



**City Of Richmond, Virginia
Office of the City Clerk**

Request to Withdraw Legislation

Paper Number: Ord. 2018-272

Chief Patron: Mayor Levar Stoney

Introduction Date: October 8, 2018

Chief Patron Signature: 

For Office Use Only

Attestation: 

Effective Date: 11/29/2018

INTRODUCED: October 8, 2018

AN ORDINANCE No. 2018-272

To amend and reordain City Code §§ 4-124, concerning permit requirements for chickens and 4-126, concerning requirements for the area in which female chickens are maintained, for the purpose of increasing the number of female chickens permitted in the City from four to six.

Patron – Mayor Stoney

Approved as to form and legality
By the City Attorney

PUBLIC HEARING: NOV 13 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 4-124 and 4-126 of the Code of the City of Richmond (2015), as amended, be and are hereby **amended** and reordained as follows:

Sec. 4-124. Permit requirements.

(a) *Permit required; initial and annual renewal fee.* The Director may issue permits to persons for the keeping, placement or maintenance of female chickens on any parcel or real property in residential zoning districts of the City. Roosters shall not be permitted. No person shall keep, place or maintain female chickens in the city unless, in accordance with this section

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

or section 4-128, if applicable, such person has filed an application for a permit, obtained a permit from the director and has complied with the applicable provisions of this chapter and other applicable provisions of this Code and state law. Any person requesting permission to keep, place or maintain female chickens in the city shall complete an application, on a form provided by the director, and shall submit such application to the director within the applicable time frames prescribed in this section or as otherwise prescribed in the regulations established in accordance with this division. The director shall review any applications submitted in accordance with this section and may issue a permit, deny the applicant's request for a permit or lawfully require further information from the applicant as may be necessary to process the application. Any initial application shall be accompanied by the payment of a permit fee as set forth in Appendix A to this Code. Any permit issued in accordance with this division shall expire within 12 months from the date on which such permit was last issued and may be renewed annually upon submission of a new permit application and payment of a new permit fee in the amount set forth in Appendix A to this Code within the time frame prescribed in the regulations established in accordance with this division. Any failure to submit a new permit application or payment of the permit fee provided for in this section within the time frame prescribed in the regulations established in accordance with this division shall result in revocation of any permission to keep, place or maintain female chickens in the city upon the day after the date on which the last permit that was issued is to expire. However, in the case of an applicant whose permit expires during the director's processing of such applicant's application for a new permit that has been filed within the time frames prescribed in the regulations established in accordance with this division and who has complied with the provisions of this division and other applicable provisions of this Code and state law, such applicant shall not be deemed to be in violation of

this division due solely to the expiration of the permit that was last issued in accordance with this section. No permit issued in accordance with this division shall permit the keeping, placement or maintenance of any more than [~~four~~] six female chickens on any parcel of real property in residential zoning districts of the city within the 12 month period to which such permit applies. No permit shall be issued to any person having more than [~~four~~] six female chickens on any parcel to which any such permit applies.

(b) *Filing deadline for first year after effective date of the ordinance from which this division is derived.* For the first year after the enactment date of this division, all applications for a permit in accordance with this section shall be filed within 90 days after the enactment date of this division. For the second year after the enactment date of this division and all subsequent years, unless otherwise provided by law, all applications for permits in accordance with this section shall be filed within the applicable time frames prescribed in the regulations established in accordance with this division.

(c) *Persons eligible for a permit.* Any person who owns residential real property in a residential zoning district of the city at which female chickens are to be kept, placed or maintained or who has received written approval from a person who owns residential real property in a residential zoning district of the city to keep, place or maintain female chickens on such property may apply for a permit in accordance with this section.

