



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

[www.sbpbg.net](http://www.sbpbg.net)

**#14**

**Kerri Callais**  
Councilmember  
at Large

**Richard "Richie" Lewis**  
Councilmember  
at Large

**Gillis McCloskey**  
Councilmember  
District A

**Joshua "Josh" Moran**  
Councilmember  
District B

**Howard Luna**  
Councilmember  
District C

**Wanda Alcon**  
Councilmember  
District D

**Fred Everhardt, Jr.**  
Councilmember  
District E

**Roxanne Adams**  
Clerk of Council

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, MARCH 7, 2023 AT SEVEN O'CLOCK P.M.

On motion of Mr. McCloskey, seconded by Mr. Moran, it was moved to adopt the following ordinance:

## **ORDINANCE SBPC #2479-03-23**

### **Summary No. 4069**

Introduced by: Councilmember Luna, Alcon, and Lewis on 2/7/23

Public Hearing held on 2/23/23

Tabled on 2/23/23 until 3/7/23

AN ORDINANCE TO **AMEND** CHAPTER 4, ANIMALS AND FOWL; ARTICLE I, IN GENERAL; TO CREATE AND ADD SECTION 4-8 BACKYARD HENS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish Council, the Governing Authority, does hereby ordain that Chapter 4, Animals and Fowl; Article I, In General; to create and add Section 4-8 Backyard Hens of the St. Bernard Parish Code of Ordinances is hereby amended as per attached Exhibit "A".

**SECTION 2.** Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

**SECTION 3.** Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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Extract #14, continued  
March 7, 2023

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** McCloskey, Luna, Everhardt, Callais

**NAYS:** Moran

**ABSENT:** Alcon

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2023.

  
JENNIFER L. IMBRAGUGLIO  
DEPUTY CLERK OF COUNCIL

  
RICHARD "RICHIE" LEWIS  
COUNCIL CHAIR

Delivered to the Parish President

3/9/23 3:30pm  
Date and Time

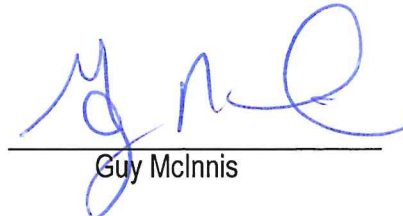
Received by

Margen Kelley

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
Guy McInnis

Returned to Clerk of the Council

3/14/23 9:00am  
Date and Time

Received by

Louisa Adams

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**Chapter 4 – Animals and Fowl**  
**Article I – In General**  
**Section 4-8 – Backyard Hens**

**Section 4-8.1. Definitions**

*Animal Housing Enclosure* means any structure or other enclosure contained within the owner's property limits and designed, adapted, or used to segregate an animal to a smaller area or restrict an animal to a limited space, including, but not limited to, pens, cages, hutches, coops, and fenced portions of a yard or property. This term does not include the term *shelter* as defined in this section.

*Basic Grooming* means maintaining the eyes, ears, beaks, feet, nails, coat, and skin of an animal in such a manner that is reasonably necessary for the health and safety of the animal.

*Chicken coop* means a covered, predator-resistant chicken house that is designed to be easily accessed, cleaned, and maintained, and meets all the specifications for a shelter, animal housing enclosure, and any other applicable requirements of this Chapter.

*Exercise yard* means an enclosure attached to a chicken coop that provides exercise for backyard chickens and is constructed to prevent the backyard chickens from escaping such enclosure and offers protection from predators.

*Nesting box* is a clean, dry, enclosed area in a coop designed to facilitate egg laying that is large enough to allow each hen being kept to sit, stand up, and turn around easily, with sufficient bedding material or nest pads to reduce egg breakage during laying.

*Roosting Space* means a perching area made of non-metallic material that is elevated above the floor level of the nesting box(es), located so that all housed chickens can sit, stand up, and turn around without coming into contact with a wall, the ceiling, or a perch above it, and staggered so that no roosting space is directly above or below it.

