add enumerated clause 15 to read:

**15. Domesticated chickens regulated under Section 4 - Zoning Districts are not considered livestock.**

SECTION 2. Section 1- 4 of Animal Control Code is hereby amended to add following to read : “No person shall keep a cow, bull, mare, horse, goat, or sheep or other domesticated livestock within the city of Cleveland except in those areas zoned as Agricultural or Rural Residential. **(addition)** “Domesticated chickens and poultry are allowed in areas zoned as Agricultural, Rural Residential, Semi-Rural Residential and Original Town Residential”.

SECTION 3. Remainder of Section 1- 4 of Animal Control Code remains unchanged.

SECTION 4. Animal Control Code Ordinance Number 011-001 is here by amended to have a Section 1-19 “**Keeping of Chickens and Poultry** ” added to the Animal Control Code as follows:

## DEFINITIONS.

**Chicken** means Gallus domesticus of the female sex. This definition does not include male chickens or roosters, or other fowl, such as, but not limited to, peacocks, turkeys, guinea fowls, or ratites, all of which are not permitted under this Section.

**Poultry** means any breed or variety of chickens, ducks, geese, turkey, doves, fowl, pigeons, game hens, quail or other domesticated or wild birds.

**Chicken Coop or Coop** means an enclosed and roofed immobile structure for housing chickens and poultry which provides shelter from the elements.

**Chicken Run or Run** means an enclosed outside yard or area for keeping chickens and poultry.

**Chicken Tractor or Tractor** means a movable chicken coop lacking a floor.

Humane standards of care shall include, but shall not be limited to, an animal's accessibility to food and water, proper medical attention, proper shelter from the elements, and clean animal waste areas with regular waste removal.

**Nuisance** any act which is unreasonably annoying or vexatious to another or substantially interferes with the rights of others and shall include, but not be limited to, obnoxious odors, excessive noise, and creation of an environment attractive to other animals or insects. More than three (3) substantiated violations of this title within a twelve- month period will automatically constitute a nuisance.

**Animal Control Officer "ACO"**: any staff assigned by the city administrator or chief of police to the duties of animal control.

## KEEPING OF CHICKENS AND POULTRY PERMITTED.

(a) Domesticated chickens are allowed in areas zoned as Agricultural, Rural Residential, Semi-Rural Residential and Original Town Residential

(b) It shall be unlawful for any person to keep or otherwise maintain chickens and poultry upon any property being used for residential purposes unless they are kept in accordance with the provision of Section 1-19.

(c) It shall further be unlawful for any owner, renter, or leaseholder of any such property to allow chickens and poultry to be kept or maintained in or upon such property in violation of the provisions of this Section.

(d) It shall be unlawful to engage in chicken and poultry breeding or fertilizer production for commercial purposes upon any property being used for residential purposes.

(e) Chickens and poultry shall only be kept upon property which is the principal residence of the owner of the chickens and poultry. Tenants and renters of the property may keep chickens and poultry in accordance with the provisions of this Section only with the written consent of the property owner.

### GENERAL REQUIREMENTS

(a) The general requirements for keeping chickens and poultry are that such keeping will not create a nuisance in the surrounding neighborhood, that humane care will be provided, and that the premises where the chickens and poultry are kept are suitable for the keeping of chickens and poultry and, are in conformity with all City regulations and ordinances. General requirements include:

1. Chickens and poultry shall be kept or always maintained in a safe and sanitary manner.
2. The chicken coop in which the chickens and poultry are kept or confined shall be adequately ventilated and is so constructed and maintained that the chickens are kept in a clean and sanitary condition.
3. The health and well-being of the chickens and poultry shall not in any way be endangered by the manner of keeping or confinement.
4. The keeping of the chickens and poultry shall not harm the surrounding neighborhood property or disturb the peace and quiet of the surrounding neighborhood.
5. The keeping of the chickens and poultry shall not cause fouling of the air by offensive odors and thereby create or cause unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the chickens are kept.
6. The chickens and poultry shall not unreasonably annoy humans, endanger the life, health or safety of other animals or persons or substantially interfere with the rights of citizens to the enjoyment of life or property.
7. The chickens and poultry shall not make disturbing noises causing unreasonable annoyance, disturbance or discomfort to neighbors and others who are in close proximity to the premises where the chickens and poultry are kept, or otherwise be offensive or dangerous to the public health, safety, or welfare, by virtue of their behavior, number, type, or manner of keeping.
8. It shall further be unlawful to picket or tie any such chicken and poultry in any of the streets or rights-of-way of the City for the purpose of grazing or feeding.