(d) *Background investigation.* Upon the submission of an application for a permit in accordance with this section, the director shall conduct a background check and investigation of the applicant to determine if the applicant has been convicted of or has any pending charges for or complaints of animal cruelty or neglect. Prior to the issuance of a permit, the director shall also conduct a site inspection of the area in which the applicant purports to keep, place or

maintain any female chickens. If, after completing the background investigation and site inspection for which this subsection provides, the director determines that the applicant has been convicted of or has pending charges for or complaints of animal cruelty or neglect or determines that the area in which the applicant purports to keep, place or maintain any female chicken does not meet the applicable requirements of this Code or state law, the director shall deny the permit application. Notwithstanding the requirements of this subsection, the director may otherwise deny any permit application if any person requesting permission to keep, place or maintain female chickens has not complied with the applicable provisions of this chapter and other applicable provisions of this Code and state law.

(e) *Revocation of permit for noncompliance.* Any permit issued in accordance with this section is subject to revocation by the director upon the failure of any person to whom the director has issued a permit to comply with relevant provisions of this Code or state law or with any rules or regulations established in accordance with this division.

(f) *Applicant obligations.* Any person applying for a permit in accordance with this section shall sign a written statement, on a form provided by the director, confirming that such person has read and reviewed the provisions of this division and other applicable provisions of this Code and state law concerning the keeping, placement or maintenance of female chickens and any rules or regulations established in accordance with this division.

Sec. 4-126. Requirements for area in which female chickens are maintained.

(a) No permit shall be issued to any person who has not complied with the requirements of this section.

(b) Any area in which female chickens are kept, placed or maintained or the area in which any applicant or permittee proposes that any female chickens be kept, placed or maintained, either or both, shall be in accordance with the requirements set forth in section 4-92.

(c) Any female chickens kept, placed or maintained pursuant to a permit issued in accordance with section 4-124 shall remain within the fenced area, pen or structure required by section 4-92 at all times.

(d) Any person to whom a permit has been issued in accordance with section 4-124 shall provide at least three square feet of space for each female chicken within a structure designed for such purpose and consisting of four walls and a roof, provided that the number of such female chickens does not exceed a total of [~~four~~] six for the affected parcel of real property.

§ 2. This ordinance shall be in force and effect upon adoption.



RECEIVED

SEP 26 2018

CITY OF RICHMOND
OFFICE OF CITY ATTORNEY
CITY CORRESPONDENCE

O & R REQUEST

4-8146

SEP 04 2018

Office of the
Chief Administrative Officer

O&R REQUEST

DATE: 8/26/18 EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

JS 9/21/18

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

THROUGH: Lenora Reid, DCAO for Finance & Administration

JS
JAB

THROUGH: Jay Brown, Director of Budget & Strategic Planning

THROUGH: Robert Steidel, DCAO for Operations

[Signature]

FROM: Christie Chipps Peters, Director Richmond Animal Care & Control

[Signature]

RE: Updated Chicken Permit Code

ORD. OR RES. No. _____

PURPOSE: To authorize the Chief Administrative Officer to amend Sec. 4-124 and 4-126 to increase the number of female chickens permitted in the City from four to six.

REASON: Chickens are purchased in a "clutch" which is six chicks. Increasing the number of female chickens from four to six will allow citizens to refrain from splitting the clutch.

RECOMMENDATION: The administration recommends adoption of this ordinance.

BACKGROUND: Increasing the number of female chickens permitted in the City will allow for ease of purchase and will enable citizens to maintain a laying flock for a longer period of time. There is zero impact on animal control operations to enforce chicken permits for six hens versus four.

FISCAL IMPACT / COST: None at this time

FISCAL IMPLICATIONS: None at this time

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: N/A

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: October 8, 2018

CITY COUNCIL PUBLIC HEARING DATE: November 13, 2018

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Government Operations

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: N/A

AFFECTED AGENCIES: RACC

RELATIONSHIP TO EXISTING ORD. OR RES.: N/A

REQUIRED CHANGES TO WORK PROGRAM(S): N/A

ATTACHMENTS: Current code with mock up changes

STAFF: Christie Chipps Peters, Richmond Animal Care & Control x5740