

Policy No. 1

Rules and Regulations - Chickens

Falcon Pointe Subdivision

Effective August 28, 2024 in accordance with HB 2026, section 442.404.5 (1) & (2) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting ownership or pasturing of up to six chickens on a lot that is two tenths of an acre or larger, including prohibitions against a single chicken coop designed to accommodate up to six chickens. A homeowners' association may adopt reasonable rules, subject to applicable statutes or ordinances, regarding ownership or pasturing of chickens, including a prohibition or restriction on ownership or pasturing of roosters.

- A. Number and Type of Chickens allowed
 - a. Applies to any lot two-tenths of an acre or larger
 - b. Max allowed is six chickens per tract of land, regardless of number of dwellings on tract
 - c. Only female chickens are allowed. No restriction on species
 - d. No Roosters are permitted
- B. Non-commercial use only. It is unlawful to engage in breeding or fertilizer production for commercial purposes
- C. Enclosures
 - a. All chicken coops and any structure or addition associated with the coop must be submitted to the HOA for approval.
 - b. Chickens must be kept in an enclosure or fenced area at all times. Chickens shall be secured within a coop during non-daylight hours
 - c. Coops should not exceed 30 square feet, and the exterior space should not exceed 60 square feet.
 - d. Enclosures must be kept neat, clean, dry, odor free, neat, and sanitary conditions at all times
 - e. Enclosures must provide adequate ventilation, shade, and sun and must be impermeable to rodents, birds, and predators, including dogs and cats.
 - f. Coops shall provide a healthy and safe living conditions for chickens while minimizing adverse impacts to another resident in the neighborhood.
 - g. Enclosures shall be enclosed on all side with a roof and doors. Access doors must be shut and locked at night and if opening windows or vents they must be covered with predator and/or bird proof wire less than one inch open.
 - h. All materials must be uniform and matching the home. The walls must be made of the same material, roof has the same shingles, and any windows or opening are constructed using the same material. The use of scrap, waste board, sheet metal, or similar materials is prohibited and will need to be well maintained.

- i. Chicken wire must be black
 - j. Coops may only be located in the rear of dwelling or structure and must be 50 feet from the property line and 50 feet from any adjacent property lines.
- D. Odor and noise complaints
 - a. Odor from chickens, manure, or other chicken related substances shall not be perceptible at the property boundaries
 - b. Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity
- E. Predators, rodents, insects, and parasites
 - a. The chicken owners shall take necessary actions to reduce the attraction of predators, rodents and potential infestation of insects and parasites. Chickens found to be infested with any of insect or parasite that is resulting in unhealthy condition to human habitation must be removed upon request
- F. Feed and Water
 - a. Chickens need to be provided with access to feed and water at all times but should be unavailable to rodents, birds, and predators
- G. Waste Storage and Removal
 - a. The owner must provide for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than 3 cubic feet of manure may be stored, and all other manure not being used for composting or fertilizing may be removed. The coop and surrounding area must be kept free of trash and accumulated droppings and any uneaten food removed in a timely manner
- H. Chickens at large
 - a. No dog or cat within the community that kills a chicken will for any reason be considered dangerous or aggressive.
- I. Unlawful acts
 - a. It is unlawful for anyone to violate any of these provisions or this section
- J. Nuisance
 - a. Any violation of this that constitutes a health hazard or that interfered with the use or enjoyment of neighboring property is a nuisance and will be address and chickens may need to be removed
- K. Continuing violations
 - a. This is forthcoming as we are consulting an attorney on how to handle violations as it is not outlined in bylaws/indentures