



CHICKEN KEEPING PERMIT INSTRUCTION SHEET AND CHECKLIST

1. **Complete and sign** the chicken keeping permit application (**FORM 1**). The application fee is \$100.00. Checks should be made out to **City of Belgrade**. Failure to complete all sections of the application may result in a delay in processing or denial of your application;
2. Use the Gallatin County GIS Planning and Floodplain Map (<https://gis.gallatin.mt.gov/webmaps/?map=planning>) or inquire with Gallatin County Clerk and Recorder to acquire your list of adjoining owners, including those adjacent across a public right-of-way, to the property listed on the chicken keeping permit application. Fill out and attach the Certificate of Adjacent Residences and any attachments (**FORM 2**).
3. Assemble your completed and signed Notification of Adjacent Residences and Acknowledgement of Notification (**FORM 3**). **Please note that adjacent residents, two or more, have the option to protest the application and request a hearing before the City Commission. Adjacent resident(s) decision to protest the application should be noted in the space provided on Form 3.**
4. Deliver the Notification to each adjacent residence, **leave a copy of this completed and signed form with the adjacent resident(s) BUT NOT IN THE MAILBOX OR MAIL SLOT (FORM 4)**;
5. Include a sketch identifying the property boundaries, the location of all structures on the property and distances between said structures and between the property boundaries. The sketch must also indicate the location(s) of the chicken enclosure and chicken house. A chicken coop and accompanying enclosure must be spaced at least 10 feet from any property line AND at least 20 feet from an inhabited dwelling other than that of the applicant (FORM 5);
6. Include a description of the enclosure and chicken house, including materials used and cubic footage(s) (**FORM 5**);
7. The name, address, and signed statement of the property owner, **if different from the applicant**, consenting to the keeping of the applied for number of chickens on the property [**IF APPLICABLE**]; and
8. Where the party seeking to keep chickens **is not the owner** of the property upon which chickens will be kept, the applicant shall obtain the property owner's consent in writing to keep chickens on the property. The owner's consent shall be submitted with the permit application or renewal. For the purposes of this section, when a party seeks to keep chickens on a property owned as condominium, the consent of the property owner's association must be obtained. An officer of the association may sign as the landowner [**IF APPLICABLE**].
9. **COMPLETE AND SIGN ALL FORMS** and return with fee payment to the Planning and Building Department in Belgrade City Hall (91 East Central Ave. Belgrade, MT 59714) **SEE THE CHECKLIST ON THE REVERSE OF THIS PAGE.**

CHICKEN KEEPING PERMIT CHECKLIST

- \$100.⁰⁰ application fee
- Chicken keeping permit application(**Form 1**);
- Certificate of Adjacent Residences(**Form 2**);
- Acknowledgement of Notification of Adjacent Residences (**Form 3**) **Please note that adjacent residents, two or more, have the option to protest the application and request a hearing before the City Council. Adjacent resident(s)decision to protest the application should be noted in the space provided on Form 3;**
- Notification to adjacent residences (**Form 4**) [**A copy of this signed form is delivered to each adjacent resident, but NOT IN THE MAILBOX OR MAILSLOT**];
- A sketch identifying the property boundaries, the location of all structures on the property and distances between said structures and between the property boundaries. The sketch must also indicate the location(s) of the chicken enclosure and chicken house.A chicken coop and accompanying enclosure must be spaced at least 10 feet from any property line AND at least 20 feet from an inhabited dwelling otherthan that of the applicant (Form 5):
- A description of the enclosure and chicken house, including materials used and cubic footage(s) (**Form 5**);
- The name, address, and signed statement of the property owner, **if different from the applicant**, consenting to the keeping of the applied for number of chickens on the property [**IF APPLICABLE**]; and
- Where the party seeking to keep chickens is not the fee owner of the property upon which chickens will be kept, the applicant shall obtain the property owner's consent, in writing, to keep chickens on the property. The owner's consent shall be submitted with the permit application or renewal. [**IF APPLICABLE**]

Useful Phone Numbers:

Belgrade Animal Control Officer- 388-4262

Belgrade Planning and Building Dept. - 388-3783

****ATTENTION APPLICANTS****

This checklist is for general information only. Additional information, which is not listed here may be required.



CHICKEN KEEPING PERMIT INFORMATION SHEET

BELGRADE CITY CODE
TITLE 4, CHAPTER 7 (ORDINANCE 2018-8)
KEEPING OF CHICKENS

4- 7- 1: Keeping of Chickens Lawful:

Subject to the standards in this Chapter, it shall be lawful to keep up to six (6) female domestic chickens (hens) over the age of three (3) months, or six (6) either sex domestic chickens under the age of three (3) months, or any combination thereof not to exceed a total of six (6) chickens, per permit holder.

4- 7- 2: Location and Number:

- A. Chickens may be kept in the following locations, subject to all other standards in this Chapter:
 - i. on a detached single- household parcel(s) within a residential zoning district;
- B. The number of chickens authorized per permit shall comply with the following, subject to all other standards in this Chapter:
 - ii. minimum lot size of 7, 000 square feet of any residential parcel.

4- 7- 3: Specific Standards for Chickens:

- A. No male chickens (roosters) over the age of three months are permitted.
- B. No chickens may run at large within the corporate limits of the City of Belgrade. All chickens must be contained within the permittee' s property boundary.
- C. The permittee shall provide the chickens with a covered, predator-proof chicken house that is thoroughly ventilated, of sufficient size to admit free movement of the chickens. The chicken house must be adjacent to and provide free access to the chicken enclosure. Chicken enclosures may be movable. Any heat source or electrical facilities installed in a chicken house must comply with all adopted building and electrical codes of the City of Belgrade.
- D. Chickens shall be secured within the chicken house from sunset to sunrise.
- E. Chicken enclosures and houses must be kept in a neat and sanitary condition at all times and must be cleaned on a regular basis so as to prevent offensive odors.
- F. Chickens shall have continuous access to adequate food and water.
- G. Stored feed must be kept in a rodent- proof and predator- proof container.
- H. Chickens shall be maintained in a healthy condition. Ill chickens shall either receive appropriate medical care or be culled.
- I. No chicken house or chicken enclosure shall be located in a front yard. No chicken house shall be located closer than 20 feet to any structure inhabited by someone other than the chicken owner, custodian, or keeper; not closer than 10 feet to any neighbor' s property line or public alley; and not closer than 20 feet from any property line along a public street or roadway. Chicken houses may be movable but must comply with all standards of this section.



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- J. No chicken shall be kept in a manner so as to create noxious odors or noise of a loud, persistent and habitual nature.
- K. No chickens shall be slaughtered within the public view.

4-7-4: Permits Required/ Inspections:

- A. Prior to the keeping of any chicken(s), a party seeking to keep chickens shall obtain a permit from the City of Belgrade. A permit fee may be established by resolution of the City Council and may be revised from time to time. Only one permit shall be issued per household. Issuance of a permit is a discretionary act.
- B. The owner of the chickens shall keep a copy of all signed City approval documents for inspection upon request by an Animal Control Officer.
- C. A permit for chickens under this section does not relieve any party from any requirement to obtain any other permit or other necessary approvals for any structure, fence, lighting, heat source, etc. as required by the Belgrade City Code.
- D. A party wishing to keep chickens shall submit an application to the City of Belgrade for this purpose. The application shall contain the following:
 - 1. A sketch identifying the property boundaries and showing that the lot is a minimum of 7,000 square feet in area, the location of all structures on the property and distances between said structures and between the property boundaries. The sketch must also indicate the location(s) of the chicken enclosure and chicken house.
 - 2. The name, address, and signed statement of the property owner, if different from the applicant, consenting to the keeping of the applied for number of chickens on the property. The owner's written consent shall be submitted with the permit application or renewal.
 - 3. The number of chickens to be kept, up to six (6).
 - 4. A description of the enclosure and chicken house, including materials used and cubic footage(s).
 - 5. A sworn statement that all statements contained in the application are true and that the permit holder shall keep the chickens in compliance with the terms of the permit, application and this section.
 - 6. The applicant shall provide each residence adjacent, including those adjacent across a public right-of-way, an Acknowledgement of Notification and Request for Hearing form and indicated on said form that the applicant intends to keep chickens in the manner described in the application. The applicant shall submit the signed forms and a listing of all adjacent residents with the application. If a neighbor refuses to sign, the applicant shall so state on the application. If two or more adjacent residences request a hearing, the City shall schedule and notice a hearing before the City Council.
 - 7. The applicant shall agree to allow the Animal Control Office to inspect the property upon which the chickens are to be kept any day from 7:00 a.m. to 9:00 p.m. prior to and after the issuance of a permit as a condition of the issuance of a permit.



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- E. If, during any inspection, the Animal Control Officer determines changes are to be made to the enclosure, chicken house, or to the number of chickens to be kept, or require mitigation for the impact to adjacent properties, such as fencing or other screening, the applicant/ permit holder shall comply with the order of the Animal Control officer. A person aggrieved by a decision of the Animal Control Officer may appeal to the City Manager who shall review all applicable information and issue a decision on the appeal. Appeals from the City Manager's decision on an application, permit or order of an Animal Control Officer's decision may be made to the City Council. At the time of final approval by Animal Control, the officer shall indicate final approval on the permit and keep a record of final approval.
- F. A permit to keep chickens is specific to the permit holder and the location of the permit. A person wishing to move chickens to a different property shall obtain a new permit. A new resident of a property who intends to keep chickens shall obtain a new permit regardless of whether chickens were kept on the property or continue to be kept on the property.
- G. Approval of a permit to keep chickens authorizes the permit holder to keep the number of chickens in the manner described on the application and permit.
- H. Nothing in this section shall prevent an Animal Control Officer from requiring an inspection of a property prior to or after issuance of a permit for any number of chickens.
- I. 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.

4- 7- 5: Protest and Hearing:

For the keeping of chickens, a request by the occupants, owners, or residents of two or more adjacent properties for the City Council to conduct a hearing on the application shall subject the application to a hearing before the City Council. Adjacent properties shall include those properties adjacent by a public right-of-way and include those connected by property corners. If a hearing is held the Council may issue a permit if the Council finds:

- A. That the site for the proposed use is adequate in size to accommodate such the keeping of chickens, and all yards, spaces, fences, and enclosures are adequate to properly relate such use with the land and uses in the vicinity;
- B. That the proposed use will have minimal adverse impact on adjacent properties or residents; and
- C. That any conditions stated in the approval are in addition to those required in this Chapter and are deemed necessary and shall apply and be followed by the applicant and the property owner as a condition of approval.

4- 7- 6: Enforcement:

Upon receiving a complaint of a possible violation, the Animal Control Officer will investigate and determine if a violation of this section exists. If the Animal Control Officer determines a violation exists, the officer may serve upon the permit holder or the owner or lessee of the property a written notice of violation and an order to take corrective action, may issue a warning, or may immediately issue a violation notice. The notice of violation may be served by leaving the notice in a conspicuous location at the place of the keeping of the chickens.



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4-7-7: Penalty:

Any person who shall violate any of the provisions of this chapter shall, upon conviction thereof, be subject to penalty as provided in Title 1, Chapter 4 of the Belgrade City Code. In addition, thereto, the court may, upon conviction thereof, terminate all ownership rights in the chickens, order that the chickens be permanently removed from the city limits, or order that the chickens be destroyed at the owner's expense. It is the intent of the City Council to impose absolute liability for the offenses described in this chapter.

CHICKEN KEEPING PERMIT APPLICATION

(FORM 1)

City of Belgrade, 91 East Central Ave, Belgrade, MT 59714

Telephone (406) 388-3783

New Permit ____ Modification to Permit ____

Name:

(Last) _____ (First) _____ (M. I.) _____

Street Address:

(Address) _____ (City) _____ (State) _____ (Zip) _____

Mailing Address:

(Address) _____ (City) _____ (State) _____ (Zip) _____

Primary Telephone: _____ **Secondary Telephone:** _____

Statement of Purpose:

(ie. egg production, meat production, both, neither)

Total number of chickens (MAXIMUM 6 CHICKENS, NO ROOSTERS OVER THE AGE OF 3 MONTHS): __

Square Footage of Residential Lot (MINIMUM OF 7,000 SQ FEET NECESSARY TO KEEP CHICKENS): _____

Address where chickens will be kept: _____

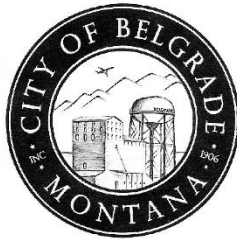
- * Application for a chicken permit shall authorize periodic inspections by the animal control officer to ensure compliance with the code and ensure the health and welfare of the birds.
- * Only one permit shall be issued per household.
- * A permit (maximum six (6) chickens) requires a one-time fee of \$100.⁰⁰. INSPECTION OF THE PERMITEE'S CHICKEN HOUSE, ENCLOSURE(S) AND GROUNDS BY AN ANIMAL CONTROL OFFICER REQUIRED.
- * Notice of the application shall be provided to occupants of residences adjacent to the site in question.
- * Decisions made by the Animal Control Officer may be appealed to the City Manager by the applicant. Further appeals may be made to the Belgrade City Council.
- * A chicken permit holder shall notify the Animal Control Officer of any change in their operations which may affect their license.
- * The license shall not expire or require renewal unless the number of chickens, property owner, or standard or manner in which the chickens are kept is altered from that which is described in the original permit.
- * I affirm that all statements contained in the application and associated forms are true and that the permit holder shall keep the chickens in compliance with the terms of the permit, application and Title 4, Chapter 7 of the Belgrade City Code. I have fully read and understand the foregoing requirements and, by signing this application,
- * I acknowledge that at large chickens may be subject to culling without prior notice.
- * I agree to fully comply with each of these requirements and those found in Title 4, Chapter 7 of the Belgrade City Code and waive any objection I may have to either. I further understand that should I fail to fully comply, my chicken keeping permit may be revoked or suspended and/or I may receive a civil or criminal citation and/or notice to appear in Belgrade City Court for related violations.

Signature _____

Date: _____

Rec'd By: _____

Rec'd Date: _____



CHICKEN KEEPING PERMIT APPLICATION
CERTIFICATE OF ADJACENT RESIDENCE(S)
(FORM 2)

I [PLEASE PRINT YOUR NAME], _____,
hereby certify that, to the best of my knowledge, the attached name and address list
of all **adjacent residences** (including all individual condominium owners) of the
property located at _____ [AS SHOWN
ON THE APPLICATION], is a true and accurate name and address list obtained
from the Gallatin County GIS Planning and Floodplain Map
(<https://gis.gallatin.mt.gov/webmaps/?map=planning>) or the Gallatin County Clerk
and Recorder. **I further understand that an inaccurate list may delay review of
the permit application.**

Signature

Date



ACKNOWLEDGEMENT OF NOTIFICATION FOR THE KEEPING OF CHICKENS

(FORM 3)

On November 2, 2021, the registered electors of the City of Belgrade elected to adopt Ordinance 2018-8, Belgrade's Chicken Ordinance, adding Chapter 7 to Title 4 of the Belgrade City Code. The section regarding permits and inspections (§4-7-4-D-6) contains the following requirement:

6. The applicant shall provide each residence adjacent, including those adjacent across a public right-of-way, an Acknowledgement of Notification and Request for Hearing form and indicate on said form that the applicant intends to keep chickens in the manner described in the application. The applicant shall submit the signed forms and a listing of all adjacent residents with the application. If a neighbor refuses to sign, the applicant shall so state on the application. If two or more adjacent residences request a hearing, the City shall schedule and notice a hearing before the City Council.

Applicant's failure to properly complete and return all notice forms may constitute cause to deny the application or revoke the chicken keeping permit.

Please note that two or more protests are necessary to request a public hearing before the Belgrade City Council.