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**Section 4-8.2. Permit process for backyard hens.**

- (a) Residents who wish to keep backyard hens must first complete an Application for Backyard Hens Permit (PDF). Only one (1) permit may be issued for any individual property or lot.
  - (1) The permit is non-transferable and shall only be valid for the applicant and location for which it is originally issued.
  - (2) If the applicant does not own the property that they wish to keep backyard hens on, they must submit a written, notarized authorization from the property owner allowing backyard chickens on the property.

**Section 4-8.3. Permit required for backyard hens.**

- (a) Only properties with one legal dwelling unit, not including dwelling units that are backyard cottages or accessory dwelling units, shall harbor no more than ten (10) Backyard Hens, provided that the resident is in compliance with all applicable provisions of the St. Bernard Parish Code of Ordinances.
- (b) The Department shall issue the permit if the following conditions are met:
  - (1) ***Inspection required***  
Applicants shall submit to an in-home inspection by the Animal Control Officer prior to the issuance of a backyard hen permit. A permit shall not be issued if the inspection determines:
    - a. That the requested number of backyard hens cannot be maintained without creating noise or odor nuisances;
    - b. That the requested number of backyard hens cannot be maintained in a healthy and sanitary environment;
    - c. That any backyard hen at the location is not in compliance with any provisions of this chapter.
  - (2) ***No inspection required***  
Applicants who provide proof of having a current backyard hen permit, and who have not obtained additional backyard hens

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since their last inspection, and have had no enforcement actions for violating this chapter during the preceding twelve (12) months, may be issued a permit by mail without inspection. The Department may require an inspection during reasonable hours at their discretion regardless of the applicant's history.

**(3) *Inspection required with a complaint***

Applicants who have had a complaint during the twelve (12) months for violating this chapter, will result in an inspection. The Department will require an inspection during reasonable hours.

- (c) All backyard hen permits issued under this section shall be valid for one (1) year from the date of issuance, and shall be valid only as to the applicant and location for which it was originally issued.
- (d) The keeping of roosters or any other fowl is strictly prohibited and only backyard hens shall be permitted.

**Section 4-8.4. Backyard hen enclosure requirements.**

- (a) Backyard hens must be kept in a secure coop or exercise yard.
- (b) All backyard hen housing enclosures must be securely built, adequately sized for the number of backyard hens housed, maintained in a sanitary condition so that flies or mosquitoes are not allowed to breed and odors are not offensive to adjacent residences or businesses, in compliance with all other requirements of this chapter, St. Bernard Parish zoning laws, and the following minimum standards:
  - (1) In addition to all other requirements under this Chapter, enclosures used to house backyard hens must have an enclosed coop with at least four (4) square feet of space for each hen housed and an attached exercise yard that has at least eight (8) square feet of space per hen housed. The coop may be located above the exercise yard provided that the maximum height is in compliance with all accessory building restrictions; and

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- (2) Enclosures shall be located, constructed, and maintained so that the backyard hens being housed are protected from inclement weather, harassment, stings and bites from insects, and attacks by other animals.
  - (3) If the coop and exercise yard combined are more than 120 square feet of area, then the coop must be permitted through St. Bernard Parish Building Inspections.
  - (4) Coops and exercise yards must be constructed, maintained, and located in compliance with all accessory building requirements.
- (c) A person commits an offense if he/she fails to provide an enclosure or enclosures meeting the criteria set forth in this section.

