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110 N. Poplar Street • PO Box 218 • West Branch, Iowa 52358  
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**WEST BRANCH ANIMAL CONTROL COMMISSION MEETING**

**Tuesday, November 14 2017 • 6:30 p.m.**

**West Branch City Council Chambers, 110 N. Poplar St.**

*Council Quorum May Be Present*

1. Call to Order
2. Roll Call
3. Approve minutes from the October 10, 2017 Animal Control Commission Meeting/Move to action.
4. Old Business
  - a. Urban Chicken Ordinance
  - b. Pet Registration Fees
  - c. Other old business
5. New Business
  - a. Police report
  - b. Other New Business
6. Next meeting date – December 12, 2017
7. Adjourn

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**Commission Members:** Chair Alan Beyer, DVM, Leesa Johnson, Amy Lynch, Ashley Olson, James Provine  
**Mayor:** Roger Laughlin • **Council Members:** Jordan Ellyson, Colton Miller, Brian Pierce, Tim Shields, Mary Beth Stevenson  
**City Administrator/Clerk:** Redmond Jones II • **Fire Chief:** Kevin Stoolman • **Library Director:** Nick Shimmin  
**Parks & Rec Director:** Melissa Russell • **Police Chief:** Mike Horihan • **Public Works Director:** Matt Goodale

The West Branch Animal Control Commission met on October 10, 2017 at 6:30 p.m.

Members present were Ashley Olson, Red Provine, Leesa Johnson, and Alan Beyer.

Minutes from the September meeting were read and approved.

Old Business:

The Urban Chicken Ordinance was briefly discussed. No further direction has been heard from Mr. Shultice and the fourth grade class. He earlier had expressed interest in their involvement. Also, the present city council members have expressed interest in voting on this before the end of the year. Alan will contact Mr. Shultice to seek their input.

There was no further old business.

New Business:

No police officer was present. Continued spotting of fox in town has been noted.

The town Halloween Costume Contest has been discontinued at least for this year. The supper will still take place and businesses are encouraged to stay open later and to hand out treats. It was decided to cancel the Pet Costume contest as well since it piggybacked on the kids' contest. Licensing fees for City Registration and for the Dog Park were discussed. A list of about 15 other Iowa community rates were compared. It was decided to keep the city pet registration fee at \$5 for neutered pets and raise the fee for unneutered pets to \$20. License fees for the Dog Park will be left the same for now.

Next meeting date will be November 14<sup>th</sup>.

Meeting adjourned at 6:48 p.m.

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## **West Branch Urban Chicken Ordinance**

A. Notwithstanding the provisions of this section, the keeping of domestic chickens shall be permitted on single-family residences and zero-lot lines duplexes (where each unit owner owns a separate and distinct portion of the lot), so long as such keeping is in strict compliance with this subsection and all other applicable City ordinances unless, despite compliance with the following, the presence of any particular chickens endangers the health, safety, peace, quiet, comfort, enjoyment of, or otherwise becomes a public nuisance to nearby residents or occupants or places of business.

### **B. Permit requirements**

1. No person shall raise, harbor or keep chickens within the City of West Branch without a valid permit from the City Office under the provisions of this ordinance.
2. In order to obtain a permit, an applicant must submit a completed application of forms and paying all fees required as set by resolution.
3. The application will include consent forms for landlords and owners of adjacent properties.
4. Permits will be granted for one (1) year valid from January 1 through December 31. Permits may be purchased at any time during the year but will be valid only through December 31. Bands will be issued with the permit. The permittee shall place and keep leg bands on all of the chickens showing the permit number.
5. The applicant shall successfully complete an approved class in raising chickens in an urban setting prior to being issued a permit. The City Office will maintain a current list of such approved classes.
6. By the granting of the permit to raise chickens and the application thereof, the permittee authorizes that the City or its agents have the right to go onto permittee's property any time and without prior notice for the limited purpose of inspection of the premises to ensure that all applicable conditions have been met.
7. Within thirty (30) days after the expiration of any permit, the permittee shall apply for and secure a renewal of the permit in the manner provided for in this chapter. Failure to renew a permit with the time herein provided shall result in a delinquent fee, in addition to the regular permit fee, as set by the city council. All applicants shall be furnished with permit rules and

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regulations at the time the application is made. Permit rules and regulations shall be approved by resolution by the city council.

