

AN ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY AMENDING SECTION 90.06 ANIMAL CARE, AND ADOPTING SECTION 90.16 KEEPING OF DOMESTIC FOWL UNDER TITLE IX: GENERAL REGULATIONS CHAPTER 90: ANIMALS AND FOWL

WHEREAS, residents of the City of Goose Creek have expressed interest in keeping chicken hens in the backyard of single-family homes for the generation of fresh eggs for personal consumption; and

WHEREAS, in order to promote the health, safety, prosperity, peace, order and comfort of the inhabitants of the City, the City Council deems it necessary to make certain amendments to the Code of Ordinances, in order to allow and clarify owners' obligations for the care and control of chickens living within the city limits of the City of Goose Creek,

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and City Council of the City of Goose Creek, South Carolina, in Council duly assembled, that the Code of Ordinances of the City of Goose Creek, South Carolina, be amended and adopted as follows:

- (1) By amending section (H) of the current Chapter 90.06, Animal Care of the Code of Ordinances of the City of Ordinances of the City of Goose Creek; and,
- (2) Adopting a new Section 90.16: Keeping of Domestic Fowl, which is attached hereto and made a part hereof as if fully set out herein, to the Code of Ordinances of the City of Goose Creek, South Carolina.

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and City Council of the City of Goose Creek, South Carolina, that the Code of Ordinances of the City of Goose Creek, South Carolina, is hereby amended and that all ordinances and provisions that conflict herewith are repealed, and if any sentence, clause, phrase or word contained herein shall be held invalid, such invalidity shall not affect the validity of the remainder of this ordinance.

This ordinance shall become effective immediately upon adoption.

INTRODUCED the 14th day of February 2023.

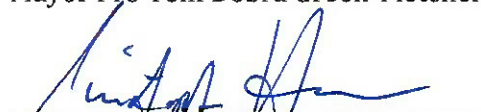
DONE the 14th day of March, 2023.



Mayor Gregory S. Habib

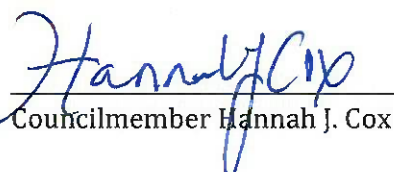
Attest: 
Kelly J. Lovette, MMC, City Clerk


Mayor Pro Tem Debra Green-Fletcher


Councilmember Jerry Tekac


Councilmember Christopher Harmon


Councilmember Gayla S.L. McSwain


Councilmember Hannah J. Cox


Councilmember Melissa Enos

CHAPTER 90: ANIMALS AND FOWL

§ 90.01 DEFINITIONS

CHICKEN. A domesticated bird (of the species *Gallus domesticus*) that serves as a source of eggs and/or meat.

COOP. The structure for the keeping or housing of chickens permitted by this ordinance.

HEN. A female chicken.

ROOSTER. A male chicken.

PEN. A fully enclosed and covered area attached to a coop where the hen(s) can roam.

PET. Any animal or fowl kept for pleasure rather than utility or commercial purposes.

§ 90.06 ANIMAL CARE

- (H) It shall be unlawful to raise any kind of fowl, other than chickens, pigeons, parakeets, parrots, mynah birds and canaries within the city.

§ 90.16 KEEPING OF DOMESTIC FOWL

The keeping of hens shall be in compliance with the following, in addition to any zoning and building regulations that may be applicable to the construction of coops and pens.