**Section 4-8.5 Keeping of backyard hens.**

- (a) An individual property with a legal dwelling unit, not including dwelling units that are backyard cottages or accessory dwelling units, may keep backyard hens subject to the following requirements and all other applicable provisions of this Chapter.
- (b) Legal farm, ranch, garden, or orchard uses, as defined by the Zoning Ordinance, are exempt from regulation under this Section.
- (c) A person desiring to keep backyard hens pursuant to this section must first apply for a backyard hen permit in the Office of Community Development. In addition to paying a non-refundable application fee in an amount established from time to time by resolution of the parish council at the time of filing, the applicant shall also:
  - (1) submit a completed permit application on a form provided by the Office of Community Development;
  - (2) provide floorplans and side elevations for the proposed backyard hen housing enclosure or if a commercially available coop is acquired, the manufacturer, model, and size of the coop;

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- (3) provide a site drawing showing the proposed location for the backyard hen housing enclosure that includes all property lines, building lines, setbacks, and other structures located on the property;
  - (4) provide written, notarized authorization from the property owner allowing backyard hens if the applicant is a person other than the owner of the property on which the backyard hen(s) will be kept; and
- (d) Prior to the issuance of a backyard hen permit, a site inspection may be conducted to verify compliance with the requirements of this section. Applicants who provide proof of having a current backyard hen permit, and have had no verified complaints and/or enforcement actions for violating this chapter during the preceding twelve (12) months, may be issued a permit without inspection. The Office of Community Development may require an inspection during reasonable hours at the Office of Community Development's discretion regardless of the applicant's history.
- (e) All backyard hen permits issued under this section shall be valid for one (1) year from the date of issuance. No more than one (1) backyard hen permit may be issued for any individual property, tract or residential lot. The permit is nontransferable and shall be valid only for the applicant and location for which it was originally issued. In the event the permit holder no longer resides at the property for which the permit was issued or ceases to harbor or keep backyard hens on the property, the permit terminates without refund.
- (f) A person commits an offense if he/she fails to comply with any of the following restrictions:
  - (1) Backyard hens(s) shall be kept within a secure coop or exercise yard that is constructed, maintained and located in compliance with all requirements of this section, all requirements for accessory buildings, whether or not such permit is required, and be located behind a fence that is at least six (6) feet in height. Backyard hens shall be kept at all times within the secure coop or exercise yard enclosure except:

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- a. when being removed to be transported to, or returned from, a location off of the property;
  - b. during daylight hours when they are under the direct supervision of an adult, backyard hens may roam in a yard provided that it is enclosed by a perimeter fence not less than six feet in height; or
  - c. when being temporarily confined in a garage or indoor space during periods of extreme cold or brooding.
- (2) Coops shall have a minimum of ten inches (10") of roosting space for each backyard hen kept;
- (3) There shall be at least one (1) nesting box for every four (4) hens kept;
- (4) Adequate food, shelter, water and care shall be provided in a humane manner. All hay, grain, feed, and all other food sources must be stored in secure containers that are not accessible to rats, flies, mosquitos, or other rodents and insects;
- (5) Manure, droppings and soiled bedding material must be immediately disposed of, properly composted, or stored in secure containers that are not accessible to rats, flies, mosquitos, or other rodents and insects;
- (6) Food scraps, kitchen scraps, or other perishable food items cannot be fed on the ground or in any container other than an impervious container or on an impervious platform;
- (7) All backyard hens must have their wings properly clipped and maintained so as to prevent them from flying over the required six foot 6' fence.
- (g) This section shall not supersede, replace or have control over any recorded deed restrictions, covenants, home owner association rules,

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or other applicable restrictions that prohibit the keeping of backyard hens on such property. It is the permit applicant's responsibility to ensure no such restrictions are in place before they apply for a permit.

**Section 4-8.6. Revocation, denial and appeal.**

- (a) A Animal Control Officer may revoke a backyard hen permit issued under this ordinance or refuse to issue a permit if the permittee or applicant fails to meet the standards required in this ordinance, refuses to permit inspections of the premises, or violates any provision of this chapter.
  - 1) If a person commits an offense, and the person is a holder of a backyard hen permit and he/she refuses, upon request by a Animal Control Officer during reasonable hours, to make his/her backyard hens, premises, facilities, equipment, and any necessary registrations or permits, available for inspection.
  - 2) If a person commits an offense, and the person is a holder of a backyard hen permit and he/she refuses to show his permit upon request by a Animal Control Officer.
  - 3) A person commits an offense if he/she harbors a greater number of backyard hens than allowed in section 4-8.3(a).
  - 4) A person commits an offense if he/she is the holder of a backyard hen permit and harbors more backyard hens than authorized in his/her permit.
  - 5) A person commits an offense if he/she harbors backyard hens without first obtaining a valid backyard hen permit.
- (b) A denial or revocation of a permit may be appealed to the Animal Control Manager. The appeal must be made in writing within fifteen (15) days of receiving written notice of the permit denial or revocation from the Department. If no appeal request is received within the fifteen-day period, the denial or revocation of the permit becomes final. Upon receiving an appeal, the Animal Control Manager or his/her designee shall hold a hearing at a time and place of his designation within fifteen (15) days of the appeal being received by the Department.

