

Ordinance No. 350



An ordinance amending Ordinance 332, to allow for the keeping of up to eight (8) female chickens, eight (8) ducks, twenty (20) Coturnix Quail, and five (5) adult rabbits (being three (3) does and two (2) bucks) in the city of Thompson Falls, MT, and providing a penalty for violation thereof.

Be it ordained by the City Council of Thompson Falls, Montana:

Section 1. Purpose. Ordinance No. 332 of the City of Thompson Falls, Montana (dated March 15, 2011) is hereby amended to allow for the keeping of up to eight (8) female chickens, eight (8) ducks, twenty (20) Coturnix Quail, and five (5) adult rabbits (3 does and 2 bucks).

Section 2. Conditions of having chickens, ducks, Coturnix Quail in the City Limits. Chickens, ducks, or Coturnix Quail within the city limits of the City of Thompson Falls shall be kept in the following manner:

- A. The chickens, ducks, and Coturnix Quail must be kept on a single-family parcel(s) and may be kept on a parcel(s) under one ownership with more than one dwelling if all residents and the owner consent in writing to allowing them on the property. When chickens, ducks, or Coturnix Quail are kept on a multi-dwelling parcel(s) the owner shall keep a copy of the signed approval document for inspection upon request by animal control personnel.
- B. The owner must obtain an annual permit from the City Clerk. The permit shall be per the fee schedule of the city of Thompson Falls. Chickens, ducks, and Coturnix Quail require separate permits.
- C. Chicken, duck, Coturnix Quail requirements:
 - (1) The chickens, ducks, or Coturnix Quail shall be provided with a covered, predator proof chicken, duck, Coturnix Quail house that is thoroughly ventilated, of sufficient size to allow free movement of the chickens, ducks, or quail, designed to be easily accessed, cleaned, and maintained by the owners and be at least 2 square feet per chicken or duck and 1 square foot per quail in size. House must allow space for food and water bowls.
 - (2) Chickens and ducks shall be confined to the enclosure at night, from sunset to sunrise. Coturnix Quail are to remain in their enclosure throughout the day and night.
 - (3) During daylight hours, chickens and ducks will have access to the chicken or duck house and, weather permitting, shall have access to an outdoor enclosure on

the owner's property, which will be adequately fenced to contain the chickens or ducks to prevent access to chickens or ducks by dogs or other predators.

D. Rabbit Requirements:

- (1) The rabbits shall be provided with a predator-proof rabbit hutch that is thoroughly ventilated, of sufficient size to allow free movement of each rabbit housed, allowing rabbits to lie with legs stretched, and allowing for litter trays, and food and water bowls. Hutch size requirements will depend on size of rabbits based on breed and number of rabbits housed. Hutch size must be long enough to allow rabbits to take at least 3-4 hops without bumping noses on the end. Hutch must be designed to be easily accessed, cleaned, and maintained by owners.
 - (2) The rabbits shall not be allowed to run free on the owner's premises or access adjoining property.
 - (3) The owner must obtain an annual permit from the city clerk. The permit for rabbits shall be per fee schedule of the City of Thompson Falls.
- E. No chicken, duck, Coturnix Quail, or rabbit house/hutch shall be located closer than 20 feet to any residential structure occupied by someone other than the chicken, duck, Coturnix Quail, or rabbit owner, custodian, or keeper.
- F. Stored feed must be kept in a rodent and predator-proof container.
- G. Remains of butchered animals or fowl are to be disposed of in enclosed garbage cans or taken to refuse facility. Remains are not to be retained at a residence long enough for noxious odors to occur which could attract animals or be noticed by neighbors.
- H. Butchering is not to be done within view of the public.
- I. It is unlawful for the owner, custodian, or keeper of any chicken, duck, Coturnix Quail, or rabbit to allow them to be a nuisance to any neighbors, including but not limited to: noxious odors from their enclosure; noise of a loud, persistent, and habitual nature. Animal Control will determine whether or not a nuisance exists on a case by case basis.

Section 3. Notice of Violation and Order to Take Corrective Action. Upon receiving a complaint of a possible violation, Animal Control will investigate and determine if a violation exists. When Animal Control determines a violation of the Code has occurred, Animal Control May issue written "Notice of Violation and Order to Take Corrective Action" to the owner, custodian, or keeper, either personally or by certified mail. Such notice shall specify the provision or provisions alleged to have been violated, along with a short and plain statement of the facts that constitute the violation. Animal Control will revisit the owners address within 10 days of issuing the notice of violation. If the owner, custodian, or keeper has failed to comply with the "Notice of Violation and Order To Take Corrective Action", Animal Control may issue a citation to the owner, custodian, or keeper for failure to comply with the "Notice of Violation and Order To Take Corrective Action" as well as failure to comply with any other applicable requirement of this ordinance.

Section 4. Penalty – Fines. The City Judge of Thompson Falls shall assess animal violation fines. An owner, custodian, or keeper of a chicken, duck, Coturnix Quail, or rabbit who is found guilty of any provision of this ordinance shall be guilty of a misdemeanor and fined an amount not less than twenty-five dollars (\$25.00) or more than five hundred dollars (\$500.00). Failure to comply with a properly issued “Notice of a Violation and Order to Take Corrective Action” shall be counted as a separate offense from a citation issued after the compliance date described in the order. Each day an offense exists shall constitute a separate offense pursuant to this ordinance.

Section 5. Ordinances in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

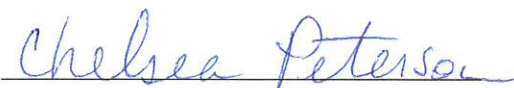
Section 6. Severability. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance that can be given effect without such invalid part or parts.

Section 7. Effective Date. The ordinance shall be in full force or effect thirty (30) days after its final adoption, passage, approval, recording and publication as provided by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF APPROVED BY THE CITY OF THOMPSON FALLS, MONTANA, AT A REGULAR SESSION THEREOF HELD ON THE JUNE 30, 2021.



Mark Sheets, Mayor

Attest: 
Chelsea Peterson, City Clerk/Treasurer

