

Dear City Board Members,

I hope this message finds you well. I am writing in response to the recent request by my neighbor for approving a garden fence intended to enclose their ducks and geese, as well as their request to keep these animals, which are currently not permitted under our city code.

While I understand the need for such a fence to ensure the safety and containment of the animals, I would like to express my conditional support for this request. I believe that if there are established rules and a proper permitting process for keeping ducks and geese within city limits, it could be a positive addition to our community. Such regulations would ensure that the animals are well-cared for and that their presence does not negatively impact the neighborhood.

However, I am concerned about the appearance and quality of the proposed fence. To maintain the aesthetic appeal and overall cohesion of our neighborhood, I recommend that the fence be constructed of city approved materials. These options would provide the necessary functionality while blending seamlessly with the existing surroundings, thereby preserving the visual integrity of our neighborhood.

In the interest of fairness and practicality, I suggest giving my neighbor until spring to put up a new fence. This extension will provide them with ample time to save up for the construction of a suitable fence that meets permitting standards.

To support my position, I have included examples of permits and city codes from two other cities in our state that allow for the keeping of ducks and geese under specific conditions. Additionally, I have attached a news article from Aurora, Colorado, which recently added ducks to their list of permitted animals. These examples demonstrate that with proper regulations and community support, the integration of such animals can be successfully managed.

In summary, I am supportive of my neighbor's request, provided that it complies with appropriate regulations and that the fence is constructed from suitable materials. I trust that the city board will consider these points and make a decision that benefits both our neighbor and the broader community.

Sincerely,

1377 Blue Heron Trl.
Barb Kraemer 7/31/24
James E. Larson 7/31/24
Merlin Eichstadt
1336 Blue Heron Trail
Maileene K. Larsson
Jue Eichstadt
1296 Blue Heron Trl

DUCK APPLICATION

Rochester Code of Ordinances [Chapter 3-5](#) governs duck permits. With a permit, up to 3 hens are allowed on any premise. A permit for up to 12 hen ducks may be issued if the applicant is involved in educational or instructional activity. An applicant must submit a letter of request with the permit application explaining how the need for the greater number of ducks is directly related to the educational or instructional activity. Drakes are not permitted.

Permit applications must be submitted with a scaled diagram indicating the location of any duck coop and run, and will be reviewed by City staff for compliance with the regulations in the ordinance. The City Council must approve the application before a permit is issued.

[The Duck Application can be found here.](#)



CHICKEN OR DUCK PERMIT NEW OR RENEWAL APPLICATION FOR PERMITS TO INDIVIDUALS

Rochester Code of Ordinances Chapters [3-4](#) and [3-5](#) require a permit for the keeping of Chickens or Ducks on the premises of any property in the City limits. A permit is good for up to two years, and expires on Dec. 31st of its second year. The fee for a permit is \$36. Renewal applications arriving after Dec. 31st will incur a 50% expired license fee. Required fees must be paid at the time an application is submitted.

Instead of sending in this form, applications can be submitted online through the Accela Citizen Access portal. See the following instructions:

Register Public User Account (video): <https://lf.rochestermn.gov/Documents/ElectronicFile.aspx?dbid=0&docid=761310>

Applying for a New License (PDF): <https://www.rochestermn.gov/home/showdocument?id=25959>

Fill in all blanks. Write N/A if a question is not applicable.			
Is this a renewal of an existing or previous permit with the City of Rochester? ☐ Yes ☐ No			
STEP 1. PREMISE ADDRESS			
Address and Owner Information			
Address Where Animals Are Kept	City	State	Zip Code
Property Owner Name			
Email Address	Primary Telephone Number		Alternate Phone Number
What is your preferred spoken language?		What is your preferred written language?	
Do you need an interpreter? ☐ Yes ☐ No			

