

CITY OF GREENBRIER, TENNESSEE

ORDINANCE NO. 12-02

**AN ORDINANCE TO AMEND TITLE TEN, CHAPTER ONE OF THE
GREENBRIER MUNICIPAL CODE OF TOWN OF GREENBRIER.**

Section 1. Title 10, Chapter 1, Section 10-102 of the Greenbrier Municipal Code shall be amended to read as follows:

10-102. Keeping near a residence or business restricted. No person shall keep any animal or fowl, with the exception of chickens, enumerated in the preceding section within one thousand (1,000) feet of any residence, place of business, or public street, without a permit from the governing body. The governing body shall issue a permit only when in his sound judgment the keeping of such an animal in a yard or building under the circumstances as set forth in the application for the permit will not injuriously affect the public health.

Section 2. Title 10, Chapter 1, Section 10-107 of the Greenbrier Municipal Code shall be amended by deleting the "Sumner County Animal Shelter" and replacing it with "City of Greenbrier Animal Shelter."

Section 3. The following rules regarding chickens shall be added as a new section to Title 10, Chapter 1 of the Greenbrier Municipal Code.

Keeping of Chickens

No person shall keep chickens within the city limits in such a manner that a nuisance is created.

"Domesticated hens" means female chickens that may, where permitted, be kept and maintained for the non-commercial production of eggs, education, companionship, or recreation. Other types of fowl and poultry shall not be considered domesticated hens.

Only hens are allowed; roosters are expressly prohibited. There is no restriction on domestic hen breeds.

Food storage and removal

All stored food for the domesticated hens must be kept either indoors or in a weather-resistant container designed to prevent access by animals. Uneaten food shall be removed daily.

Enclosure

All domesticated hens shall be kept outside of a habitable structure in a predator-proof enclosure, a portion of which must be a covered henhouse, and a portion of which must be a fenced area.

A minimum of two (2) square feet per hen shall be provided for henhouses and six (6) square feet per bird for fenced enclosures.

Fenced enclosures and henhouses must be properly ventilated, clean, dry, and odor-free, kept in a neat and sanitary condition at all times, in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.

Location

All domesticated hens shall be kept in the rear yards of a residential property subject to the setback standards contained in this subsection. No domesticated hens shall be kept in the front yard. Neither the hens nor the covered henhouse shall be visible from any public right-of-way. Rather, the hens and henhouses shall be entirely screened from view of the public right-of-way using opaque fencing and/or landscaping.

Setbacks

An enclosure shall be located fifty (50) feet away from any residential structure (other than the permit holder's residence) located in a residential zone district and ten (10) feet from any property line.

Sanitation, Nuisance, and Humane Treatment

Provision must be made for the storage and removal of chicken manure. All manure for composting or fertilizing shall be contained in a well-aerated garden compost pile. All other manure not used for composting or fertilizing shall be removed. In addition, the henhouse and surrounding area must be kept free from trash and accumulated droppings.

Disposal of waste must be in a sanitary landfill. All disposals must be in compliance with the State mandate stormwater regulation.

No perceptible odor from the hens or the hen enclosure shall be present at any property line.

No slaughtering of domesticated hens may occur on the property.

No breeding of chickens shall occur on the property.

No domesticated hens shall be used or trained for the purpose of fighting for amusement, sport, or financial gain.

Regulations

These regulations do not supersede or override subdivision restrictions already in place for a particular area. It is the responsibility of the homeowner to research the restrictions prior to obtaining any domesticated hens.

Any owner not following the above mentioned rules will be subjected to fees as outlined in Section 10-109 Animal control fees in this chapter.

Section 4. This ordinance shall take effect from and after its final passage, the welfare of the city requiring it.

PASSED this 7 day of May 20 12.

Passed 1st Reading: April 2, 20 12

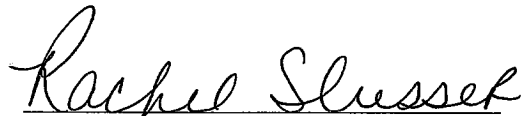
Passed 2nd Reading: May 7, 20 12

Public Hearing: May 7, 20 12



Mayor Billy Wilson

Attest:



Rachel Slusser
City Recorder