

RESOLUTION 07-2011

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF CARROLLTON, STATE OF GEORGIA, TO AMEND CHAPTER 14 (“ANIMALS”), ARTICLE III (“ANIMAL CONTROL”), SECTION 14-53 (“CONTROL OF ANIMALS; COMPLIANCE WITH ZONING; CONFINEMENT”) OF THE CODE OF ORDINANCES, CITY OF CARROLLTON, GEORGIA AND SECTION 2.04.02 (“AGRICULTURAL USES”) OF THE CITY OF CARROLLTON UNIFIED DEVELOPMENT ORDINANCE TO ALLOW FOR THE POSSESSION OR CONTROL OF UP TO SIX (6) FEMALE CHICKENS (I.E., HENS) ON CERTAIN PROPERTIES WITHIN THE CITY OF CARROLLTON

WHEREAS, Chapter 14 (“Animals”), Article III (“Animal Control”), Section 14-53 (“Control of animals; compliance with zoning; confinement”) of the Code of Ordinances, City of Carrollton, Georgia and Section 2.04.02 (“Agricultural Uses”) of the City Of Carrollton Unified Development Ordinance (hereinafter “UDO”) currently impose certain restrictions on the keeping of livestock and fowl within the City; and

WHEREAS, a number of City residents have approached the Mayor and City Council about keeping a certain number for female chickens (i.e., hens) for the principal purpose of harvesting eggs; and

WHEREAS, both the City’s Community Development Department and the City of Carrollton Planning Commission (hereinafter “Planning Commission”) have recommended certain changes to Chapter 14 (“Animals”), Article III (“Animal Control”), Section 14-53 (“Control of animals; compliance with zoning; confinement”) of the Code of Ordinances, City of Carrollton, Georgia and Section 2.04.02 (“Agricultural Uses”) of the UDO to permit the keeping of a limited number of hens by residents in the City; and

WHEREAS, the Mayor and City Council find it in the public interest to amend Chapter 14 (“Animals”), Article III (“Animal Control”), Section 14-53 (“Control of animals; compliance with zoning; confinement”) of the Code of Ordinances, City of Carrollton, Georgia and Section 2.04.02 (“Agricultural Uses”) of the UDO as recommended by the City’s Community Development Department and the Planning Commission.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of Carrollton do hereby amend Chapter 14 (“Animals”), Article III (“Animal Control”), Section 14-53 (“Control of animals; compliance with zoning; confinement”) of the Code of Ordinances, City of Carrollton, Georgia and Section 2.04.02 (“Agricultural Uses”) of the UDO as follows:

Sec. 14-53. Control of animals; compliance with zoning; confinement.

...

- (b) It shall be unlawful for any person to have, control, or possess any pasture or enclosure for livestock or fowl in any fashion not authorized by the zoning ordinance of the city. Pens, stables or other structures used for housing livestock or fowl shall be located at least 100 feet from any residence or place of business. However – as set forth in Section 2.04.02(C) of the Unified Development Ordinance – persons may have, control, or possess up to six (6) female chickens (i.e., hens) on properties zoned E-R, R-20, R-15, or R-10. Any such hens must be enclosed in a pen, coop, or other such structure, and any such pen, coop, or other such structure shall be located at least twenty-five (25) feet from the nearest property line.

2.04.02 Agricultural Uses

...

- C. The above notwithstanding, persons may have, control, or possess up to six (6) female chickens (i.e., hens) on properties zoned E-R, R-20, R-15, or R-10. No male chickens (i.e., roosters) are permitted. Any such hens must be enclosed in a pen, coop, or other such structure, and any such pen, coop, or other such structure shall be located at least twenty-five (25) feet from the nearest property line. The hens may not be butchered on the property, and any persons having control or possession of the hens must at all times adhere to Chapter 14 (“Animals”), Article III (“Animal Control”) and Chapter 50 (“Environment”), Article II (“Nuisances”) of the Code of Ordinances, City of Carrollton, Georgia.

ADOPTED this 1st day of August, 2011.

MAYOR AND CITY COUNCIL OF CARROLLTON

Mayor, City of Carrollton

Clerk, City of Carrollton