### Section 1-19 B

a. Non-Commercial Use Only. It shall be unlawful to engage in chicken and poultry breeding or

fertilizer production for commercial purposes except where such enterprise or business is permitted.

b. Any slaughter of chickens not regulated by state law or otherwise forbidden or regulated shall be done only in a humane and sanitary manner and shall not be done open to the view of any public area or adjacent property owned by another.

c. Dead chickens and poultry must be disposed of according to the Missouri Department of Agriculture Law & Regulations for Animals

#### ENCLOSURES.

1. Coops, tractors, and runs shall be placed in rear yards only.
2. Chickens and poultry must be always kept in a coop or fenced area. During daylight hours, chickens and poultry may be allowed outside of the coop in a securely fenced rear yard, if under supervision. Chickens and poultry shall be secured within a coop or tractor during non-daylight hours.
3. Coops and tractors must provide adequate ventilation, sun, and shade and must be impermeable to rodents, wild birds and predators, including dogs and cats. Coops and tractors shall be designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to other residents in the neighborhood.
4. Coops and tractors shall be well maintained and enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Windows and vents must be covered with predator and bird-proof wire of less than one-inch openings.
5. The materials used in making a coop or tractor shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal or similar materials is prohibited. Materials used shall be impervious to moisture so that the surface does not permit the absorption of fluids.
6. Coops and tractors must be located at least ten (10) feet from the property line and at least forty (40) feet from any adjacent residential dwelling. Enclosure Size. (1) The minimum size of any coop or tractor shall be two (2) square feet per chicken. (2) The maximum size of any coop or tractor shall be four (4) square feet per chicken. (3) The exterior height of any coop or tractor, including any risers or pedestals, shall not exceed eight (8) feet. (4) Coops and tractors shall have sturdy wire fencing and must be covered with wire, aviary netting, or solid roofing.

#### STORAGE OF FOOD DISPOSAL OF MANURE.

1. All food and feed for feeding chickens and poultry shall be stored in vermin-free, water-tight, vermin-proof receptacle, compartments, or rooms unless stored in a vermin-proof building.
2. The chicken and poultry owner must provide for the storage and removal of the manure. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than three (3) cubic feet of manure shall be stored. No manure shall be allowed to accumulate except in such receptacle. All other manure not used for composting or fertilizing shall be removed. The coop, tractor, and surrounding areas must be kept free from trash and accumulated

droppings. Uneaten feed shall be removed in a timely manner.

CHICKEN AND POULTRY AT LARGE.

1. Chickens and poultry shall not be allowed to run at large, intimidate pedestrians or passersby, cause damage or deposit excretory matter upon the property not owned by their owner.
2. It shall be unlawful to picket or tier any such animal in any of the streets of the City for the purposes of grazing or feeding.
3. No dog, cat or other domesticated animal which kills a chicken or poultry running at large will, for that reason alone, be considered a dangerous or prohibited animal.
4. The City shall not be liable for injury or death of chickens or poultry caused by dogs, cats, or other animals, domestic or wild, whether such animals are licensed by the City or not.

ODOR AND NOISE IMPACTS.

1. Odors from chickens and poultry, chicken and poultry manure or other chicken/poultry-related substances shall not be perceptible at the property boundaries.
2. Perceptible noise from the chickens and poultry shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity.

PREDATORS, RODENTS, INSECTS, AND PARASITES. The chicken and poultry owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects or parasites. Chickens and poultry found to be infested with insects and parasites that may result in unhealthy conditions to human habitation must be removed by the owner and keeper of the chickens. Chicken carcasses to be disposed of within 24 hours; carcass disposal include off site burial, offsite incineration or rendering, or offsite composting.

UNLAWFUL ACTS. It shall be unlawful for any person to keep chickens and poultry in violation of any provision of this Section. It shall be unlawful for any owner, renter or leaseholder of property to allow chickens to be kept on the property in violation of the provisions of this Section.

1. Coop not up to code regulations – Thirty (30) days to modify coop to fit regulation.
2. Odor or noise complaints – 72 hours (three (3) business days) to rectify the issue.
3. Animal Abuse – absolutely forbidden and will be addressed accordingly on a case-by-case basis. All concerns will be issued through a written complaint. ACO will not actively be inspecting coops or properties.

SECTION 5. That Ordinance Number 011-001 entitled *Animal Control Code* is hereby amended, and all other ordinances or parts of ordinances in conflict herein are hereby repealed.

SECTION 6. That Ordinance Number 022-007 *Unified Development Ordinance* is hereby amended, and all other ordinances or parts of ordinances in conflict herein are hereby repealed.

SECTION 7. Existing coops and domestic poultry are exempt and grandfathered prior to the passage of this ordinance. Any new additions will be regulated by this ordinance.

SECTION 8. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby superseded.

SECTION 9. That should any sentence, clause, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

SECTION 10. That this Ordinance shall be in full force and effect from and after the date of its passage.

**BE IT REMEMBERED** the above was duly read two (2) times, once in entirety and once by title only, **PASSED AND APPROVED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Cleveland this this 20th day of April 2026.

Kevin Roberson  
Kevin Roberson, Mayor

ATTEST:

Tasneam Nawaz  
Tasneam Nawaz, City Clerk

VOTE:

City Seal

Alderman Hull	<u>Aye</u>
Alderman Goben	<u>Aye</u>
Alderman B. Hull	<u>Aye</u>
Alderman Muller	<u>Aye</u>
Alderman Walker	<u>Aye</u>
Alderman Williams	<u>Aye</u>

