

Published in the **HARVEY COUNTY INDEPENDENT**  
on the 20<sup>th</sup> day of June, 2024

**ORDINANCE NO. 656**

**AN ORDINANCE AMENDING THE ANIMAL CONTROL POLICY AND REGULATION FOR THE CITY OF BURRTON, KANSAS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ANY OTHER CURRENT ORDINANCES OR PORTIONS THEREOF IN CONFLICT HEREWITH.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BURRTON, KANSAS.**

**SECTION 1.** That Chapter 2, Article 1, Section 2-101 of the Code of the City of Burrton, Kansas, shall be amended to replace, in its entirety, Section 1-23 of the Animal Control Policy and Regulation fully incorporated by reference therein to read as follows:

**1-23 FOWL.** The keeping of chickens only no other fowl will be allowed within the City shall be subject to the following limitations in addition to the provisions of this Article:

- (a) As used in this section, fowl shall mean those as defined in this Article that may be legally owned within the City.
- (b) The keeping of chickens shall be subject to any existing ordinances, regarding domestic animal shelters.
- (c) It shall be unlawful to harbor more than eight (8) fowl at any one time.
- (d) It shall be unlawful to keep any rooster.
- (e) All domestic animal shelters harboring domesticated fowl, as expressly identified herein, shall be enclosed on all sides, and have a roof and doors and must be kept in a sanitary condition, free from offensive odors. All access doors must be able to be shut and locked and windows and vents must be covered with predator-proof and bird-proof wire containing less than one-inch openings and shall be constructed and repaired so as to prevent rodents or other animals from being underneath or within such structures.
- (f) Chickens must be kept in a clean, safe, fenced, healthy environment. Chicken coops, and chicken tractors are required and may only be located in the rear of the premises.

- (g) Odor from the maintaining of chickens shall not be perceptible at or beyond the property boundaries; perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reason sensibilities.
- (h) Chicken waste is the responsibility of the owner and shall be removed to prevent or control odors, fly breeding, or rodent infestation. The coop and surrounding area must be kept free from trash and accumulated droppings.
- (i) Chickens shall be provided with access to feed and clean water at all times. All feed and other items associated with the keeping of chickens shall be protected from or to prevent rats, mice, or other rodents from gaining access to or coming into contact with the feed.
- (j) The chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.
- (k) Any violation of the article that constitutes a health hazard or that interferes with the use of enjoyment of neighboring property is a nuisance and may be abated under the general abatement provisions of this code. In addition, any violation of this article may be cited as a code violation in municipal court punishable by a fine and court costs; and each day such violation continues shall be a separate offense.
- (l) It shall be unlawful to allow fowl outside of either an adequate property perimeter fence or a containment area within the yard either surrounding or attached to a coop compliant with any regulations contained within this Article or the Burrton City Code.
- (m) In the event that a coop qualifies as an accessory structure under that code, all requirements regarding placement and setbacks must be met.
- (n) In the event that a mobile coop is utilized, the coop shall be kept in compliance with all City ordinances that apply to the outdoor storage of property.
- (o) Nothing contained herein shall exempt any person harboring fowl from complying with all state and local health, sanitation, and zoning laws then in existence.

**SECTION 2.** Any and all other ordinances, or parts of ordinances, in conflict with the Animal Control Policy and Regulation as amended herein and as incorporated in Chapter 2, Article 1, Section 2-101 of the Code of the City of Burrton, Kansas, are hereby repealed.

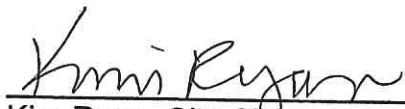
**SECTION 3.** This ordinance shall take effect and be in force from and after its publication in the official City newspaper, the **HARVEY COUNTY INDEPENDENT**.

**PASSED AND ADOPTED** by the Governing Body of the City of Burrton, Kansas, this 20th day of Nov., 2023.

Signed by the Mayor this 14th day of June, 2024.

  
Missy Ducimetiere, Mayor

ATTEST:

  
Kim Ryan, City Clerk

