

AN ORDINANCE NO. 20-7

Amending §§ 98-42 and 98-43 of Chapter 98, Animals, of the Colonial Heights City Code, to prohibit the keeping of poultry and fowl in the City of Colonial Heights.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLONIAL HEIGHTS:

1. §§ 98-42 and 98-43 of Chapter 98, Animals, of the Colonial Heights City Code, are amended as follows:

**§ 98-42. Keeping No poultry or fowl.**

~~A. It shall be unlawful for any person to own, operate, or engage in the business of raising, feeding, keeping, and selling any chickens over 15 days old, hens, poultry, or fowl of any kind for commercial purposes or to keep more than a total of three of all such poultry or fowl at any house, yard or pen, for any purpose in the City, unless the City Council grants permission to engage in such a commercial business or keep more than three such poultry or fowl. The City Council may impose, as a part of such permission, conditions as to the location, construction and maintenance of pens, yards, or houses where such poultry or fowl are kept and as to the maximum number of poultry and fowl to be kept.~~

~~B. This section shall not be construed in any way to define, for the purposes of Chapter 286, Zoning, of this Code, the keeping of poultry and fowl as a permitted primary or accessory use in any district; for which purpose of definition, the only applicable provisions of this Code shall be those contained within Chapter 286, Zoning.~~

~~C. It shall be unlawful for any person to permit chickens or other fowl to run at large in the City.~~

**§ 98-43. Maintenance of stables, and pens and coops.**

Each stable, pen, ~~coop~~ or other place within the City where any animal ~~or fowl~~ is kept shall be maintained by the keeper at all times in a clean and sanitary condition and free of offensive odors and solid and liquid waste matter. No enclosure intended primarily for the keeping of any animal ~~or fowl~~ shall be constructed, maintained, or substantially

reconstructed on or after December 9, 1987, within 10 feet of any lot line. Any place where an animal ~~or fowl~~ is kept which is found to be in violation of this section shall be deemed to be a public nuisance, subject to abatement by the City at the expense of the person responsible therefor or the owner of the property wherein it exists.

2. This ordinance shall be effective upon approval on second reading.

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

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I certify that the above ordinance was:

Adopted on its first reading on \_\_\_\_\_.

Ayes: \_\_\_\_\_. Nays: \_\_\_\_\_. Absent: \_\_\_\_\_. Abstain: \_\_\_\_\_.

The Honorable Michael A. Cherry, Councilman: \_\_\_\_\_.

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_.

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_.

The Honorable John E. Piotrowski, Councilman: \_\_\_\_\_.

The Honorable John T. Wood, Councilman: \_\_\_\_\_.

The Honorable Elizabeth G. Luck, Vice-Mayor: \_\_\_\_\_.

The Honorable T. Gregory Kochuba, Mayor: \_\_\_\_\_.

Adopted on its second reading on \_\_\_\_\_.

Ayes: \_\_\_\_\_. Nays: \_\_\_\_\_. Absent: \_\_\_\_\_. Abstain: \_\_\_\_\_.

The Honorable Michael A. Cherry, Councilman: \_\_\_\_\_.

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_.

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_.

The Honorable John E. Piotrowski, Councilman: \_\_\_\_\_.

The Honorable John T. Wood, Councilman: \_\_\_\_\_.

The Honorable Elizabeth G. Luck, Vice-Mayor: \_\_\_\_\_.

The Honorable T. Gregory Kochuba, Mayor: \_\_\_\_\_.

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney