

**MEMORANDUM**

To: Mayor and City Council Members  
Steve Parker, City Manager

From: Shelley Lutz  
Animal Services Manager

Through: Terry Nichols  
Chief of Police

Rick Cortes  
Assistant City Manager

Subject: Revisions/Clarification to Domestic Fowl Ordinance

Date: July 7, 2020

On June 10<sup>th</sup> city staff met with members of the City's animal husbandry community to discuss and gain insights into the housing/keeping of domestic fowl (hens). Staff met with Dr. Bugai DVM, Jeffrey Hanselka County Extension Agent with Guadalupe County, and Ms. Krysta Kelso with Seguin High School. Staff also met with Mr. Sergio Guardiola to provide him an opportunity to review the proposed changes and offer insight and/or submit comments and input during this process.

Based on the information received, staff is recommending the following revisions to the domestic fowl ordinance.

- A maximum number of eight (8) hens will be allowed at a residence.
- The hens must be kept housed or confined in a manner that does not allow them to create a nuisance.
- The owner must have adequate facilities to house the hens and ensure adequate sanitation.
- All hens must be kept in a coop and run that is at least twenty-four (24) square feet in size or has at least six (6) square feet of space per fowl, whichever is larger.
- All enclosures for the keeping of fowl shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure.
- Up to eight (8) hens may be allowed to temporarily roam outside the coop, but within an enclosed area between the hours of 6:00 a.m. and 10:00 p.m.
- Hens will not be allowed in any location on the property other than in the rear yard.

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- No covered enclosure shall be located closer than ten feet to any property line of an adjacent property. Additionally, where two primary residential structures are located on a single lot, the covered enclosure shall not be located closer than 20 feet to any residential structure on the same lot.
- No person shall keep any rooster.
- No person shall slaughter any fowl on his or her property.
- The principal defined use of the person's property shall be single-family.
- All feed and other items associated with the keeping of fowl that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.

Furthermore, if an owner desires to exceed the maximum number of hens, the owner must request authorization to exceed the number of hens allowed. This authorization shall be valid for one year. The criteria for evaluating the application for excess hens shall be those previously listed. Additionally, owners exceeding the eight hens limit but with less than twenty-six hens must keep animals in a coop and run not less than seventy-five feet from any business or dwelling occupied by any person other than the owner. Facilities with up to fifty hens must keep the animals in a coop and run not less than one hundred feet from any business or dwelling occupied by any person other than the owner. An owner with fifty-one or more hens must keep the fowl in a coop and run not less than one hundred and twenty five feet away from any business or dwelling occupied by a person other than the owner and have a business license that demonstrates a need to house over fifty hens. The facilities shall be subject to inspection by Animal Services. Please note that broiler(s) raised for FFA purposes will be allowed, however require a special permit granted through the City of Seguin.

Staff recommends approval and will be available to answer any questions at your convenience.