

(First published in The Marysville Advocate on March 27, 2025)

ORDINANCE #1942

AN ORDINANCE AMENDING IN PART PORTIONS OF THE CURRENT CODE OF THE CITY OF MARYSVILLE, KANSAS, REGULATING AND ESTABLISHING ANIMAL CONTROL AND REGULATION WITHIN THE CORPORATE LIMITS OF THE CITY OF MARYSVILLE, KANSAS

Be it ordained by the Governing Body of the City of Marysville, Kansas:

Section 1. That **Section 2-118 Keeping Animals, of Article 2. Animals, of Chapter II, ANIMAL CONTROL AND REGULATION.** of the Code of the City of Marysville, is hereby repealed and the following adopted in its place and stead, and any other provisions of said City Code which are inconsistent with the provisions herein shall be amended accordingly.

Section 2. That **Section 2-118 Keeping Animals** of the Code of the City of Marysville shall read as follows:

Section 2-118 Keeping Animals.

It shall be unlawful for the owner, occupant, lessee or person in charge of any premises in the city to possess and maintain any animal or fowl within the city or permit to be maintained thereon any stable, shed, pen or other place where horses, mules, cattle, sheep, goats or swine, pigeons, chickens, ducks, geese, or any other undomesticated animals are kept.

This provision shall not apply to:

(a) The maintaining of horses, sheep, cattle, or combination thereof. Such animal(s) shall be required to be kept upon at least one acre of contiguous land per two animals if the owner, occupant, lessee, or person has two or more contiguous acres of land.

(b) The maintaining of dogs which are regulated by Article 2 of this chapter.

(c) The maintaining of nonpoisonous and non-vicious animals and fowl which are commonly kept as household pets, such as hamsters, rabbits, parakeets, and comparable animals, when kept as household pets and in a safe and sanitary manner in accordance with section 2-220 of this chapter. For purposes of this section and ordinance, pigeons, including racing pigeons, shall not be deemed household pets.

(d) The transporting of animals through the city by ordinary and customary means.

(e) The raising of stock and poultry as regulated by zoning regulations in the A-1 Agricultural District and Section 2-224 of this chapter.

Section 3. That **Article 2. Animals of CHAPTER 2. ANIMAL CONTROL AND REGULATION** of the City Code of the City of Marysville, Kansas, shall be amended by the addition of **Section 2-224 Chickens, Ducks & Quail.** which shall read as follows:

Section 2-224 Chickens, Ducks & Quail

The keeping of female chickens, ducks & quail within the city limits of the City of Marysville shall be permitted under the following conditions and regulations:

(a) Any person who keeps chickens, ducks or quail in the City shall obtain a permit from the City prior to acquiring chickens, ducks or quail; the principal use of the property must be a single-family use dwelling or duplex-family dwelling; the property must be occupied by the person requesting the permit; and, applications for the permit must be made to the City Clerk, and shall be accompanied by a fee in an amount established by policy of the city council. The permit shall be valid until the end of the month of December of the year in which the permit was purchased, subject to renewal. Annual renewals are due my March 15th of the subsequent year. The permit applicant must have the habitation inspected at time of application by the City before approval. Minimum coop requirements will be four square foot per bird inside the coop and ten square foot per bird inside the run.

(b) A person who wishes to continue keeping chickens, ducks or quail shall obtain a renewal permit on or before the expiration date of the previous permit by submitting a renewal application to the City Clerk, accompanied by the renewal permit fee in an amount established by the city council by policy from time to time. Along with the renewal application, the permit applicant must have a reinspection of the habitation by the City before approval. Renewal applications shall be approved by the City Clerk unless a complaint has been filed with the City. If a complaint has been filed, then only the city council may approve the renewal application upon hearing. The city council may deny a renewal application or revoke a permit, after a public hearing upon seven days notice to the permit holder, if it finds any of the following:

- (1.) The premises are being maintained in violation of any applicable law of the State of Kansas or of the City;
- (2.) The premises are being maintained as a public nuisance;
- (3.) The premises are being maintained so as to be detrimental to the health, safety, or peace of mind of persons residing within the immediate vicinity.

(c) No person shall own or harbor more than six chickens, ducks, quail or any combination thereof per tract of land, regardless of the number of dwelling units on the tract of land; only female chickens, ducks & quail are allowed.

(d) Chickens, ducks & quail, must be kept in a clean, safe, and healthy environment, which complies with the requirements of Chapter 2-118 and Chapter 2-220 above. Chicken coops, runs, and chicken tractors may only be located in the rear yard of the premises, located no closer than 10 feet from the property line, and at least 50 feet from any adjacent dwelling, church, school, or place of business, except for the dwelling located on the property of the permit holder.

(e) Odor from the maintaining of chickens, ducks, or quail shall not be perceptible at or beyond the property boundaries; perceptible noise from chickens, ducks, or quail shall not be loud enough at the property boundaries to disturb persons of reasonable sensibilities.

(f) Chickens, ducks, or quail shall be the responsibility of the owner and shall not be allowed to roam outside of the run.

(g) Any violation of this article that constitutes a health hazard or that interferes with the use of enjoyment of neighboring property is a nuisance and may be abated under the general abatement provisions of this Code. In addition, any violation of this article may be cited as a code violation in municipal court punishable by a fine and court costs; and, each day such violation continues shall be a separate offense.

Section 3. That this ordinance shall take effect and be in force and effect on April 1, 2025, following its passage and publication in the official city newspaper.

Passed and Approved by the Governing Body this 24th day of March 2025.

Todd Frye, Mayor

ATTEST: _____
Samantha Ralph, City Clerk