

ORDINANCE 2026-01

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PEOSTA AS A REQUIREMENT FOR POSSESSION OF LAYING HENS IN THE CITY OF PEOSTA, IOWA

SECTION 1: PURPOSE. The purpose of this Amendment to regulate the keeping of female laying hens for egg production only on single family residential properties within the City of Peosta in a manner that protects public health, safety, and neighborhood integrity.

SECTION 2: AMENDMENT. The Code of Ordinances of the City of Peosta, Iowa, is amended by adding to TITLE 90: HEALTH AND SANITATION: NUISANCES, CHAPTER 91: ANIMALS, §91.10 LIVESTOCK ANIMALS the following:

Section 3. DEFINITIONS

- Laying hens: Female, egg laying hens kept for non-commercial purposes.
- Hen Coop: A permanent or semi-permanent structure designed to house laying hens.
- Hen Tractor: A movable enclosure that provides shelter and containment for laying hens.
- Special Permit: A city-issued authorization allowing the keeping of urban laying hens under specified conditions.

Section 4. Permit Requirement

- A Permit is required to keep urban laying hens.
- Permits shall be issued by the City of Peosta for a period not to exceed two (2) years.
- Renewal requires submission of a new application and approval by the Building or Zoning Official.
- Applicants must submit a site drawing indicating the proposed location of the hen coop or tractor.
- A non-refundable permit fee as outlined on fee schedule adopted by resolution shall be submitted with the application.

Section 5. District Limitations

- Only allowed in Single Family Residential Districts:
 - Maximum of 6 laying hens per single family residential property.

- Roosters are strictly prohibited in all zoning districts.
- Minimum lot size for hen keeping in single family residential districts shall be a minimum of a quarter of an acre (0.25) in size. Anything smaller requires approval from the Board of Adjustments.

Section 6. Setback Requirements

- Coops and tractors must be located:
 - At least 25 feet from any neighboring dwelling (home or apartment)
 - 20 feet from the rear of property
 - Outside of all easements, drainage areas, and utility corridors
- Any variance from these setback requirements must be approved by the Peosta Board of Adjustments.

Section 7. Care and Maintenance

- Laying hens must be cared for in a humane and sanitary manner.
- Owners shall ensure adequate food, water, and shelter at all times.
- Waste shall be managed to prevent odors, pests, and unsanitary conditions.
- Composting of hen waste is prohibited.

Section 8. Housing Requirements

- Each laying hen must be provided with a minimum of four (4) square feet of enclosure space.
- Laying hens must be secured within a coop or tractor during non-daylight hours.
- Coops and tractors must:
 1. Be enclosed on all sides with a roof and lockable doors
 2. Include predator-proof wire mesh on windows and vents (openings < 1 inch)
 3. Be maintained in good repair and cleanliness
 4. Be located in the rear yard only

Section 9. Prohibited Activities

- Slaughtering of laying hens on residential property is strictly prohibited.
- On-site sales of eggs or poultry products are not permitted.

Section 10. Inspection and Enforcement

- A pre-approval inspection shall be conducted by the designated building official.
- Follow-up inspections may occur annually or upon renewal.
- Inspections may occur as a result of resident complaints at any time.

- The City reserves the right to inspect permitted properties at any time for compliance as outlined in the City of Peosta's Code of Ordinances, TITLE III: ADMINISTRATION, CHAPTER §31.01 RIGHT OF ENTRY.
- Violations may result in fines, removal of laying hens, or denial of future permits.

Section 11. Permit Revocation

Permits may be revoked for any of the following:

- Keeping roosters
- Exceeding the allowed number of laying hens
- Failure to maintain sanitary or secure conditions
- Unauthorized relocation of coop or tractor
- Verified nuisance complaints (odor, noise, pests)

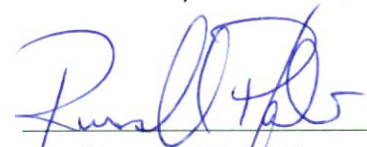
Those who have permit revoked must wait a period of one year to apply for a new permit.

SECTION 12. SEVERABILITY CLAUSE. Should any section or provision of this ordinance be declared by the court to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid or unconstitutional.

SECTION 13. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances in conflict with this ordinance, or inconsistent with the provisions of this ordinance, are hereby repealed to the extent necessary to give this ordinance full force and effect.

SECTION 14. EFFECTIVE DATE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED, APPROVED AND ADOPTED by the Council of the City of Peosta, Iowa this 24th day of February, 2026.



Russell Pfab, Mayor

Attest:



Marcie Winkelman, City Clerk

1st reading February 24, 2026

2nd reading waived February 24, 2026

3rd reading waived February 24, 2026

Adopted February 24, 2026

I hereby certify that the above Ordinance Number 2026-01 was posted at Peosta City Hall, Peosta Post Office, and the Dubuque County Library/NICC-Peosta Branch on _____, 2026.

Marcie Winkelman, City Clerk