- (A) No person shall keep hens on his or her premises within the city without first obtaining a completed and approved application (renewable annually) along with an annual compliance inspection and payment of a fee as set by the city council. As part of the application, the applicant shall sign an agreement pledging to abide by the provisions of this ordinance to allow the premises to be inspected by the City at all reasonable times so as to assure compliance.
- (B) Location: Hens may only be kept on single-family residential properties. Renters of single-family residential properties must provide evidence of the property owner's consent to keep kens on the premise.
- (C) It shall be unlawful to raise hens for commercial purposes within the City limits or to sell eggs laid by hens kept in the City limits.
- (D) Allowed number of chickens: One chicken per 2,500 square feet is allowed per parcel, with a total maximum of 4 chickens allowed per parcel regardless of lot size. Roosters are prohibited.
- (E) Shelter requirements:
- (1) Hens must be confined in a coop not less than 18 inches in height and with a minimum square feet of floor area of two square feet per hen over four months of age, connected to a pen of not less than nine square feet for one bird; 12 square feet for two birds; 16 square feet for three birds; or 20 square feet for four birds, which shall be fully enclosed.
 - (2) Coops and pens shall not exceed six (6) feet in height measured from the ground.
 - (3) Coops must be completely enclosed and constructed in a uniform manner of a sturdy material that provides protection from potential predators and the elements.
 - (4) Coops must be properly ventilated.
 - (5) Pens must be constructed of a fencing material that prevents potential predators and rodents from getting in and that prevents the hens from escaping.
 - (6) The coop and pen must be maintained in good condition and working order.
- (F) Location of shelter structures and perimeter fences:
- (1) Coops and pens must be located in the backyard of a single-family residence and must be screened from the front, side, and rear property lines by shrubbery or a privacy fence so as not to be visible from adjoining properties and from the street.
 - (2) Pens, coops, and enclosures shall be at least five feet from any property line. The structure shall require a permit to be issued by the City.
 - (3) A building permit shall be obtained from the City for the construction of shelter structures and perimeter fences.

(G) Animal welfare and sanitation:

- (1) Chickens shall have continuous access to adequate, clean food and water.
- (2) All grains and food stored for the use of hens shall be kept in a rodent proof container.
- (3) No person shall slaughter hens on the premises.
- (4) All premises on which hens are kept or maintained shall be kept reasonably clean from filth, garbage, and any substances which attract rodents.

(H) Access:

- (1) Hens shall not be kept in an accessory or principal structure. An exception may be made for hens under four (4) months in age to be temporarily kept in an accessory structure to facilitate the regulation of their temperature.
- (2) Hens must be contained within the coop or pen whenever unattended; however, when attended by the owner, may be in a yard completely fenced in by a fence at least four (4) feet in height.
- (3) Hens must be confined to the owner's premises at all times, may not roam at large, and must be secured in the coop from sunset to sunrise each day.

(I) Nuisance prevention:

- (1) The coop, the pen, and surroundings must be cleaned frequently enough to reasonably control odor.
- (2) Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes an unreasonable amount of odor detectible on another property.
- (3) Hens shall not be kept in such a manner as to constitute a nuisance to the occupants of adjacent property.
- (4) Dead animal carcasses shall be properly and safely disposed of within 24 hours as recommended by the applicable health department.

(J) Denial or revocation of a permit:

- (1) A permit to keep hens may be suspended, revoked, or not issued by the City where there is a risk to public health or safety or for any violation of, or failure to comply with, any provision of other applicable ordinances or laws.
- (2) An Animal Control or Code Enforcement Officer may enter and inspect any property containing a coop or pen at any reasonable time for the purpose of investigating either an actual or suspected violation or to ascertain compliance or noncompliance with this ordinance. When the Animal Control or Code Enforcement Officer finds a violation to have occurred, the officer shall give written notice to the owner. If said violation is not remedied within ten (10) days, the Officer may issue a citation to appear in court to answer to the charges. Any owner found guilty of violating any of the provisions of this ordinance shall be guilty of a misdemeanor punishable by a fine and revocation of any permits for the raising and keeping of chickens.
- (3) If a permit is revoked, the owner shall remove the birds from the property within fifteen (15) days of the revocation and remove the coop and pen within (30) days.

(K) Nothing in this amendment to this chapter shall be deemed to override private deed restrictions or homeowner/neighborhood association requirements that prohibit or regulate chickens or farm animals on the affected property.