

ORDINANCE NO. 2022-06

AN ORDINANCE OF THE VILLAGE OF MALCOLM, LANCASTER COUNTY, NEBRASKA, TO ALLOW FOR THE OWNERSHIP OF CHICKENS IN VILLAGE LIMITS; TO PROVIDE FOR PUBLICATION; TO REPEAL ANY CONFLICTING ORDINANCES; AND TO PROVIDE FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF MALCOLM, NEBRASKA:

Section 1. Section 6-301 of the Malcolm Village Code is hereby amended as follows:

§ 6-301 Fowls. It shall be unlawful for any person to allow, keep or maintain poultry, ~~chickens,~~ turkeys, geese or any other fowls within corporate limits, except for chickens as set forth in Section 6-303.

Section 2. Section 6-303 is hereby added to the Village Code as follows:

§ 6-303 Chickens; Permits; Regulations; Penalty

- (A) The keeping of chickens (*Gallus gallus domesticus*) shall be allowed within corporate limits under express conditions detailed herein.
- (B) No more than three (3) hens shall be allowed per household. No roosters or other fowl shall be allowed within corporate limits.
- (C) All chickens shall be kept in an enclosed pen in the backyard of the homeowner's property. Such enclosure shall be secure and maintained in a clean condition, free of accumulated refuse, manure, and debris.
- (D) All prospective chicken owners must obtain a permit from the Village of Malcolm on an annual basis. The permit fee shall be set by separate resolution.
- (E) Breeding of chickens is prohibited within corporate limits.
- (F) The owner of any chickens causing damages to property or persons shall be liable for such damages to the person(s) injured.
- (G) Any person(s) in violation of any provision of this section shall forfeit their current chicken permit and shall not be eligible to obtain a permit in the future. The owner of the chicken(s) in violation of this provision may be assessed the costs for boarding, care, and disposal of said animals.

Section 3. The permit fee is set at \$25.00 per year for up to three (3) chickens and shall be included in the Master Fee Schedule.

Section 4. Any conflicting provisions in the Malcolm Village Code or other ordinances are hereby repealed. All other provisions in Village Code Chapter 6 shall remain in full force and effect except as revised herein.

Section 5. This ordinance shall be published in book or pamphlet form and posted in three (3) public locations in the Village of Malcolm. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication as provided by law.

SUSPEND
READINGS
(3/4 VOTE)

waved 12/7/22

FIRST READING

waved

SECOND READING

waved

THIRD READING

waved

PASSED AND APPROVED THIS 7th DAY OF DECEMBER 2022

Jerad Little, Chairperson, Board of Trustees

ATTESTED AND PUBLISHED IN BOOK OR PAMPHLET FORM AND BY POSTING IN THE VILLAGE HALL, POST OFFICE, AND FIRE STATION PER § 1-405 AND § 1-410 OF THE MALCOLM MUNICIPAL CODE WITHIN FIFTEEN (15) DAYS OF PASSAGE ON THE 7th DAY OF DECEMBER 2022.

Nadine Link

Nadine Link, Village Clerk