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- (c) The decision of the Animal Control Manager on the appeal of the denial or revocation of a backyard hen permit shall be final.
- (d) The permittee or applicant may reapply for a new permit under this ordinance at any time.
- (e) Revocations, denials, and appeals of this permit shall be handled in accordance with Section 4-8.6 of this Chapter.



ST. BERNARD PARISH GOVERNMENT  
8201 WEST JUDGE PEREZ DRIVE  
CHALMETTE, LA 70043  
PHONE: (504-278-4200)



## APPLICATION FOR BACKYARD HEN PERMIT

FULLY COMPLETED APPLICATION MUST ACCOMPANY PAYMENT FOR PERMIT TO BE ISSUED.

NEW PERMIT: \_\_\_\_\_ RENEWAL PERMIT: \_\_\_\_\_ ANNUAL PERMIT FEE: \$20.00 DATE: \_\_\_\_\_

NAME: \_\_\_\_\_

PHYSICAL ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

CELL: \_\_\_\_\_ HOME: \_\_\_\_\_ OTHER: \_\_\_\_\_

EMAIL: \_\_\_\_\_

MAILING ADDRESS (IF DIFFERENT): \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

ALL OF THE FOLLOWING MUST BE SUBMITTED WITH THIS APPLICATION:

- FLOORPLAN AND SIDE ELEVATION OF THE COOP AND EXERCISE YARD OR MANUFACTURER, MODEL, AND SIZE IF A COMMERCIALY AVAILABLE COOP IS PURCHASED
- SITE DRAWING THAT LISTS DISTANCES TO ALL ADJACENT BUILDINGS
- NOTARIZED AUTHORIZATION FROM THE PROPERTY OWNER (IF OWNER IS NOT THE APPLICANT)
- LIST OF THE NUMBER OF BACKYARD HENS BEING KEPT OR BEING PROPOSED TO BE KEPT ON THE PROPERTY
- \$20 NON-REFUNDABLE PERMIT APPLICATION FEE

SIGNING BELOW INDICATES THE APPLICANT HAS READ AND UNDERSTOOD ALL APPLICABLE ORDINANCES AND CODES FOR KEEPING BACKYARD HENS AND THAT THE APPLICANT HAS VERIFIED NO HOME OWNER'S ASSOCIATION RULES, DEED RESTRICTIONS, OR OTHER COVENANTS PREVENT THE KEEPING OF FOWL ON THIS PROPERTY. FAILURE TO FOLLOW ALL GUIDELINES IN CHAPTER 4 – "ANIMALS AND FOWL" OF ST. BERNARD PARISH CODE OF ORDINANCES MAY SUBJECT OWNER TO REVOCATION OF BACKYARD HEN PERMIT. ( Ordinance SBPC #2479-03-23)

APPLICANT'S SIGNATURE: \_\_\_\_\_

THIS PORTION TO BE COMPLETED BY ANIMAL SERVICES

PERMIT NO.: \_\_\_\_\_ PAYMENT DATE: \_\_\_\_\_ FEE: \_\_\_\_\_

RECEIPT NO.: \_\_\_\_\_ PAYMENT TYPE: \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_

INSPECTOR: \_\_\_\_\_ INSPECTION DATE: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_

ANIMAL SERVICE SIGNATURE: \_\_\_\_\_