

ORDINANCE 15-2025

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE I, SECTION 4-2 OF THE OWENSBORO MUNICIPAL CODE; AND FURTHER CREATING A NEW SECTION IN CHAPTER 4, ARTICLE I FOR THE KEEPING OF CHICKENS WITHIN THE CORPORATE BOUNDARIES OF THE CITY; AND FURTHER PROVIDING FOR REQUIREMENTS AND RESTRICTIONS FOR THE KEEPING OF CHICKENS WITHIN THE CITY; AND FURTHER PROVIDING FOR A PERMIT AND FOR PENALTIES FOR VIOLATION OF CHAPTER 4, ARTICLE I.

WHEREAS, the number of cities in this Commonwealth permitting the keeping of chickens within city limits for production of fresh eggs for human consumption and health benefits is increasing; and

WHEREAS, some residents of the City of Owensboro have requested that they be permitted to keep chickens for the production of fresh eggs; and

WHEREAS, the City wishes to permit the keeping of chickens, but also enact humane requirements and restrictions that protect the rights of neighboring residents from nuisances that may be caused by the keeping of chickens.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF OWENSBORO, KENTUCKY, AS FOLLOWS:

Section 1. Chapter 4, Article I, Section 4-2 of the Owensboro Municipal Code be, and hereby is amended to read as follows:

No person shall keep swine [~~or chickens~~] within the corporate limits of the city.

Section 2. A new section shall be created in Chapter 4, Article I of the Owensboro Municipal Code to state as follows:

(a) No person shall keep or maintain chickens within the corporate limits of the City for commercial purposes.

(b) Six (6) or fewer female chickens may be kept within the City limits for non-commercial purposes, subject to the following provisions:

(1) It shall be unlawful for a person keeping chickens in the City to allow such chickens to run at large or off the premises on which the chickens are kept;

(2) No roosters or fowl other than female chickens shall be kept within the City limits;

(3) All chickens shall be kept in a humane manner and in a housing structure that is:

a. Covered and predator-proof;

b. Thoroughly ventilated and odor-free;

c. Designed to prevent any chicken from leaving the keeper's property;

d. Of sufficient size to admit free movement of each chicken, providing at least three (3) square feet of space per chicken; and

e. Designed to be easily accessed, cleaned and maintained.

(c) A person keeping chickens shall maintain the housing structure in which chickens are kept in good repair and sanitation. All gates or doors to the fence or structure shall fit properly and shall be locked or secured by a latch.

(d) Chickens may only be kept in the backyard of property that is zoned by the Owensboro Metropolitan Planning Commission for single-family detached residential and includes a single-family residential structure. Chickens shall not be kept on property where there are apartments or other multi-family residential units, businesses, or industrial uses.

(e) No person shall keep chickens closer than:

(1) Ten (10) feet from the nearest boundary or property line of the lot or parcel of real estate upon which the chickens are kept; and

(2) Forty (40) feet from an adjacent residential structure or business not owned or occupied by the person keeping chickens.

(f) Stored chicken feed shall be kept in rodent-proof and predator-proof containers.

(g) The provisions of this Section shall be enforced by the Property Maintenance Code Enforcement Officer in accordance with Section 5-137 of the Owensboro Municipal Code.

Section 3. A new section shall be created in Chapter 4, Article I of the Owensboro Municipal Code to state as follows:

Nothing in Section 2 of this Ordinance shall be construed to prohibit any property owner or association from establishing new or enforcing existing private restrictions, including but not be limited to, deed restrictions, restrictive covenants, or declarations of covenants and restrictions.

governing the use of property within subdivisions. Such private restrictions may continue to be enforced by private action of the property owners.

Section 4. A new section shall be created in Chapter 4, Article I of the Owensboro Municipal Code to state as follows:

Penalties.

Any person violating any Section of Article I of this Chapter shall be subject to the penalties in Chapter 1, Section 1-11 of the Owensboro Municipal Code.

Section 5. A new section shall be created in Chapter 4, Article I of the Owensboro Municipal Code to state as follows:

- (a) It shall be unlawful for any person to keep chickens without first obtaining a permit from the Department of Public Works, 1410 West 5th Street, Owensboro, Kentucky 42301.
- (b) The cost of the permit shall be \$25.00.
- (c) No permit shall be granted to any person who has pending citations or liens issued by the City of Owensboro Property Maintenance Code Enforcement Board.
- (d) Failure to abide by the provisions of Section 2 of this Ordinance is grounds for revocation of the permit, at the discretion of the City Manager.

Section 6. All prior ordinances or parts thereof, in conflict with the provision of this ordinance, are to the extent of any such conflict, hereby repealed.

INTRODUCED AND PUBLICLY READ ON FIRST READING, this the 2nd day of September, 2025.

PUBLICLY READ AND FINALLY APPROVED ON SECOND READING, this the 16th day of September, 2025.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk