



CHICKEN KEEPING PERMIT INSTRUCTION SHEET AND CHECKLIST

- 1) **Complete and sign** the chicken keeping permit application (**FORM 1**). Application fees are determined by the number of chickens proposed in the application. Six (6) or fewer chickens requires a one-time \$25 fee, from seven (7) to fifteen (15) chickens requires a one-time \$50 fee. Failure to complete all sections of the application may result in a delay in the processing of your application;
- 2) Visit the Gallatin County Clerk and Recorder to acquire your list of resident adjoiningers, including those adjacent across a public right-of-way, to the property listed on the chicken keeping permit application. Fill out and attach the Certificate of Adjacent Residences and any attachments (**FORM 2**). The staff in the Clerk and Recorder's office will be happy to assist you;
- 3) Assemble your completed and signed Notification of Adjacent Residences and Acknowledgement of Notification (**FORM 3**). **Please note that for applicants wishing to keep between 7 and 15 chickens, adjacent residents, two or more, have the option to protest the application and request a hearing before the City Commission. Adjacent resident(s) decision to protest the application should be noted in the space provided on Form 3.**
- 4) Deliver the Notification to Adjacent Residences to each adjacent residence, **leave a copy of this completed and signed form with the adjacent resident(s) BUT NOT IN THE MAILBOX OR MAILSLLOT** (**FORM 4**);
- 5) Include a sketch identifying the property boundaries, the location of all structures on the property and distances between said structures and between the property boundaries. The sketch must also indicate the location(s) of the chicken enclosure and chicken house. A chicken coop and accompanying enclosure must be spaced at least 5 feet from any property line AND at least 20 feet from an inhabited dwelling other than that of the applicant (**FORM 5**);
- 6) Include a description of the enclosure and chicken house, including materials used and cubic footage(s) (**FORM 5**);
- 7) The name, address, and signed statement of the property owner, **if different from the applicant**, consenting to the keeping of the applied for number of chickens on the property [**IF APPLICABLE**]; and
- 8) Where the party seeking to keep chickens **is not the fee owner** of the property upon which chickens will be kept, the applicant shall obtain the property owner's consent in writing to keep chickens on the property. The owner's consent shall be submitted with the permit application or renewal. For the purposes of this section, when a party seeks to keep chickens on a property owned as condominium, the consent of the property owner's association must be obtained. An officer of the association may sign as the land owner [**IF APPLICABLE**].
- 9) **COMPLETE AND SIGN ALL FORMS** and return with fee payment to the Finance Department in City Hall (121 N. Rouse). **SEE THE CHECKLIST ON THE REVERSE OF THIS PAGE.**

Useful Addresses and Phone Numbers:

Animal Control Officer - **582-2249** or **582-2000** (police non-emergency line)
City of Bozeman Finance Department, City Hall, 121 North Rouse - **582-2327**
Gallatin County Clerk and Recorder, 311 West Main Street, Room 203 – **582-3050**

CHICKEN KEEPING PERMIT CHECKLIST

- \$25 application fee (**6 or fewer chickens**) **OR** \$50 application fee (**between 7 and 15 chickens**)
- Chicken keeping permit application (**Form 1**);
- Certificate of Adjacent Residences (**Form 2**);
- Acknowledgement of Notification of Adjacent Residences (**Form 3**)
Please note that for applicants wishing to keep between 7 and 15 chickens, adjacent residents, two or more, have the option to protest the application and request a hearing before the City Commission. Adjacent resident(s) decision to protest the application should be noted in the space provided on Form 3;
- Notification to adjacent residences (**Form 4**) [**A copy of this signed form is delivered to each adjacent resident, but NOT IN THE MAILBOX OR MAILSLOT**];
- A sketch identifying the property boundaries, the location of all structures on the property and distances between said structures and between the property boundaries. The sketch must also indicate the location(s) of the chicken enclosure and chicken house. A chicken coop and accompanying enclosure must be spaced at least 5 feet from any property line AND at least 20 feet from an inhabited dwelling other than that of the applicant (Form 5);
- A description of the enclosure and chicken house, including materials used and cubic footage(s) (**Form 5**);
- The name, address, and signed statement of the property owner, **if different from the applicant**, consenting to the keeping of the applied for number of chickens on the property [**IF APPLICABLE**]; and
- Where the party seeking to keep chickens is not the fee owner of the property upon which chickens will be kept, the applicant shall obtain the property owner's consent in writing to keep chickens on the property. The owner's consent shall be submitted with the permit application or renewal. For the purposes of this section, when a party seeks to keep chickens on a property owned as condominium, the consent of the property owner's association must be obtained. An officer of the association may sign as the land owner [**IF APPLICABLE**].



CHICKEN KEEPING PERMIT INFORMATION SHEET

BOZEMAN MUNICIPAL CODE
TITLE 6.04.070 (ORDINANCE 1767)
URBAN CHICKEN KEEPING WITHIN THE BOZEMAN CITY LIMITS

Location and Number.

1. Chickens may be kept in the following locations
 - a) on a single-household parcel(s);
 - b) on a parcel(s) under unitary ownership with more than one dwelling on site; and
 - c) on residential parcels under common ownership.

2. The number of chickens authorized per permit shall comply with the following, subject to all other standards in this Chapter:
 - a) for the **first 3,000 square feet** of any residential parcel, **up to four (4) chickens;**
 - b) **for each additional 1,000 square feet of any residential parcel one additional hen up to a maximum of fifteen (15);** and
 - c) for parcels with multiple households the physical area used for determining the maximum number of allowed hens is exclusive to each permit and may not overlap. This may restrict the number of permits issued on a given parcel.

Specific Standards for Chickens.

1. **No male chickens (roosters) over the age of three months are permitted.**
2. No chickens may run at large within the corporate limits of the City of Bozeman. All chickens must be contained within the permittee's property boundary.
3. The permittee shall provide the chickens with a covered, predator-proof chicken house that is thoroughly ventilated, of sufficient size to admit free movement of the chickens. The chicken house must be adjacent to and provide free access to the chicken enclosure. Any heat source or electrical facilities installed in a chicken house must comply with all adopted building and electrical codes of the City of Bozeman.
4. The permittee shall provide the chickens with a predator-proof enclosure of sufficient size to admit free movement of the chickens. Chicken enclosures may be movable.
5. Chickens shall be secured within the enclosure from sunset to sunrise.
6. Chicken enclosures and houses must be kept in a neat and sanitary condition at all times, and must be cleaned on a regular basis so as to prevent offensive odors.
7. Chickens shall have continuous access to adequate food and water.
8. Stored feed must be kept in a rodent- and predator-proof container.



CHICKEN KEEPING PERMIT INFORMATION SHEET

9. Chickens shall be maintained in a healthy condition. Ill chickens shall either receive appropriate medical care or be culled.
10. **No chicken house shall be located closer than 20 feet to any structure inhabited by someone other than the chicken owner, custodian, or keeper, and not closer than 5 feet to any property line. Chicken houses may be movable but must comply with all standards of this section.**
11. No chicken shall be kept in a manner so as to create noxious odors or noise of a loud, persistent and habitual nature.
12. **No chickens shall be slaughtered within the public view.**

Permits Required/Inspections.

1. Prior to the keeping of any chicken(s), a party seeking to keep chickens shall obtain a permit from the City of Bozeman. A permit fee may be established by resolution of the City Commissions and may be revised from time to time. Only one permit shall be issued per household. Issuance of a permit is a discretionary act.
2. The owner of the chickens shall keep a copy of all signed City approval documents for inspection upon request by an Animal Control Officer.
3. A permit for chickens under this section does not relieve any party from any requirement to obtain any other permit or other necessary approvals for any structure, fence, lighting, heat source, etc. as required by the Bozeman Municipal Code.
4. A party wishing to keep chickens shall submit an application to keep chickens to the City of Bozeman Treasurer's Office. The application shall contain the following:
 - a) A sketch identifying the property boundaries, the location of all structures on the property and distances between said structures and between the property boundaries. The sketch must also indicate the location(s) of the chicken enclosure and chicken house.
 - b) The name, address, and signed statement of the property owner, if different from the applicant, consenting to the keeping of the applied for number of chickens on the property.
 - c) Whether the number of chickens kept will be between one (1) and six (6), or between seven (7) and fifteen (15).
 - d) A description of the enclosure and chicken house, including materials used and cubic footage(s).
 - e) A sworn statement that all statements contained in the application are true and that the permit holder shall keep the chickens in compliance with the terms of the permit, application and this section.



CHICKEN KEEPING PERMIT INFORMATION SHEET

- f) The applicant shall provide each residence adjacent, including those adjacent across a public right-of-way, an Acknowledgement of Notification and Request for Hearing form and indicate on said form that the applicant intends to keep chickens in the manner described in the application. The applicant shall submit the signed forms and a listing of all adjacent residents with the application. If a neighbor refuses to sign, the applicant shall so state on the application. For the keeping of seven or more chickens, if two or more adjacent residences request a hearing, the City shall schedule and notice a hearing before the City Commission pursuant to 6.04.070.E.
- g) Where the party seeking to keep chickens is not the fee owner of the property upon which chickens will be kept, the applicant shall obtain the property owner's consent in writing to keep chickens on the property. The owner's consent shall be submitted with the permit application or renewal. For the purposes of this section, when a party seeks to keep chickens on a property owned as condominium, the consent of the property owner's association must be obtained. An officer of the association may sign as the land owner.
5. For any party wishing to keep seven (7) or more chickens, up to the maximum number allowed, the party shall have the location inspected by a City of Bozeman Animal Control Officer prior to the keeping of seven or more chickens. The Animal Control Officer shall review the enclosure, chicken house, and all matters related to the keeping of chickens.
6. If, during any inspection, the Animal Control Officer determines changes are to be made to the enclosure, chicken house, or to the number of chickens to be kept, or require mitigation for the impact to adjacent properties, such as fencing or other screening, the applicant/permit holder shall comply with the order of the Animal Control officer. A person aggrieved by a decision of the Animal Control officer may appeal to the City Manager who shall review all applicable information and issue a decision on the appeal. Appeals from the City Manager's decision on an application, permit or order of an Animal Control Officer's decision may be made to the City Commission. At the time of final approval by Animal Control, the officer shall indicate final approval on the permit and keep a record of final approval.
7. A permit to keep chickens is specific to the permit holder and the location of the permit. A person wishing to move chickens to a different property shall obtain a new permit. A new resident of a property who intends to keep chickens shall obtain a new permit regardless of whether chickens were kept on the property or continue to be kept on the property.
8. Approval of a permit to keep chickens authorizes the permit holder to keep the number of chickens in the manner described on the application and permit. Any increase to the number of chickens to seven (7) or more up to the maximum number allowed, or a significant change to the manner of keeping said chickens shall require a new permit.
9. Nothing in this section shall prevent an Animal Control Officer from requiring an inspection of a property prior to or after issuance of a permit for any number of chickens including six (6) or less.
10. Changes to the standards contained in this section shall require any permit holder to comply with any new standard, regulation, or condition and no notice to a permit holder is required prior to enforcement of any new standard beyond that required for adoption of a new or revised ordinance.

CHICKEN KEEPING PERMIT APPLICATION

(FORM 1)

City of Bozeman, 121 N. Rouse, P.O. Box 1230, Bozeman, MT 59771-1230

Telephone (406) 582-2327

License Fee: _____

1 - 6 Chickens \$25 7 - 15 Chickens \$50

New _____ Change _____

Name: _____
(Last) (First) (M. I.)

Street Address: _____
(Address) (City) (State) (Zip)

Mailing Address: _____
(Address) (City) (State) (Zip)

Home Telephone: _____ Work Telephone: _____

Cellular Telephone: _____

Statement of Purpose: _____
(ie. egg production, meat production, both, neither)

Total number of chickens (NO ROOSTERS OVER THE AGE OF 3 MONTHS): _____

Square Footage of Residential Lot (MINIMUM OF 3,000 SQ FEET NECESSARY TO KEEP CHICKENS): _____

Address where chickens will be kept: _____

- * Application for a chicken permit shall authorize periodic inspections by the animal control officer to insure compliance with the code and insure the health and welfare of the birds.
- * Only one permit shall be issued per household.
- * A permit for six (6) or fewer chickens requires a one-time fee of \$25.00. Inspection of the permittee's chicken house and grounds is at the discretion of the Animal Control Officer who retains the authority to inspect the chicken house and grounds at any time and for any reason.
- * A permit for between seven (7) and fifteen (15) chickens requires a one-time fee of \$50.00. INSPECTION OF THE PERMITEE'S CHICKEN HOUSE, ENCLOSURE(S) AND GROUNDS BY AN ANIMAL CONTROL OFFICER S REQUIRED.
- * Notice of the application shall be provided to occupants of residences adjacent to the site in question.
- * Decisions made to authorize or deny a chicken permit may be appealed to the City Manager by the applicant or occupants residing adjacent to the site in question. Further a ppeals may be made to the Bozeman City Commission.
- * A chicken permit holder shall notify the Animal Control Officer of any change in their operations which may affect their license.
- * The license shall not expire or require renewal unless the number of chickens, permittee address or standard or manner in which the chickens are kept is altered from that which is described in the original permit.
- * I affirm that all statements contained in the application and associated forms are true and that the permit holder shall keep the chickens in compliance with the terms of the permit, application and Title 6.04.070. I have fully read and understand the foregoing requirements and, by signing this application, I agree to fully comply with each of these requirements and those found in BMC 6.04.070 and waive any objection I may have to either. I further understand that should I fail to fully comply, my chicken keeping permit may be revoked or suspended and/or I may receive a civil or criminal citation for related violations.