STEP 2. CONTACT INFORMATION			
Application Information			
Provide information about who is completing this application (<i>may or may not be the same as the person obtaining the permit</i>)			
First Name		Last Name	
Primary Phone Number	Type of Phone ☐ Cell ☐ Business ☐ Home ☐ Other	Alternative Phone Number	Type of Phone ☐ Cell ☐ Business ☐ Home ☐ Other
Email Address			
Account Mailing Address		City	State Zip Code
Please send official notices relating to this permit to: ☐ Mailing Address ☐ Email			
LICENSE HOLDER			
Provide information about who this license will be issued to			
First Name		Last Name	
Primary Phone Number	Type of Phone ☐ Cell ☐ Business ☐ Home ☐ Other	Alternative Phone Number	Type of Phone ☐ Cell ☐ Business ☐ Home ☐ Other
Email Address			
STEP 3. INFORMATION ABOUT ANIMALS TO BE KEPT ON PREMISES IN THE CITY LIMITS			
Type of animal requested: ☐ Chicken ☐ Duck			
Number of Birds to be kept: _____ (Note: Roosters are not allowed.) NOTE: Limit of 3 birds applies unless you are involved in educational or instructional activity; up to 12 birds can be approved with information about the educational or instructional activity. Are you attaching any additional information or documentation to support a request for 4-12 hens? ☐ Yes ☐ No			
Location of coop and enclosed outside yard/run:			
Size of coop:		Sized of enclosed outside yard/run:	
STEP 4. REQUIRED DOCUMENTS AND PAYMENT			
Attached scaled diagram indicating location of any coop or enclosed run from adjoining structures and property lines ☐ Yes ☐ No		License fee of \$36 submitted for a two year permit (Permit expires on Dec. 31 st of its second year) ☐ Yes ☐ No	
COMPLETE THE REQUIRED NOTIFICATION AND VERIFICATION SECTION, INCLUDING REQUIRED SIGNATURE, ON THE NEXT PAGE OF THIS FORM			



STEP 5. NOTIFICATION AND VERIFICATION

The information collected and required as part of this application will be used to determine eligibility for a City of Rochester License or Permit. Disclosure of this information is voluntary. It is not legally required to provide requested data, however, failure to do so may mean the City of Rochester is unable to process this application.

All information contained in this application is public information upon submission pursuant to the Government Data Practices Act, Minnesota Statutes Chapter 13. Individuals have the right to see and obtain copies of the data maintained on them, including private data, and also have the right to be told the contents and meaning of the data, and to contest the accuracy and completeness of the data.

Notice of Ability to Sign up for Electronic Notifications of Proposed City Ordinances

As an applicant for a license or permit or renewal of an existing license or permit, you are also hereby notified that the City of Rochester distributes general city information and notices through an electronic notification system, and you may sign up to receive notices through this electronic notification system on the City's website at <http://www.rochestermn.gov/i-want-to/sign-up-for/email-updates> This includes notice of proposed ordinances at least 10 days prior to final adoption by the City Council in accordance with Minn. Stat. 415.19.

A SIGNATURE IS REQUIRED IN ORDER TO PROCESS YOUR LICENSE APPLICATION

I, (print name) _____, have read and understand the above information regarding my rights as a subject of government data and that all information I provide as part of this application is public. I acknowledge I have been provided information about what is required for me as an individual to obtain a permit from the City of Rochester, and how to receive notifications of proposed City ordinances. I agree I will strictly comply with all ordinances of the City of Rochester relating to the permit for which I have applied, and understand I can review all current City ordinances on the City website or in the City Clerk's Office. I further understand that the giving of false information as part of this application, regardless of when it is discovered, or failure to meet the requirements set forth in RCO Chapter 3-4 or 3-5, including all requirements relating to coops and runs, can constitute cause for denial, suspension, or revocation of my permit.

Signature of Applicant _____ Date _____

CHAPTER 3-5. - DUCKS

Sec. 3-5-1. - Limitation on number allowed.

