



*A PLACE TO CALL HOME*

## URBAN CHICKEN (HEN) PERMIT APPLICATION

City of Swisher Municipal Code, Chapter 56  
66 Second Street SW, PO Box 279, Swisher, IA 52338  
Phone: 319.-857-4539 Fax: 319-857-4529

URBAN CHICKEN PERMIT #: \_\_\_\_\_

(PLEASE PRINT)

Permit Applicant: \_\_\_\_\_ Phone #: \_\_\_\_\_  
(Name)

Physical Address: \_\_\_\_\_  
(Street City State Zip)

Property GPN # \_\_\_\_\_ Zoning Classification \_\_\_\_\_ Fenced Lot? YES / NO

Email Address: \_\_\_\_\_ Secondary #: \_\_\_\_\_

Is this a Single Family Dwelling? YES / NO      Is this dwelling a: Rental Unit or Owner Occupied

Have you notified all adjacent property owners/occupants of your intention to harbor hens? YES / NO

Have you completed the REQUIRED City approved Urban Chicken Training Class? YES / NO  
If so, WHEN? \_\_\_\_\_ (Please Attach Certificate copy to this Application)

Have you been denied, suspended or revoked a permit per Section 56.02.5? YES / NO

Pursuant to Chapter 56 of the City of Swisher Municipal Code, Section 56.02 Permit Required – This application and supporting documents shall be submitted by the Permittee and approved by the City to raise, harbor or keep chickens (hens) within the city limits of Swisher. By signing this application, the applicant attests to having read and understood the requirements of this ordinance and affirms that all submitted information is true and correct. It is further understood that a maximum of eight (8) hens are allowed and “NO” roosters and shall only be placed on the applicant occupied permitted address. Hen House / Chicken Tractor must be at least 10 feet from the property line and 25 feet from any neighboring structure or occupancy. If approved, this permit is good for one (1) year from the date of issuance. This permit is intended for the applicant and is considered non-transferable. The applicant understands and agrees to not allow their hens to become a nuisance or burden on the community which violates this or other applicable city codes. Failure to comply with the provisions of this or related ordinances shall result in fees, fines, penalties and possible revocation in accordance to law.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(mm/dd/yyyy)

APPLICATION RECEIVED: \_\_\_\_\_ OFFICIAL USE ONLY IS THIS A RENEWAL? Y / N DATE APPROVED: \_\_\_\_\_  
(mm/dd/yyyy) (mm/dd/yyyy)

APPROVING SIGNATURE: \_\_\_\_\_ Permit Expiration: \_\_\_\_\_

## CHAPTER 56

### KEEPING OF CHICKENS

56.01 Definitions	56.08 Predators, Rodents, Insects and Parasites
56.02 Permit Required	56.09 Feed and Water
56.03 Number and Type of Chickens Allowed	56.10 Waste Storage and Removal
56.04 Zoning Districts Allowed	56.11 Chickens at Large
56.05 Non-Commercial Use Only	56.12 Unlawful Acts
56.06 Enclosures	56.13 Nuisances
56.07 Odor and Noise Impacts	

**56.01 DEFINITIONS.** For use in this chapter, the following terms are defined:

1. "Chicken" means a member of the subspecies *Gallus domesticus*, a domesticated fowl.
2. "Permitted tract of land" means the tract of land as identified by the application upon which a permit is granted for keeping chickens pursuant to this chapter.
3. "Permittee" means an applicant who has been granted a permit to raise, harbor, or keep chickens pursuant to this chapter.
4. "Single-family dwelling" means any building that contains only one dwelling unit used, intended, rented, leased, let, or hired to be occupied for living purposes.
5. "Tract of land" means a property or a zoned lot that has one single-family dwelling located on that property or zoned lot.
6. "Urban chicken" means a chicken kept on a permitted tract of land pursuant to a permit issued under this chapter.

**56.02 PERMIT REQUIRED.** No person shall raise, harbor, or keep chickens within the City without a valid permit obtained from the City Clerk under the provisions of this chapter.

1. Application. In order to obtain a permit, an applicant must submit a completed application on forms provided by the Clerk and pay all fees required by this chapter.
2. Requirements. The requirements for receipt of a permit include:
  - A. All requirements of this chapter are met.
  - B. All fees for the permit are paid in full, as may be provided for from time to time by the Council resolution.
  - C. All judgments in the City's favor and against the applicant have been paid in full.
  - D. The tract of land to be permitted shall contain only one single-family dwelling, occupied and used as such by the permittee.
  - E. The applicant has provided notice of the applicant's intent to obtain a permit to the residents of all immediately adjacent dwellings.

F. The applicant has successfully completed an approved class in raising chickens in an urban setting. The City Clerk shall maintain a current list of such approved classes.

3. Issuance of Permit. If the Clerk concludes, as a result of the information contained in the application, that the requirements for a permit have been met, then the Clerk shall issue the permit.