Signature: _____ Date: _____

CHICKEN KEEPING PERMIT APPLICATION CHECKLIST

- \$25 application fee (6 or fewer chickens) **OR** \$50 application fee (between 7 and 15 chickens)
- Chicken keeping permit application (Form 1);
- Certificate of Adjacent Residences (Form 2);
- Acknowledgement of Notification of Adjacent Residences (Form 3)
Please note that for applicants wishing to keep between 7 and 15 chickens, adjacent residents, two or more, have the option to protest the application and request a hearing before the City Commission. Adjacent resident(s) decision to protest the application should be noted in the space provided on Form 3;
- A sketch identifying the property boundaries, the location of all structures on the property and distances between said structures and between the property boundaries. The sketch must also indicate the location(s) of the chicken enclosure and chicken house. A chicken coop and accompanying enclosure must be spaced at least 5 feet from any property line AND at least 20 feet from an inhabited dwelling other than that of the applicant (Form 5):
- A description of the enclosure and chicken house, including materials used and cubic footage(s) (Form 5);
- The name, address, and signed statement of the property owner, **if different from the applicant**, consenting to the keeping of the applied for number of chickens on the property [IF APPLICABLE]; and
- Where the party seeking to keep chickens is not the fee owner of the property upon which chickens will be kept, the applicant shall obtain the property owner's consent in writing to keep chickens on the property. The owner's consent shall be submitted with the permit application or renewal. For the purposes of this section, when a party seeks to keep chickens on a property owned as condominium, the consent of the property owner's association must be obtained. An officer of the association may sign as the land owner [IF APPLICABLE].

****ATTENTION APPLICANTS****

This checklist is for internal use only and should not be used by an applicant to assess the completeness of their chicken keeping application. Please use the checklist found on the first page of the application materials titled:

CHICKEN KEEPING PERMIT INSTRUCTION SHEET AND CHECKLIST



CHICKEN KEEPING PERMIT APPLICATION
CERTIFICATE OF ADJACENT RESIDENCE(S)
(FORM 2)

I **[PLEASE PRINT YOUR NAME]**, _____,
hereby certify that, to the best of my knowledge, the attached name and address list of
all **adjacent residences** (including all individual condominium owners) of the
property located at _____ **[AS SHOWN
ON THE APPLICATION]**, is a true and accurate name and address list from the
last completed Gallatin County assessment list. **I further understand that an
inaccurate list may delay review of the permit application.**

Signature

Date



ACKNOWLEDGEMENT OF NOTIFICATION FOR THE KEEPING OF CHICKENS

(FORM 3)

On September 28, 2009 the Bozeman City Commission adopted Ordinance 1767, Bozeman's Urban Chicken Ordinance, adding section 6.04.070 to Title 6 of the Bozeman Municipal Code. The section regarding permits and inspections (6.04.070 2 D 4 f) contains the following requirement:

- f. The applicant shall provide each residence adjacent, including those adjacent across a public right-of-way, an Acknowledgement of Notification and Request for Hearing form and indicate on said form that the applicant intends to keep chickens in the manner described in the application. The applicant shall submit the signed forms and a listing of all adjacent residents with the application. If a neighbor refuses to sign, the applicant shall so state on the application. **For the keeping of seven or more chickens, if two or more adjacent residences request a hearing, the City shall schedule and notice a hearing before the City Commission pursuant to 6.04.070.E.**

Applicant's failure to properly complete and return all notice forms may constitute cause to deny the application or revoke the chicken keeping permit.

Please note that two or more protests, for the keeping of between (7) and (15) chickens, are necessary to request a public hearing before the Bozeman City Commission.

I [PLEASE PRINT YOUR NAME], _____, hereby certify that I have delivered via certified mail, e-mail, facsimile transmission or hand delivery written notice(s), as described above upon which the address for the site of the proposed chicken keeping is listed as _____ in compliance with Section 6.04.070 of the Bozeman Municipal Code. **I further understand that failure to comply will result in this application being deemed incomplete and may result in a delay in the review or approval of this application.**

Signature

Date

Complete and sign both sides of this form and return with the application materials.