- (a) It is unlawful for any person to keep or harbor ducks on any premises unless issued a permit to do so as provided in this chapter. Except as provided in subsection (b) of this section, no permit shall be issued for the keeping or harboring of more than three ducks on any premises.
- (b) A permit may be issued by the common council for the keeping or harboring of up to 12 ducks if the applicant is involved in educational or instructional activity, and the need for the greater number of ducks is directly related to the educational or instructional activity.

(Code 1965, § 113B.01; Ord. No. 4351.3, § 1, 8-6-2018; Ord. No. 4512, §§ 1, 2, 2-5-2024)

Sec. 3-5-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Duck coop means a structure for housing ducks made of wood or other similar materials that provides shelter from the elements.

Duck run means an enclosed outside yard for keeping ducks.

Premises means any platted lot or group of contiguous lots, parcels or tracts of land.

(Code 1965, § 113B.011; Ord. No. 4351.3, § 1, 8-6-2018)

Sec. 3-5-3. - Permit.

No person shall maintain a duck coop and run unless they have been granted a permit by the city. The permit shall be subject to all terms and conditions of this chapter and any additional conditions deemed necessary by the city to protect the public health, safety and welfare. The necessary permit applications are available online and in the city clerk's office. Included with the completed application must be a scaled diagram that indicates the location of any duck coop and run, and the approximate size and distance from adjoining structures and property lines. A permit for the keeping of ducks may be revoked or suspended by the council for any violation of this chapter following written notice and a public hearing. The fee for a permit shall be established as part of the fee schedule adopted by the common council. Issued permits will be valid until December 31 of the following year.

(Code 1965, § 113B.02; Ord. No. 4351.3, § 1, 8-6-2018; Ord. No. 4435, § 1, 7-19-2021; Ord. No. 4512, § 3, 2-5-2024)

Sec. 3-5-4. - Confinement.

Every person who owns, controls, keeps, maintains or harbors ducks must keep them confined at all times while in the city in a duck coop and duck run. Any coop and run shall be screened with a solid fence or landscaped buffer with a minimum height of four feet. Any coop and run shall be at least 25 feet from any residential structure on any other premises.

(Code 1965, § 113B.03; Ord. No. 4351.3, § 1, 8-6-2018)

Sec. 3-5-5. - Requirements for duck coops and runs.

All duck coops and runs must be located at least 25 feet from any dwelling on any other premises. All duck coops must meet the requirements of the building and zoning codes, must not exceed ten square feet per duck, and must not exceed six feet in total height. Attached fenced-in duck runs must not exceed 20 square feet per duck and must not exceed six feet in total height. Duck runs may be enclosed with wood and/or woven wire materials, and allow ducks to contact the ground. Duck feed and manure must be kept in rodent-proof and raccoon-proof containers and must not be placed in yard compost piles.

(Code 1965, § 113B.04; Ord. No. 4351.3, § 1, 8-6-2018)

Sec. 3-5-6. - Conditions.

No person who owns, keeps or harbors hen ducks shall permit the premises where the hen ducks are kept to be or remain in an unhealthy, unsanitary or noxious condition or to permit the premises to be in such condition that noxious odors are carried to adjacent public or private property. Any duck coop and run authorized by permit under this chapter may be inspected at any reasonable time by a city animal control officer or other agent of the city.

(Code 1965, § 113B.05; Ord. No. 4351.3, § 1, 8-6-2018)

Sec. 3-5-7. - Violations.

Any person who keeps or harbors ducks in the city limits without obtaining or maintaining a current permit or after a permit has been suspended or revoked by council action shall be guilty of a petty misdemeanor.