8. Any decision to deny, revoke, or suspend a permit shall be in writing with the notification specifying reasons for the action. The applicant may appeal the decision to an animal control officer or to the West Branch Animal Control Commission. The decision by the entity hearing the appeal shall be deemed final action. When an application for a permit is denied or revoked, the applicant may not re-apply for a new permit for a period of 1 year from the date of denial. Chickens and any housing structures shall be removed with ten days of the permit being denied or revoked.

### C. Chickens and Enclosures

1. The maximum number of chickens allowed is <sup>five</sup> ~~four~~ per tract of land.
2. All such chickens must be hens; no roosters are permitted.
3. Chickens must be kept in an enclosure or fenced area at all times. Chickens shall be secured with a henhouse or chicken tractor during non-daylight hours.
4. The coop, the fowl house, or the fenced pen area shall be located in the rear yard only, must be of such a design to be reasonably expected to prevent entry by dogs, cats, or other animals, shall be completely enclosed (except fenced pen area), shall be well maintained, and shall be well drained so there is no accumulation of moisture.
5. The coop, fowl house, or fenced pen shall be a minimum of twelve (12) feet from any property line, shall not exceed eight feet in height, and shall fully comply with all applicable zoning regulations.
6. The materials used in making a coop or fowl house 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. Fencing materials must meet all requirements set forth in the zoning regulations.
7. The coop, fowl house, or the fenced pen area shall have a minimum of four (4) square feet of floor area for each chicken but shall not be any larger than twelve (12) square feet of area for each chicken.
8. Enclosures must be kept in a clean, dry, odor-free, neat and sanitary condition at all times. All droppings shall be used as fertilizer or placed in fly-proof containers.
9. All chicken feed shall be stored in rodent-proof containers.
10. The City shall not be liable for injury or death of chickens caused by dogs, cats, or other animal, domestic or wild, whether such animals are licensed by the City or not. Further, injury

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or death of a chicken caused by an animal is not, in and of itself, sufficient grounds for the City to determine that the animal is a vicious animal pursuant to Chapter of this Code of Ordinances. Any dead chicken shall be disposed of immediately upon discovering.

#### **D. Unlawful Acts**

1. It shall be unlawful for any person to keep chickens in violation of any provision of this Chapter or any other provision of the West Branch Municipal Code.
2. 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 article.
3. No person shall keep chickens inside a single family dwelling unit, multi family dwelling unit(s) or rental unit.
4. No person shall slaughter any chickens within the city of West Branch.
5. No person shall keep chickens on a vacant or uninhabited tract of land.

RESOLUTION 1654

AMENDING THE LICENSING FEES FOR THE REGISTRATION OF DOGS AND CATS  
WITHIN THE CITY OF WEST BRANCH, IOWA

WHEREAS, the City of West Branch hereby acknowledges the need for the licensing of certain animals in order to protect the welfare of both the public and the animal; and

WHEREAS, the City of West Branch approved animal licensing fees with the passage of Resolution 851, November 5, 2008; and


WHEREAS, pursuant to the City Code, chapter 55.22, the City Council of West Branch hereby establishes the following rates for the licensing of dogs and cats to which said Code applies; and

WHEREAS, the Animal Control Commission requests to amend the fee for non-neutered/non-spayed hereby amends the following rates for the licensing of dogs and cats to which said Code applies to:

Unneutered or unspayed dogs and cats shall be Twenty Dollars \$20.00 per one year license.

NOW, THEREFORE BE IT RESOLVED the City Council of the City of West Branch, Iowa the rates are hereby amended and these rates shall take effect upon approval of said resolution.

Passed and approved, this 6<sup>th</sup> day of November, 2017.

  
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Roger Laughlin, Mayor

ATTEST:

  
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Redmond Jones II, City Administrator/Clerk