



PLANNING AND ZONING MEETING AGENDA

Wednesday, July 09, 2025 at 7:10 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich
Vice Chairman: Scott Bullinger
Dean Franchuk
Zach Keller
Val Decker
Rick Haugen
Aaron Johansen
Mike Schwab
Mathew Rothstein

CALL TO ORDER

ROLL CALL

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

2. MINUTES

A. JUNE 11TH 2025 MINUTES

3. REGULAR AGENDA:

A. RENAISSANCE ZONE APPLICATION (REN-002-2025) - Presented by City/County Planner, Steve Josephson

To consider a request for a Renaissance Zone Project at a property with the address of 716 Villard Street West, legally described as Lot 6, Block 18, Young's Fifth Addition Subdivision.

B. FINAL MAJOR PLAT (FLP-005-2025) - Presented by City Planner, Natalie Birchak

To consider a Final Major Subdivision Plat for the Jolliffe Acres Subdivision, being a replat of Blocks 1 & 2, and Lots 1-4 of Blocks 3 & 4 of the Greenvale 3rd Addition Subdivision located in the E ½ of Section 9, Township 140 North, Range 96 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 26.467 acres.

C. RENAISSANCE ZONE APPLICATION (REN-003-2025) - Presented by City/County Planner, Steve Josephson

To consider a request for a Renaissance Zone Project at a property with the address of 1500 Villard Street West, legally described as Lots 14-18, Block 3, College Subdivision.

D. FINAL MINOR PLAT (FLP-006-2025) - *Presented by City Planner, Natalie Birchak*

To consider a Minor Subdivision Plat for the Schmidt Minor Subdivision located in the SE ¼ of Section 33, Township 140 North, Range 95 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 7.77 acres.

E. REZONING (REZ-005-2025) - *Presented by City Planner, Natalie Birchak*

To consider a Zoning Map Amendment from Agriculture (AG) and General Commercial (GC) to Rural Residential (RR) for Lot 1 of Block 1 of the proposed Schmidt Minor Subdivision located in the SE ¼ of Section 33, Township 140 North, Range 95 West, in the City of Dickinson's Extra-Territorial Zone (ETZ). The site consists of +/- 1.49 acres.

F. SPECIAL USE PERMIT (SUP-003-2025) - *Presented by City Planner, Natalie Birchak*

To consider a Special Use Permit amendment for a dog grooming home-based occupation in Low Density Residential (R-1) zoning at 270 29th Dakota Place. The property is legally described as Lot 7 in Block 4 of the Suncrest First Addition Subdivision in the NW ¼ of the SW ¼ of Section 2, Township 139 North, Range 96 West, in the City of Dickinson. The site consists of +/- 0.27 acres.

G. ZONING TEXT AMENDMENT (ZTA-002-2025) - *Presented by City Planner, Natalie Birchak*

To consider a zoning text amendment to Section 62-162 "Development Regulations" of the City of Dickinson North Dakota Zoning Ordinance regarding increasing the minimum required lot size of Agriculture-zoned lots from five (5) acres to ten (10) acres.

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

6. WORK SESSION

A. PROPOSED LOT MODIFICATION AMENDMENT - *Presented by City Planner, Natalie Birchak*

B. CHICKEN PRESENTATION - *Presented by June McCarty*

7. ADJOURNMENT

Link for viewing Planning and Zoning Commission Meeting:
<https://youtube.com/live/wQKvobHwGPE>

This link will not be live until approximately 7:10 AM MT on July 9, 2025.

Teams Meeting: <https://tinyurl.com/2s4kz4hj>

Meeting ID: 261 902 382 784 3

Meeting Passcode: 7cN9WN3h

Teams Phone #: +1 701-506-0320

Local Phone #: 701-456-7006

Phone Conference ID: 952 931 474#

Persons desiring to attend the meeting who require special accommodations are asked to contact the City Administrator by the Friday preceding the meeting.



PLANNING AND ZONING COMMISSION MEETING MINUTES

Wednesday, June 11, 2025 at 7:10 AM
City Hall – 38 1st Street West Dickinson, ND 58601

Commissioners:

Chairman: Jason Fridrich

Vice Chairman: Scott Bullinger

Dean Franchuk

Zach Keller

Val Decker

Rick Haugen

Aaron Johansen

Mike Schwab

Matthew Rothstein

CALL TO ORDER

ROLL CALL

PRESENT

Chairman Jason Fridrich

Vice Chairman Scott Bullinger

Commissioner Dean Franchuk

Commissioner Richard Haugen

Commissioner Mike Schwab

Commissioner Val Decker

Commissioner Mathew Rothstein

ABSENT

Commissioner Zach Keller

Commissioner Aaron Johansen

OPENING CEREMONIES: PLEDGE OF ALLEGIANCE

1. ORDER OF BUSINESS:

Motion to approve order of business.