NOTIFICATION TO ADJACENT RESIDENCES OF THE INTENTION OF KEEPING CHICKENS

(FORM 3 CONTINUED)

I [PLEASE PRINT YOUR NAME], _____, hereby certify that I have identified, and notified via certified mail, email, facsimile transmission or hand delivery all residences adjacent to _____ [PLEASE PRINT THE ADDRESS WHERE YOUR CHICKENS WILL BE KEPT AS IT APPEARS ON THE APPLICATION] of the applicant's intention to keep and maintain [CIRCLE ONE] 6 or fewer OR between 7 and 15 chickens in the manner described in the application and in compliance with BMC Section 6.04.070. Please note that for applicants applying to keep between 7 and 15 chickens, adjacent residents have the option to protest the application. Two or more protests will result in a hearing before the City Commission. Adjacent resident(s) decision to protest the application should be noted in the space provided below.

<u>Adjacent Resident Name</u>	<u>Adjacent Resident Address</u>	<u>Acknowledgement of Notification</u> [OBTAIN SIGNATURE IF POSSIBLE. IF THE ADJACENT RESIDENT REFUSES TO SIGN OR IS UNAVAILABLE PLEASE STATE SO HERE.]	<u>Request for Hearing</u> [for applications proposing between 7 – 15 chickens ONLY] (YES/NO/NO RESPONSE)
1)			
2)			
3)			
4)			
5)			
6)			
7)			
8)			
9)			
10)			

***ATTACH ADDITIONAL SHEETS IF NECESSARY**

I understand that failure to notify all residences adjacent to the proposed chicken keeping site shown on the application, including those adjacent across a public right-of-way, may result in this application being deemed incomplete and potentially delay the review or approval of this application.

Signature

Date



NOTIFICATION TO ADJACENT RESIDENCE(S) FOR THE KEEPING OF CHICKENS
(FORM 4)

Dear resident adjacent to _____ [ADDRESS AS SHOWN
ON THE APPLICATION]. This letter serves as notice of the applicant's intention to keep and maintain
[CHECK ONE]:

- (6) six or fewer chickens; or
- between (7) seven and (15) fifteen chickens

at the address shown above and in compliance with Section 6.04.070 of the Bozeman Municipal Code.

If the applicant proposes to keep between (7) seven and (15) fifteen chickens, and you protest this chicken keeping application and wish to schedule a public hearing before the Bozeman City Commission, please return this form to the Finance Department, **ATTENTION: CHICKEN PERMITS**, City Hall, P.O. Box 1230, or 121 N. Rouse, Ave., Bozeman Montana, 59771 and contact an Animal Control Officer at 582-2000 within **(10) ten business days** of the receipt of this notice. **In order to schedule a hearing before the City Commission, (2) two or more adjacent residents must formally protest by returning this letter to the Finance Department in City Hall.**

Applicant's Name _____ [PLEASE PRINT]

Applicant's Address _____

Applicant's Signature

Date

Please complete this form and leave with all adjacent residences. **DO NOT PLACE IN A MAILBOX OR MAILSLLOT.**



CHICKEN KEEPING PERMIT APPLICATION
DESCRIPTION AND SKETCH SHEET
(FORM 5)

Using the reverse of this sheet, or an attached sheet, please provide a sketch identifying the property address, boundaries, the location of all structures on the property and distances between said structures and between the property boundaries. The sketch must also indicate the location(s) of the chicken enclosure and chicken house. **A chicken coop and accompanying enclosure must be spaced at least 5 feet from any property line AND at least 20 feet from an inhabited dwelling other than that of the applicant.**

Name of Applicant

Address of Applicant and where chickens will be kept, if different than that of the applicant.

Please provide a description of the enclosure and chicken house, including materials used and cubic footage(s):

Name of Applicant

Address of Applicant and where chickens will be kept, if different than that of the applicant.

SKETCH
(attach additional sheets if necessary)

I **[PLEASE PRINT YOUR NAME]**, _____, hereby certify that, to the best of my knowledge, the description of the enclosure and chicken house, including materials used and cubic footage(s) and attached sketch[es] are a true and accurate representations of the conditions found at the address listed on the chicken keeping permit application. **I further understand that an inaccurate list may delay review of the project.**

Signature

Date