

ORDINANCE NO. 369

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE #252 PROVIDING FOR THE PERMITTING PROCESS AND THE KEEPING OF FOWL WITHIN THE TOWN LIMITS OF THE TOWN OF LINGLE, WY.

WHEREAS, the Town Council has received requests to allow domesticated Fowl to be kept on residential premises; and

WHEREAS, the Town Council deems it advisable by Ordinance to provide opportunity for occupants of residential premises to keep Fowl within the Town Limits of the Town of Lingle, WY.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Lingle, Wyoming that:

Section 1:

Definitions: As used in this chapter, unless the context otherwise indicates, the following shall have the meanings specified in this section:

“Fowl” means live chickens or ducks.

1. Those persons wishing to keep Fowl on their property within the Town must apply for a permit.
2. The granting of the permit hereinabove set forth shall be in addition to all other local, state and federal permits, statutes and regulations regarding the care and keeping of Fowl for which a permit is sought.
3. An application for a permit to board or keep Fowl within the Town shall be made to the Town Clerk and shall contain the following:
 - a. Name and address of applicant;
 - b. Plans and specifications addressing the restrictions noted herein.
 - c. Verification from Permittee’s neighbors acknowledging and giving permission to keep fowl on Permittee’s property.
4. When, upon review of the application, and the Town Clerk is satisfied that the proposed plan meets the requirements and regulations of this division, and the code of the Town, and provided, approval has been received from the Town Council a permit shall be issued.

Section 2:

1. Upon the issuance of a permit for Fowl (chickens or ducks), the Town Clerk may place such conditions and restrictions upon the permit as deemed reasonable and necessary, including, but not limited to:
 - b. No permittee/family unit shall have more than six (6) Fowl (chickens or ducks).
 - c. Male Fowl (roosters) are **PROHIBITED**:
 - d. Fowl (chickens or ducks) must be kept in a coop in a rear yard and must remain in the coop or an adjoining fenced enclosure at all times.
 - e. The permit cost is \$5.00 per fowl housed on the premises and must be renewed annually January 31st. The annual renewal fee is \$5.00 per fowl housed on the resident premises. Permit fees will offset the cost of as needed inspections by Law Enforcement, Town Supervisor or Assistant Town Supervisor.
 - f. Households with existing council approved chickens on their property are “Grandfathered in” with their existing arrangement for three years however annual registration of their existing fowl will begin January 31, 2025. On January 31, 2028 “Grandfathered in” households will be required to pay the annual permit fee of \$5.00 per fowl as long as they house fowl on their premise.

Section 3:

Enclosures, which are subject to zoning standards for fence height and accessory buildings, must comply with any property line setbacks and Town Codes. The maximum size of a coop or enclosure may not exceed 10 square feet per Fowl and both together may not exceed 15 square feet per Fowl.

- a. Fencing, landscape buffering or screening of a minimum of 6 feet in height and enclosing the entire perimeter of the coop and Fowl exercise area (yard) must be installed and maintained at all times;
- b. Provisions for the removal of excrement from the property on a regular basis; and
- c. Any other matter which the city council deems reasonably pertinent or relevant to the issuance of the permit.

Section 4:

1. Any person whose application for a permit under this chapter has been denied may request and shall be granted a hearing on the matter before the Town Council.
2. Whenever, upon inspection by Town Representative, it is found that conditions or practices exist which are in violation of any provisions of this division or regulations issued under this division, the Town shall give notice in writing to the person to whom the permit was issued that unless such conditions or practices are corrected within a reasonable period of time specified in the notice by the Town, the permit will be suspended. At the end of such period, the Town shall reinspect such conditions or practices that have not been corrected, the Town clerk shall suspend the permit and give notice in writing of such suspension to the person to whom the permit is issued. Upon receipt of notice of suspension, such person shall cease keeping Fowl.
 - a. Any person whose permit has been suspended or who has received notice from the Town that his permit will be suspended unless certain conditions are corrected, may request and shall be granted a hearing on the matter before the Town Council; provided, that when no petition for such hearing has been filed within ten days following the day on which notice of suspension was served, such license shall be deemed to have been automatically revoked at the expiration of such ten-day period.

Section 5:

1. A permit to keep Fowl is specific to the permit holder and the location of the permit. A person wishing to move Fowl to a different property shall obtain a new permit. A new resident of a property who intends to keep Fowl shall obtain a new permit regardless of whether Fowl were kept on the property or continue to be kept on the property.

Section 6:

2. 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.

Section 7:

1. Prohibited: it shall be unlawful for any person, persons, company or corporation to keep within the town horses, cattle, swine, sheep, goats, mules, burros, llamas, emus etc. (Ord. 252, 7-9-1997; amd 2002 Code.
2. All articles and sections of Ordinance #252 not cited in Ordinance #369 remain intact.

Section 8. SEVERABILITY

If any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such part shall not affect any of the remaining provisions of this ordinance.

EFFECTIVE DATE

Pursuant to Wyoming Statutes 15-1-115 and 15-1-116, this ordinance shall have public readings on three different days and at least ten days shall elapse between introduction and final passage of said ordinance. Said ordinance shall be in full force and effective on 3rd day of July 2024

PASSED AND APPROVED at a Regular Council Meeting of the Lingle Town Council on First Reading by the Affirmative vote of Mayor Foster and ____ Council Members on the 5th day of June 2024.

SEAL:

ATTEST:

Clerk/Richard Reyes

Mayor, Micah Foster

PASSED AND APPROVED at a Regular Council Meeting of the Lingle Town Council on this Second Reading by the Affirmative vote of Mayor Foster and ____ Council Members on the 19th day of June 2024.

SEAL:

ATTEST:

Clerk Richard Reyes

Mayor, Micah Foster

PASSED AND APPROVED at a Regular Council Meeting of the Lingle Town Council on the Third and Final Reading and ordered posted by the affirmative vote of Mayor Foster and ____ Council Members on the 3rd day of July 2024.

SEAL:

ATTEST:

Clerk Richard Reyes

Mayor, Micah Foster

Ordinance No. 369 passed approved and proclaimed effective by Mayor Foster on the 3rd day of July 2024.

I, Richard Reyes, Clerk of the Town of Lingle, Wyoming, do hereby certify that the above and foregoing Ordinance No. 369 is a true and correct copy of the Ordinance introduced, read by title and finally passed at the Regular Council Meeting held July 3, 2024 and posted thereafter, by title, in the Lingle Town Hall on the 5th day of July 2024.

Clerk Richard Reyes