I [PLEASE PRINT YOUR NAME], _____, hereby certify that I have delivered via certified mail, e-mail, facsimile transmission or hand delivery written notice(s), as described above upon which the address for the site of the proposed chicken keeping is listed as _____ in compliance with Title 4, Chapter 7 of the Belgrade City Code. **I further understand that failure to comply will result in this application being deemed incomplete and may result in a delay in the review or denial of this application.**

Signature

Date

Complete and sign both sides of this form and return with the application materials.



NOTIFICATION TO ADJACENT RESIDENCES OF THE INTENTION OF KEEPING CHICKENS

(FORM 3 CONTINUED)

I [PLEASE PRINT YOUR NAME], _____, hereby certify that I have identified, and notified via certified mail, email, facsimile transmission or hand delivery all residences adjacent to _____ [PLEASE PRINT THE ADDRESS WHERE YOUR CHICKENS WILL BE KEPT AS IT APPEARS ON THE APPLICATION] of the applicant's intention to keep and maintain **6 or fewer chickens** in the manner described in the application and in compliance with Belgrade City Code Title 4, Chapter 7. **Two or more protests will result in a hearing before the City Council. Adjacent resident(s) decision to protest the application should be noted in the space provided below.**

<u>Adjacent Resident Name</u>	<u>Adjacent Resident Address</u>	<u>Acknowledgement of Notification</u> [OBTAIN SIGNATURE IF POSSIBLE. IF THE ADJACENT RESIDENT REFUSES TO SIGN OR IS UNAVAILABLE PLEASE STATE SO HERE.]	<u>Request for Hearing</u> (YES/NO/NO RESPONSE)

I understand that failure to notify all residences adjacent to the proposed chicken keeping site shown on the application, including those adjacent across a public right-of-way, may result in this application being deemed incomplete and potentially delay the review or approval of this application.

Signature

Date



NOTIFICATION TO ADJACENT RESIDENCE(S) FOR THE KEEPING OF CHICKENS (FORM 4)

Dear resident adjacent to _____ [ADDRESS AS SHOWN ON THE APPLICATION]. This letter serves as notice of the applicant's intention to keep and maintain **(6) six or fewer chickens** at the address shown above and in compliance with Title 4, Chapter 7 of the Belgrade City Code.

If you protest this chicken keeping application and wish to schedule a public hearing before the Belgrade City Council, please return this form to: **City of Belgrade Planning Department, Attn. Chicken Permits, 91 E. Central Ave, Belgrade, Montana, 59714** and contact an Animal Control Officer at 388-4262 within **(10) ten business days** of the receipt of this notice. **In order to schedule a hearing before the City Commission**, (2) two or more adjacent residents must formally protest by returning this letter to the City of Belgrade Planning Department.

Applicant's Name _____ [PLEASE PRINT]

Applicant's Address _____

Applicant's Signature

Date

Please complete this form and leave with all adjacent residences. **DO NOT PLACE IN A MAILBOX OR MAILSLOT.**



CHICKEN KEEPING PERMIT APPLICATION
DESCRIPTION AND SKETCH SHEET
(FORM 5)

Using the following page, or an attached sheet, please provide a sketch identifying the property address boundaries, the location of all structures on the property and distances between said structures and between the property boundaries. The sketch must also indicate the location(s) of the chicken enclosure and chicken house. **A chicken coop and accompanying enclosure must be spaced at least 10 feet from any property line AND at least 20 feet from an inhabited dwelling other than that of the applicant.**

Name of Applicant

Address of Applicant and where chickens
will be kept, if different than that of the
applicant.

Please provide a description of the enclosure and chicken house, including materials used and cubic footage:

Name of Applicant

Address of Applicant (and address where chickens will be kept if different than that of the applicant.)

SKETCH
(Attach additional sheets if necessary)

I [PLEASE PRINT YOUR NAME], _____, hereby certify that, to the best of my knowledge, the description of the enclosure and chicken house, including materials used and cubic footage(s) and attached sketch[es] are a true and accurate representations of the conditions found at the address listed on the chicken keeping permit application. **I further understand that inaccurate information may delay review of the project.**

Signature

Date