

AN ORDINANCE AMENDING CHAPTER 4 OF THE MUNICIPAL CODE TO PROVIDE FOR THE HARBORING AND RAISING OF DUCKS

WHEREAS, a resident has applied to amend the Municipal Code to provide for the harboring and raising of ducks subject to certain restrictions herein contained.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF EUREKA, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1:

Section 4-1(b) of the Municipal Code of the City of Eureka, Missouri is hereby repealed and a new Section 4-1(b) is hereby enacted in lieu thereof which shall read as follows:

(b) No person shall keep, raise or harbor chickens (other than as provided in Section 4-1.2), guinea fowl, turkeys, ducks (other than as provided in Section 4-1.3) or geese unless such fowl are kept on a residentially zoned tract of land not less than three (3) acres in size, with no more than five (5) of any such fowl being allowed per acre and no more than fifty (50) of any such fowl on a tract of land irrespective of the size of such tract. Chickens may be kept, raised and harbored on commercially zoned tracts of land of five (5) or more acres as approved by the Board of Aldermen. Such consideration may include, but not be limited to, the size and location of the area where they are to be harbored, as well as the total number to be harbored on the subject parcel.

SECTION 2:

A new Section 4-1.3 of the Municipal Code of the City of Eureka, Missouri is hereby enacted which shall read as follows:

SECTION 4-1.3 SAME - DUCKS

- (a) Ducks may be harbored and raised as pets in the City on a lot only within single-family residential zoning districts subject to the following restrictions upon issuance of the required permit:
- (1) Such activity may only be conducted on property that is not contiguous with commercially zoned property, however, such activity is allowed on property which is a minimum of three (3) acres in size irrespective of the zoning of contiguous property.
 - (2) The minimum lot area on which such activity may take place is ten thousand (10,000) square feet, except as approved by the Board of Aldermen.
 - (3) Duck coops must be situated a minimum of fifty (50) feet from any dwelling unit, with the exception of that of the owner.
 - (4) No more than six (6) ducks may be kept on a single lot.
 - (5) Ducks must be kept in a fenced enclosure which must remain in a clean, dry and odor-free condition at all times, however, they need not be kept in a fenced enclosure when under the direct supervision of the owner on the owner's property.
 - (6) All ducks and eggs raised by an individual on their lot may only be used for their and their family's personal enjoyment and consumption.
- (b) To receive consideration for the harboring and raising of ducks one must submit the required permit application accompanied by a twenty-five dollar (\$25.00) permit fee. If the applicant is not the owner of the property on which such activity is proposed, written authority from the owner must be provided. The permit application must be accompanied by a scaled plan of the subject property depicting lot dimensions, proposed coop location and the proximity

of said coop to adjacent dwelling units on surrounding parcels. A City of Eureka Building Inspector will inspect the subject property to ensure initial compliance and may enter the property at any future date to ensure continued compliance.

SECTION 3:

The provisions contained herein shall remain in full force and effect in the event the City or the third party Municipal Code codification company the City engages makes non-substantive changes to the language herein contained or section numbers herein referenced.

SECTION 4:

All ordinances, parts of ordinances or provisions of the Municipal Code of the City of Eureka in conflict with any provisions of this ordinance are hereby repealed.

SECTION 5:

This ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED THIS 19TH DAY OF JUNE, 2018.

(Original with signature on file)

Kevin M. Coffey, Mayor

ATTEST:

(Original with signature on file)

Ralph M. Lindsey, Jr., City Clerk