Motion to approve made by Commissioner Decker, Seconded by Vice Chairman Bullinger.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

2. MINUTES

A. MAY 14TH 2025 MINUTES

Motion to approve as presented.

Motion made by Vice Chairman Bullinger, Seconded by Commissioner Franchuk.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

3. REGULAR AGENDA:

A. REZONING (REZ-001-2025) - *Presented by City Planner, Natalie Birchak*

To consider a Zoning Map Amendment from Unzoned and Community Commercial (CC) to Public (P) for Part of Block 4 of the Nuhaven 2nd Addition Subdivision in the NW ¼ of the SE ¼ of Section 33, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 3.40 acres.

City Planner, Natalie Birchak presents the request. This item had been heard and approved at prior April Planning and Zoning and City Commission meetings, but due to a noticing error the item is being heard and voted on again. There has been no public comment and staff recommends approval.

Chairman Fridrich opens the public hearing. There being no comment the hearing is closed.

Motion to recommend approval made by Vice President Bullinger. Seconded by Commissioner Decker

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

B. FINAL MINOR PLAT (FLP-001-2025) - *Presented by City Planner, Natalie Birchak*

To consider a Minor Subdivision Plat for the 16th St Business Plaza Addition Subdivision located in the SW ¼ of the NW ¼ of Section 34, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 1.21 acres.

City Planner, Natalie Birchak presents the request. This item had been heard and approved at prior April Planning and Zoning and City Commission meetings but due to a noticing error the item is being heard and voted on again. Staff has received no public comment and recommends approval of this project.

Chairman Fridrich opens the public hearing. There being no comment the hearing is closed.

Motion made to recommend approval by Commissioner Franchuk, Seconded by Commissioner Haugen.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

C. FINAL MAJOR PLAT (FLP-002-2025) - Presented by City Planner, Natalie Birchak

To consider a Major Subdivision Plat for the Jerry Williams Subdivision located in the SE ¼ of Section 22, Township 139 North, Range 96 West, located in the City of Dickinson’s ETZ. The site consists of +/- 35.66 acres.

City Planner, Natalie Birchak presents the request. This item had been heard and approved at prior April Planning and Zoning and City Commission meetings but due to a noticing error the item is being heard and voted on again. She notes that there was also a road maintenance agreement submitted. Staff has not received public comments and recommends approval.

Chairman Fridrich opens the public hearing. There being no comment the hearing is closed.

Motion made to recommend approval by Commissioner Schwab, Seconded by Commissioner Franchuk.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

D. FINAL MINOR PLAT (FLP-003-2025) - Presented by City Planner, Natalie Birchak

To consider a Minor Subdivision Plat for the Badlands Storage Second Addition Subdivision located in the SE ¼ of the NE ¼ of Section 28, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 6.04 acres.

City Planner, Natalie Birchak presents the request. This item had been heard and approved at prior April Planning and Zoning and City Commission meetings but due to a noticing error the item is being heard and voted on again. There is also an associated SUP permit, and an easement vacation. Staff has not received any public comment and recommends approval.

Chairman Fridrich opens the public hearing. There being no comment the hearing is closed.

Motion made to recommend approval by Commissioner Decker, Seconded by Vice Chairman Bullinger.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

E. SPECIAL USE PERMIT (SUP-001-2025) - Presented by City Planner, Natalie Birchak

To consider a Special Use Permit amendment for a convenience storage facility in General Commercial zoning at 430 29th Street West. The property is legally described as Lot 1 in Block 1 of the Badlands Storage Subdivision, and Lot 1 in Block 1 of Tweeten's Third Addition Subdivision in the SE ¼ of the NE ¼ of Section 28, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 6.04 acres.

City Planner, Natalie Birchak presents the request. This item had been heard and approved at prior April Planning and Zoning and City Commission meetings but due to a noticing error the item is being heard and voted on again. Staff has not received any public comment and recommends approval subject to conditions.

Chairman Fridrich opens the public hearing. There being no comment the hearing is closed.

Motion made to recommend approval by Commissioner Haugen, Seconded by Commissioner Decker.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

F. REZONING (REZ-004-2025) - Presented by City Planner, Natalie Birchak

To consider a Zoning Map Amendment from Low Density Residential (R-1) to Medium Density Residential (R-2) for Lot 1 of Block 14 of the Koch's Meadow Hills 4th Addition Subdivision in the SW ¼ of the NW ¼ of Section 28, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 0.573 acres.

