

**TOWN OF GILCREST
ORDINANCE NO. 2023-01**

**AN ORDINANCE AMENDING THE TOWN OF GILCREST MUNICIPAL CODE ALLOWING
CHICKEN HENS WITHIN RESIDENTIAL AREAS OF TOWN**

**BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF
GILCREST, COLORADO, THAT:**

Section 1. The Town of Gilcrest Municipal Code Chapter 7, Article V, Section 7-92 is amended as follows:

Sec. 7-92. – Certain animals prohibited.

It shall be unlawful for any person to keep or harbor any exotic animals, hogs, pigs, goats, sheep, buffalo, deer, elk, cattle, horses, ducks, geese, chicken roosters or other livestock or fowl, with the exception of chicken hens as set forth in section 7-101 of this code, within the corporate limits of the Town. The prohibition set forth in this Section shall not apply to household birds, pigeons or doves or within areas zoned A-1 Agricultural.

Section 2. The Town of Gilcrest Municipal Code Chapter 7, Article V is amended with the addition of Section 7-101 as follows:

Sec. 7-101 - Chickens

1. The private keeping of chicken roosters is prohibited. However, up to six (6) chicken hens ("chickens") may be kept on each residential parcel of property, subject to the requirements of this Section and all other applicable provisions of this Code. This Section shall not apply to any area zoned A - Agricultural.

2. Chickens may not be allowed to range free and are restricted to chicken house and run ("chicken habitat").

3. A permit is required and no more than one (1) permit per household shall be issued. The fee for a chicken permit application shall be as established from time to time by resolution of the Board of Trustees. No permit will be issued until the chicken house/run has been inspected for conformance with the regulations by the Town. A violation of this Section shall result in revocation of a chicken permit.

4. All chicken habitats shall meet the following requirements:

a) The chickens must be provided with a covered, predator-resistant chicken house that is properly ventilated and designed to be easily accessed, cleaned and maintained.

b) The chicken house shall be at least four (4) square feet in size per chicken, not to exceed one hundred twenty (120) square feet of ground floor nor seven (7) feet in height.

c) During all hours, the chickens must have access to the chicken house and during daylight hours to an attached run allowing the birds to roam and gain access to sunlight and open air. The run shall provide minimum of five (5) square feet per bird enclosed on all four (4) sides and at the top with fencing adequate to:

- i. Prevent the chickens from escaping.
- ii. Protect the chickens from predators.

5. No chicken house, nor any portion of the run enclosure shall be located in a front yard and shall be set back at least five (5) feet from side and rear property lines.

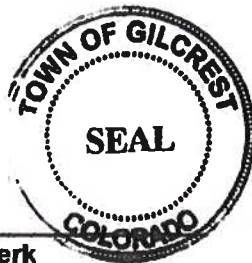
Section 3. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Gilcrest, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this 23rd day of January, 2023.

PASSED by a vote of 5 for and 0 against, AND ORDERED PUBLISHED ONCE BY TITLE this 13th day of February, 2023.



TOWN OF GILCREST, COLORADO

[Signature]
Tyson Chavez, Mayor
Steve Nothman, Mayor

ATTEST:

[Signature]
Brenda Joseph, Town Clerk

APPROVED AS TO FORM:

[Signature]
Corey Y. Hoffmann, Town Attorney