

Anniston, Alabama

July 20, 2022

The City Council of the City of Anniston, Alabama, met in Regular Session in Room B at the Anniston City Meeting Center in the City of Anniston, Alabama, on Tuesday, July 19th, 2022, at approximately 5:30 o'clock p.m.

Jack Draper, Mayor, prayed the Invocation.

Jack Draper, Mayor, led the Pledge of Allegiance to the Flag.

Mayor Draper called the meeting to order. On call of the roll, the following Council Members were found to be present: Council Members Jenkins, Harris, and Draper; absent: Council Member Roberts and Smith. A quorum was present and the meeting opened for the transaction of business.

Steven Folks, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Jenkins made a motion to waive the reading of and approve the minutes of the June 28, 2022 regular meeting. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: none. The motion carried and the July 5, 2022 regular meeting minutes were approved.

Mayor Draper made a motion to adopt the agenda. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: none. The motion carried and the agenda was adopted.

Council Member Jenkins made a motion to approve the consent agenda:

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the *City (22-R-35)*
- (b) Resolution appointing member(s) to the Anniston Water Works and Sewer Board *(22-R-36)*
- (c) Resolution declaring various vehicles and pieces of equipment as surplus and authorizing their sale *(22-R-37)*
- (d) Motion to award bid for the resurfacing of West 15<sup>th</sup> ½ Street Alley to Vulcan Materials in the amount of \$60,404.00

The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: none. The motion carried and the consent agenda was approved.

Mayor Draper introduced and read an Ordinance Amending Chapter 4 of the Code of Ordinances to allow and regulate the keeping of domesticated chickens *(22-O-5)*:

**ORDINANCE NO. 22-O-5**

**AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES TO ALLOW AND REGULATE THE KEEPING OF DOMESTICATED CHICKENS**

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Anniston, Alabama as follows:

Section 1. The Council hereby amends Chapter 4, Article I, Section 4.7 of The Code of the City of Anniston, Alabama, 1981 and restates the same in its entirety as follows:

Sec. 4.7. – Keeping swine or fowl prohibited.

It shall be unlawful for any person to keep within the city any animal of the swine type or fowl type except (1) exotic birds which are maintained in cage as pets or novelties, or (2) domesticated chickens, excluding roosters, kept for the primary purpose of producing eggs where authorized by Section 4.8.1 of this article.

Section 2. The Council hereby amends Chapter 4, Article I, Section 4.8, Subsection (2) of The Code of the City of Anniston, Alabama, 1981 and restates the same in its entirety as follows:

Sec. 4.8. – Exceptions to sections 4.4 and 4.7.

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(2) Baby fowl such as baby chicks transported into the city for selling purposes or kept within the city for selling purposes, and domesticated chickens, excluding roosters, kept in accordance with the provisions of Section 4.8.1 of this article.

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Section 3. The Council hereby adopts, enacts, and codifies Chapter 4, Article I, Section 4.8.1 The Code of the City of Anniston, Alabama, 1981 to state in its entirety as follows:

Sec. 4.8.1. – Keeping domesticated chickens.

(1) Applicability. The provisions of this section shall govern the keeping of domesticated chickens within the corporate limits of the city.

(2) Permit.

(a) No person shall keep domesticated chickens within the city without a currently valid permit granted by the city.

(b) Any person desiring a permit to keep domesticated chickens within the city shall submit an application to the building and safety division in the form provided by the city together with such plans, drawings, photographs, or other documentation as may be required by the city to verify compliance with the provisions of this section.

(c) Each permit granted by the city shall be valid for a period of one year unless revoked prior to its expiration. The city shall charge and collect a fee in the amount to be determined by the Council as part of the adopted Fee Schedule before granting a permit to any person.

(d) The city shall not grant more than one permit to allow the keeping of domesticated chickens at any property during any year.

(e) All permits to keep domesticated chickens shall be revocable by the city for violation of the provisions of this section or when necessary to protect the public health, safety, or welfare.

(f) A permit granted to keep domesticated chickens is a mere license and shall not be considered, construed, or represented to be a grant of any property right or irrevocable privilege.