(Code 1965, § 113B.06; Ord. No. 4351.3, § 1, 8-6-2018)

Backyard chickens and other fowl

You can keep chickens, turkeys, ducks, pigeons and quail with a fowl permit. **Do not purchase any birds until your permit is approved.**

Application process and costs:

1. Contact 311 to apply for a permit. You will have to:
 - Show proof of consent from your neighbors.
 - Attend an approved fowl education course.
 - Provide a copy of zoning approval from the City's Community Planning & Economic Development department.
2. Let an animal control officer inspect your home to make sure the animals are being kept in safe and livable conditions.
3. Pay the application fee for one-year permit.
4. Pay a renewal every year to keep the permit.

Contact 311

Annual Fowl Permit Application Fees

Number of birds	Application fee	Annual renewal fee
1–6	\$30	\$30
7–15	\$55	\$55
16–30	\$80	\$80
Roosters	\$105	\$105

63.90. - Fowl.

- (a) No person shall keep, harbor, or maintain care, custody, or control over any fowl such as a chicken, turkey, duck, or pigeon, without obtaining a permit. Any person desiring a permit shall make written application to MACC. Approval of application is subject to reasonable conditions prescribed by MACC. Failure to adhere to permit conditions shall constitute cause for adverse action against the permit and shall be a violation of this section.
- (b) MACC may grant a permit pursuant to this section only after the applicant has met any educational requirements as established and published by MACC and has provided evidence of notification to all immediately adjacent property owners, in a format supplied by or approved by and to the satisfaction of MACC. If the applicant is a renter, approval from the property owner shall be required. Neighbor notification will be the responsibility of the property owner, though it may be carried out by the applicant.
- (c) Fowl must be purchased or acquired in accordance with Minn. Statute Sections 70.40 and 74.100 and any other applicable law.
- (d) The requirements of this section shall not prohibit the adoption of fowl to the public by any releasing agency, private shelter, rescue group, or public sheltering agency provided the adoption contract specifies that the animal cannot be sold, transferred, or otherwise disposed of for a period of six (6) months following the adoption without written consent of the releasing agency, except for euthanization by a licensed veterinarian to prevent pain and suffering or disease transmission.
- (e) No person having the care, custody, and control of any fowl shall abandon said fowl or allow any fowl to run at large off the property of its owner or custodian.
- (f) All permits shall expire twelve (12) months from the date of issuance unless sooner revoked. The application fees for such permits shall be as established in the license fee schedule and shall be payable upon application. MACC may inspect the premises annually or as deemed necessary.
- (g) Permits shall be classified into three (3) tiers, with Tier I consisting of one (1) to six (6) hens, Tier II of seven (7) to fifteen (15) hens, and Tier III of sixteen (16) to thirty (30) hens, with associated fees as established in the license fee schedule.
- (h) Standards of care, practice, restrictions, and enclosure requirements include the following:
- (1) Residential coops, pens or other structures shall be limited to six (6) fowl of any kind per permit. Permits in excess of the allowable number shall need to be approved by MACC and may require additional conditions.
 - (2) Location of coop, run, or pen must be in compliance with all zoning code requirements and enclosed to ensure fowl are confined to permittee's property. The enclosure must be of proper size for the number and type of fowl being housed as prescribed by MACC.

