

ORDINANCE NO. 2025-07-1204

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

AN ORDINANCE AMENDING SECTION 153.171: CHICKEN, HOBBY OF THE TONTITOWN MUNICIPAL CODE; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Tontitown has adopted regulations for animals and fowl for use by the City of Tontitown, which is codified in Section 153.171: Chicken, Hobby of the Tontitown Municipal Code; and

WHEREAS, it has become apparent to the City Council of Tontitown that a need exists to amend Section 153.171: Chicken, Hobby in order to provide updated regulations for hobby chickens within permitted districts of the City of Tontitown, as set forth in the attached Exhibit "A"; and

WHEREAS, the Tontitown City Council has determined that it is in the best interest and benefit to the community to amend Section 153.171: Chicken, Hobby of the Tontitown Municipal Code, as set forth below.

NOW THEREFORE, BE IT ENACTED, by the City Council of the City of Tontitown, as follows:

Section 1. That Section 153.171: Chicken, Hobby of the Tontitown Municipal Code is hereby amended, as set forth in the attached Exhibit "A".

Section 2. The rest and remainder of the Tontitown Municipal Code not specifically amended herein remains in full force and effect.

Section 3. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

Section 4. Declaration of Emergency. It is hereby found and determined that Section 153.171: Chicken, Hobby of the Tontitown Municipal Code should be immediately amended in its entirety to provide updated regulations for hobby chickens in order to ensure the health and safety of animals, the owners, and neighboring properties within the City of Tontitown. Therefore, an emergency is declared to exist, and this act, being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor.


PASSED AND APPROVED this 15 day of July 2025.

APPROVED:



Angela Russell, Mayor

ATTEST:



Rhonda Ardemagni, City Clerk-Treasurer
(SEAL)



§ 153.171 CHICKEN, HOBBY.

Hobby chickens allowed in permitted districts shall meet the following regulations:

(A) *Roosters* are permitted only on properties of 2 acres or more. No more than 1 rooster per 2 acres.

(B) *Placement of enclosures.* All hen enclosures shall be placed at least 15 feet from neighboring dwellings and located in a rear or side yard.

(C) *Condition of enclosures.* All enclosures 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 odor.

(D) *Food containers.* All food used for chickens shall be kept in a suitable container with a tight-fitting cover so as to be inaccessible to rodents.

(E) *Applicability.* These regulations are not intended to apply to indoor birds kept as pets, such as, but not limited to, parrots or parakeets, nor the lawful transportation of fowl through the corporate limits of the city. Neither shall they apply to poultry kept in areas of the city which are zoned A-1.

(Ord. 2017-12-669, passed 12-5-17)