(3) Regulations. The keeping of domesticated chickens within the city is permitted subject to the following requirements:

(a) The lot or parcel on which the domesticated chickens are kept must contain a single-family dwelling as its principal structure. The person granted a permit must reside in the single-family dwelling located thereon.

(b) A person may keep up to six domesticated chickens at any permitted location. A person may keep one (1) additional chicken for each 2,000 square feet that the permitted location exceeds 10,000 square feet. There shall not be more than twenty (20) domesticated chickens at any permitted location.

(c) The chickens shall be always kept in a covered enclosure or fenced area. The enclosure or fenced area must provide a minimum of six (6) square feet per chicken. The enclosure or fenced area must be kept in a clean, dry, odor-free, neat, and sanitary condition at all times.

(d) The enclosure or fenced area where the chickens are kept must be (i) located in the rear of the principal structure and (ii) a minimum of twenty (20) feet from any neighboring dwellings, churches, schools, or places of business.

(e) A person granted a permit to keep domesticated chickens within the city shall take such actions and make those improvements as are necessary to reduce the attraction of predators and rodents and to prevent the infestation of insects and parasites.

(f) A person granted a permit to keep domesticated chickens within the city shall not allow the animals to be a nuisance to any neighbors, neighboring properties, or to the public at large. A nuisance shall exist when domesticated chickens present noxious odors, noise of a loud and persistent nature, infestation of insects and parasites, habitation of snakes and rodents, or any unsanitary environment or conditions.

(4) Prohibited Conduct.

(a) It shall be unlawful to keep domesticated chickens within the city in violation of any provision or regulation of this section.

(b) It shall be unlawful to keep roosters within the city.

(c) It shall be unlawful to slaughter chickens within the city.

(d) It shall be unlawful to engage in the breeding of chickens or the production of fertilizer for commercial purposes

(e) It shall be unlawful to allow domesticated chickens to run at large.

(f) It shall be unlawful for any person to allow domesticated chickens to be a nuisance or to cause a nuisance condition to exist.

Section 4. This Ordinance shall become effective October 1, 2022 following its adoption and publication one (1) time in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama. The City Clerk is hereby ordered and directed to cause a copy of this Ordinance to be published one time in said newspaper.

PASSED AND ADOPTED on this the 19th day of July, 2022.

COUNCIL OF THE CITY OF ANNISTON, ALABAMA

By:/s/ Jack Draper, Mayor

By:/s/ Jay Jenkins, Council Member

By:/s/ Millie Harris, Council Member

Council Member Harris made a motion for unanimous consent for immediate consideration of Ordinance 22-O-5. The motion was seconded by Council Member Jenkins and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Harris, and Draper; nays: none. The motion carried.

Mayor Draper made a motion to amend the ordinance to include item 2(c) under Section 4.8.1 "Each permit granted by the city shall be valid for a period of one year unless revoked prior to its expiration. The city shall charge and collect a fee in the amount to be determined by the Council as part of the adopted Fee Schedule before granting a permit to any person and adding an effective date as of October 1, 2022 under Section 4. The motion was seconded by Council Member Harris and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Harris, and Draper; nays: none. The motion carried.

Council Member Jenkins made a motion for passage and adoption of amended Ordinance 22-O-5. The motion was seconded by Council Member Harris and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Harris, and Draper; nays: none. The motion carried and the ordinance was passed and adopted.

Council Member Harris stated that the ordinance that just passed will help families become more sustainable. She stated that this a real positive thing and she appreciates the support of the council.

Council Member Jenkins stated that on August 6, 2022 there will be a Stop the Violence Community Fun Day at the Anniston Aquatic Center. He stated that he appreciates Mr. Folks and Council Member Smith for bringing this event back forward.

Mayor Draper encouraged everyone to come out this Friday, for Fourth Friday. He stated that there are good things in Anniston and they need good crowds' downtown; and it should be a real fun time.

There being no further business to come before the council at that time Mayor Draper made a motion that the meeting be adjourned. The motion was seconded by Council Member Jenkins; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Harris, and Draper; nays: none. The motion carried and the meeting was adjourned at approximately 5:41 o'clock p.m.