- (3) Residential coops, pens, or other structures shall be an allowed accessory to a dwelling subject to the following:
 - a. The use shall be located not less than twenty (20) feet from any habitable building on an adjacent property.
 - b. The use shall be visually screened from any adjacent residential use.
 - c. The use shall be constructed of durable materials and shall be compatible with the principal structure and adjacent residential properties.
 - d. The use shall be located entirely to the rear of the principal residential structure.
- (4) Fecal waste or litter shall be removed at such reasonable times to prevent odors from emitting over property lines. Such waste or litter must be double bagged and disposed of in city garbage or composted provided the method used and the location does not present a public nuisance or health issue.
- (5) Slaughter of any kind shall be prohibited within the City of Minneapolis.
- (6) Roosters shall be prohibited without special permit.
- (7) A permit to keep more than six (6) fowl or to keep roosters shall require the written consent of at least eighty (80) percent of the occupants of the several descriptions of real estate situated within one hundred (100) feet of the applicant's real estate. Such written consent shall be required on the initial application and as often thereafter as MACC deems necessary.
- (8) Any coop found to be a public nuisance provided notice to abate the issues has failed to correct the issue within a reasonable time is prohibited and all permits associated with the coop may be revoked or denied. The coop and all fowl shall be removed by the property owner within forty-eight (48) hours of notice of the revoked or denied permit at the expense of the permit holder or applicant.
- (9) MACC may deny, suspend, revoke or take other authorized adverse action against any permit applied for or granted pursuant to this section if any condition or requirement is violated or if the keeping of fowl becomes a public nuisance or for other good cause.
- (10) Public nuisance for the purpose of coops includes, without limitation, any chicken coop that on three (3) or more occurrences in a twelve (12) month period receives complaints of noise, odor, or any other violation from more than one complainant, provided the complaints are founded and established by MACC.
- (11) No person, business, or entity shall maintain or cause to be maintained any commercial business related to the keeping of fowl on residential property unless otherwise permitted by the City of Minneapolis. If so permitted, commercial coops must:
 - a. Maintain any applicable business license, health department permit, zoning permit, and permit issued by the MACC.

- b. Be limited to thirty (30) fowl of any kind with at least four (4) square feet provided for each fowl housed inside the physical coop and ten (10) square feet for each fowl while housed in outside run.
- c. Be maintained in such a manner as to prevent a public nuisance.
- d. Comply with all zoning and health regulations as well as any other applicable law.
- e. Be properly identified as required by MACC.
- f. Provide adequate care, as defined in this title.
- g. Provide adequate safeguards to protect the fowl from animals and to prevent unauthorized access to the fowl by general members of the public.
- h. Be kept in good repair, maintained in a clean and in a sanitary condition, and free of any vermin, obnoxious smells, and substances. (Ord. No. 2016-009, § 1, 2-12-16)

Aurora adds ducks to list of permitted pets — as long as these rules are met

Aurora City Council voted Monday night to allow domesticated ducks in city limits



LITTLETON, COLORADO – JUNE 15: Ducks and ducklings lounge by a stream in Denver Botanic Gardens' Chatfield Farms facility in Littleton, Colorado, Wednesday, June 15, 2022. (Photo by Jintak Han/The Denver Post)



By **SAJA HINDI** | The Denver Post

UPDATED: August 24, 2022 at 3:51 p.m.

Aurora residents could soon keep domesticated ducks on their properties after the Aurora City Council approved the measure Monday night.

Council members voted 9-1 in favor of the measure on first reading, with Councilman Curtis Gardner voting against it. The second vote is likely slated for Sept. 12, according to city staff.

Duck owners must abide by certain requirements: They have to keep a minimum of two ducks as the ducks are social animals; single-family properties that are less than 20,000 square feet can have up to six chickens or two ducks and four chickens; single-family properties with 20,000 or more square feet can have up to eight

chickens or two ducks and six chickens or three ducks and five chickens, or four ducks and four chickens.

Roosters will still not be allowed on residential properties within city limits.

The ducks and chickens — which were already allowed — have to have a covered “predator-resistant” house in a fenced-in yard that’s at least 2 square feet per hen or duck and the chicken and hens must have access to the coop and outdoor enclosure during the day. At night, they have to be secured inside from dusk to dawn. They also have to be sheltered so “as to prevent them from coming into contact with wild ducks or geese or their excrement, and to prevent them from running at large.”

From April through October, ducks have to have access to a single container with a minimum of 30 gallons of fresh potable water, according to the ordinance.

And owners will have to get a city permit.

While the City Council had serious questions about ducks running into other people’s yards and water features, they also took advantage of the opportunity to use as many puns as possible during the discussion.

At one point, Mayor Pro Tem Francoise Bergan asked, “do you have any concerns about quackery?”