4. Denial, Suspension, Revocation, Non-Renewal. The City Clerk may deny, suspend, revoke, or decline to renew any permit issued for any of the following grounds:

A. False statements on any application or other information or report required by this section to be given by the applicant.

B. Failure to pay any application, penalty, re-inspection or reinstatement fee required by this section or Council resolution.

C. Failure to correct deficiencies noted in notices of violation in the time specified in the notice.

D. Failure to comply with the provisions of an approved mitigation/remediation plan by the City Clerk.

E. Failure to comply with any provision of this chapter.

5. Notification. A decision to revoke, suspend, deny, or not renew a permit shall be in writing, delivered by ordinary mail or in person to the address indicated on the application. The notification shall specify reasons for the action.

6. Effect of Revocation. When an application for a permit is denied, or when a permit is revoked, the applicant may not re-apply for a new permit for a period of one year from the date of the denial or revocation.

7. Appeals. No permit may be denied, suspended, revoked, or not renewed without notice and an opportunity to be heard given to the applicant or holder of the permit. In any instance where the Clerk has denied, revoked, suspended, or not renewed a permit, the applicant or permittee may appeal the decision to the Council within ten (10) business days of the receipt by the applicant or holder of the permit of the notice of the decision. The applicant or holder of the permit will be given an opportunity for a hearing. The decision of the Council or any decision by the Clerk which is not appealed in accordance with this chapter shall be deemed final action.

**56.03 NUMBER AND TYPE OF CHICKENS ALLOWED.** The maximum number of chickens allowed is eight (8) per tract of land, regardless of how many dwelling units are on the tract. Only female chickens (hens) are allowed.

**56.04 ZONING DISTRICTS ALLOWED.** Permits will be granted only for tracts of land located in residential districts as identified on the current Official Zoning Map on file with the City.

**56.05 NON-COMMERCIAL USE ONLY.** A permit shall not allow the premises to engage in chicken breeding or fertilizer production for commercial purposes.

**56.06 ENCLOSURES.**

1. Chickens must be kept in an enclosure or fenced area at all times. Chickens shall be secured within a henhouse or chicken tractor during non-daylight hours.
2. Enclosures must be kept in a clean, dry, odor-free, neat and sanitary condition at all times.
3. Henhouses, chicken tractors, and chicken pens must provide adequate ventilation and adequate sun and shade and must be impermeable to rodents, wild birds and predators, including dogs and cats.
4. Henhouses and chicken tractors shall be designed to provide safe and healthy living conditions for the chickens with a minimum of four (4) square feet per bird while minimizing adverse impacts to other residents in the neighborhood.
5. Henhouses or chicken tractor shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird proof wire of less than one-inch openings.
6. The materials used in making a henhouse or chicken 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. Henhouses and chicken tractors shall be well maintained.
7. Henhouses, chicken tractors, and chicken pens shall be located in the rear yard required by this Code of Ordinances, unless the setback requirements cannot be met, in which case they may be kept in other yard but within the required setbacks.
8. Henhouses, chicken tractors, and chicken pens must be located at least ten (10) feet from the property line and at least twenty-five (25) feet from any adjacent residential dwelling, church, school, or place of business.
9. Any enclosed chicken pen shall consist of sturdy wire fencing. The pen must be covered with wire, aviary netting, or solid roofing.

**56.07 ODOR AND NOISE IMPACTS.**

1. Odors from chickens, chicken manure, or other chicken-related substances shall not be perceptible beyond the boundaries of the permitted tract of land.
2. Noise from chickens shall not be loud enough beyond the boundaries of the permitted tract of land to disturb persons of reasonable sensitivity.

**56.08 PREDATORS, RODENTS, INSECTS AND PARASITES.** The permittee shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by an animal control officer.

**56.09 FEED AND WATER.** Chickens shall be provided with access to feed and clean water at all times. The feed and water shall be unavailable to rodents, wild birds, and predators.

**56.10 WASTE STORAGE AND REMOVAL.** 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 on the permitted tract of land. All other manure not used for composting or fertilizing shall be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

**56.11 CHICKENS AT LARGE.** The permittee shall not allow the permittee's chickens to roam off the permitted tract of land. No dog or cat or other domesticated animal which kills a chicken off the permitted tract of land will be considered—for that reason alone—a dangerous or aggressive animal or the City's responsibility to enforce its animal control provisions.

**56.12 UNLAWFUL ACTS.**

1. It is unlawful for any person to keep chickens in violation of any provision of this chapter or any other provisions of this Code of Ordinances.
2. It is 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 chapter.
3. No person shall keep chickens inside a single-family dwelling unit, multi-family dwelling unit or rental unit.
4. No person shall slaughter any chickens within the City.
5. No person shall keep a rooster.
6. No person shall keep chickens on a vacant or uninhabited tract of land.

**56.13 NUISANCES.** Any violation of the terms of this chapter which constitutes a health hazard or interferes with the use or enjoyment of neighboring property is a nuisance and may be abated under the general nuisance abatement provisions of Chapter 50 of this Code of Ordinances.