

TOWN OF COOPERTOWN, TENNESSEE
ORDINANCE NO. 2024-004
AN ORDINANCE REGULATING LIVESTOCK AND FOWL ON NON-AGRICULTURAL PARCELS

WHEREAS, the Board of Mayor and Aldermen for the Town of Coopertown, Tennessee, has determined that it is beneficial to its citizens to regulate or prohibit livestock on property not zoned Agricultural and/or not meeting the bulk standards for the Agricultural District; and,

WHEREAS, the Board of Mayor and Aldermen for the Town of Coopertown desire to establish a set of guidelines for the number of animals allowed per acre for non-agricultural parcels;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen for the Town of Coopertown, Tennessee, that the following regulations be adopted:

I. Definitions.

"Domesticated Fowl" – for this chapter are described as female chickens, ducks, pheasants, etc.

"Livestock" - animals that are not normally considered household pets (for example: dogs, cats, hamsters, gerbils and gold fish). Livestock are animals normally raised and are permissible in an agriculturally zoned property being used for agricultural purposes. Livestock includes those animals typically known to be creatures used for food or which produce a food or textile product, or used as transportation in other farming and ranching activities.

Animals commonly referred to as "livestock" include, but are not limited to, cattle, swine, horses, ponies, mules, sheep, goats, emu, bison, alpaca, llamas and fowl such as chickens, ducks, geese, peacocks, etc., and miniature versions of the aforementioned.

II. Prohibitions.

Roosters are not allowed.

Breeding and/or slaughtering of domesticated fowl or livestock is not allowed.

No domesticated fowl may be raised, trained, and/or used for the purpose of fighting, amusement, sport, financial gain, or feed for other animals.

Neither domesticated fowl, nor any housing for such, may be kept in the front yard.

Domesticated fowl for any commercial use are not allowed in residential districts.

Domesticated fowl for personal use are not allowed in any commercial, industrial, or mixed-use zones.

Cattle, swine, horses, ponies, mules, sheep, goats, emu, bison, alpaca, llamas, and miniature versions of the same are prohibited on residential lots.

III. Keeping near a residence or business restricted.

No person shall keep any cow, swine, sheep, horse, mule, goat, chicken, duck, goose, turkey or any other livestock or fowl in violation of the terms of the Town's Zoning Ordinance, except as provided by T.C.A. § 6-54-126.

IV. Pen or enclosure to be kept clean.

When animals or fowls, including but not limited to the aforementioned animals or fowl, are kept, the building, structure, corral, pen or enclosure in which they are kept shall at all times be maintained in a clean and sanitary condition.

V. Running at large prohibited.

It shall be unlawful for any person owning or being in charge of any cows, swine, sheep, horses, mules or goats or any chickens, ducks, geese, turkeys, or other domestic fowl, cattle or livestock, to knowingly or negligently permit any of them to run at large in any street, alley, or unenclosed lot, or the property of others within the Town.

VI. Keeping in such manner as to become a nuisance prohibited.

No animal or fowl shall be kept in such a place or condition as to become a nuisance because of noise, odor, or contagious disease.

VII. Inspections of premises.

For the purpose of making inspections to ensure compliance with the provisions of this chapter, the building commissioner or peace officer shall be authorized to enter, at any reasonable time, any premises where they have reasonable cause to believe an animal or fowl is being kept in violation of this ordinance.

VIII. Domesticated chickens and other fowl.

Purpose. The purpose of this section is to provide standards for the keeping of domesticated chickens. It is intended to enable residents to keep a small number of female chickens on a noncommercial basis while limiting the potential adverse impacts on the surrounding neighborhood. The Town recognizes that adverse neighborhood impacts may result from the keeping of domesticated chickens as a result of noise, odor, unsanitary animal living conditions, unsanitary waste storage and removal, the attraction of predators, rodents, insects, or parasites, and nonconfined animals leaving the owner's property. This section is intended to create requirements that ensure that domesticated chickens do not adversely impact the neighborhood surrounding the property on which the chickens are kept.

(A) Number and type of chickens allowed. Up to six (6) chickens may be allowed. The provisions of this section shall apply to all lots regardless of how many dwelling units are on the lot.

(B) Only female chickens (hereinafter referred to as "hens") are allowed.

(C) Noncommercial use only. Hens shall be kept for personal use only; no person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes. The slaughtering of chickens is prohibited.

(D) Fenced enclosures and henhouses.

(I) Hens must be kept in a fenced enclosure at all times. The fenced enclosure must be either: (i) covered, or (ii) at least forty-two (42) inches high, in which case, all hens must be wing-clipped to prevent escape. Hens shall be secured within the henhouse during non-daylight hours.

(II) In addition to the fenced enclosure, hens shall be provided with a covered, predator resistant henhouse.

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

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

(V) The henhouse and fenced enclosure must provide adequate ventilation and adequate sun, shade and must be constructed in a manner to resist access by rodents, wild birds, and predators, including dogs and cats.

(VI) Henhouses shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator- and bird-resistant wire of less than one (1) inch openings.

(VII) The materials used in making the henhouse and fence 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 henhouse shall be well-maintained.

(VIII) Neither the henhouse nor the fenced enclosure may be located less than ten (10) feet from any abutting property line.

(IX) Henhouses and enclosures shall be prohibited in front yards.

(E) Food storage and removal. All stored food for the hens must be kept either indoors or in a weather-resistant container designed to prevent access by animals. Uneaten food shall be removed daily.

(F) Waste storage and removal. 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 accumulating droppings.

(G) Penalty. In addition to any other enforcement action which the Town may take (including injunctive relief), violation of any provision of this section shall be a civil violation and a fine not exceeding fifty dollars (\$50.00) may be imposed. Each day that a violation continues will be treated as a separate offense.

Other Livestock - The following chart dictates the minimum acreage requirement per animal:

Cow (including Bison) – 1 ½ - 2 acres

Horse – 1 ½ - 2 acres

Pig – 80 square feet

Sheep – ½ acre

Goat – ¼ acre

Emu – ½ acre

Peacock – 100 square feet

Llamas and Alpacas – 6 per acre

The above list of livestock are prohibited on lots residentially zoned and on individual lots having less than four (4) acres.

Severability. In the event that any portion of this section shall be declared by any competent court to be invalid for any reason, such decision shall not be deemed to affect the validity of any other portion of this section.

This Ordinance shall become effective immediately upon its final passage, the public welfare requiring it.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

Becca Werner, Mayor

Date

ATTEST: _____
Emily McKellar, Town Recorder