City Planner, Natalie Birchak presents the rezoning request. Staff has not received any public comments and recommends approval. She states the lots to the east were rezoned at last week's City Commission meeting.

Chairman Fridrich opens the public hearing. There being no comment the hearing is closed.

Motion made to recommend approval by Commissioner Decker, Seconded by Commissioner Franchuk.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

G. FINAL MINOR PLAT (FLP-004-2025) - Presented by City Planner, Natalie Birchak

To consider a Minor Subdivision Plat for the Reddish Corner Addition located in the NE ¼ of the NW ¼ of Section 3, Township 139 North, Range 96 West, in the City of Dickinson. The site consists of +/- 0.385 acres.

Ms. Birchak presents the final plat request. The purpose of the plat is to combine the properties to comply with the zoning ordinance prohibiting private garages on residential lots without an existing primary structure. They are zoned R1. Staff has not received any public comment and recommends approval.

Chairman Fridrich opens the public hearing. There being no comment the hearing is closed.

Motion made to recommend approval by Commissioner Franchuk, Seconded by Commissioner Haugen.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

H. SPECIAL USE PERMIT (SUP-002-2025) - Presented by: City Planner, Natalie Birchak

To consider a Special Use Permit for a group living facility in Community Commercial zoning at 2143 6th Avenue West. The property is legally described as the south 117 feet of Lot 3 and all of Lot 4 in Block 5 of Lutz’s 1st Addition Subdivision, in the SE ¼ of the SE ¼ of Section 28, Township 140 North, Range 96 West, in the City of Dickinson. The site consists of +/- 1.25 acres.

Ms. Birchak presents the SUP request. This was heard at the last pz meeting and staff has received the additional documents that were required. Staff does recommend approval subject to the conditions listed on the staff report. Staff has received numerous public comments for and against the project. There was also a public engagement meeting held on May 28th at City Hall.

Applicant, Dakota Gant, Executive Director of United Way, is present.

Commissioner Haugen asks about a concern regarding the potential hiring of high-risk sex offenders. Gant states that all applicants will undergo screening and background checks with North Dakota law enforcement to ensure this doesn’t happen.

There is discussion about allowing entry without an ID. Gant explains that individuals may enter without an ID, but a case manager will assist them in obtaining one as soon as possible.

Commissioner Decker asks about commitment letters for funding, which are not included in the packet. Gant replies that he was unable to obtain them.

Commissioner Schwab asks about a majority of the funding coming from the treatment center. Gant explains it is its own entity within the building. Schwab questions why it is included in the same report. Gant clarifies that treatment-related funds – anything on the 2nd floor will be paid by SWMCC and the rest will be paid by the United Way. Discussion follows about current and future funding—some programs are already in operation.

Gant states the facility will operate 24/7. Discussion turns to the Bismarck facility, which Gant says is not comparable.

Commissioner Rothstein asks about policies and procedures related to gender identification, stating they conflict with a recent House bill. Gant responds that they will revise the policies to comply with the law. Rothstein also inquires about the House of Manna (HOM) and whether it will be part of the facility. Gant says if HOM believes they are jeopardizing the SUP approval, they are willing to remain in their current location.

Rothstein asks about a perimeter fence. Gant says there is an existing fence on the west side, and they plan to add fencing on the north side.

Haugen inquires about designated smoking areas. Gant confirms there will be designated smoking areas.

Schwab asks about full-time security. Gant says they will hire trained security personnel. If needed, they will train individuals to manage security in-house.

Schwab asks about transportation for residents. Gant states they will provide transportation using personal vehicles and may purchase vehicles if necessary.

Rothstein asks about staffing levels. If they don't meet minimum staffing, will they still operate? Gant says no—they will not operate above their approved tier without proper staffing.

Haugen asks about a 10:00 p.m. curfew and overnight staff. Gant confirms there will be more than one staff member on-site overnight.

Schwab asks if the grant funding allows for operational expenses. Discussion follows regarding grant eligibility. Heather Ingman with DVRCC explains some of the funding. Multiple grants are in use, and she explains how those funds are applied.

Chairman Fridrich opens the public hearing.

Bruce Koppinger, President of the North Hills Townhome Association, speaks in opposition. He has collected nearly 400 signatures on a petition. He believes the location is inappropriate and incompatible with the area. He raises concerns about potential funding shortfalls and the burden falling on Dickinson taxpayers. He also voices concerns about safety and declining property values. He notes that zoning in other North Dakota cities prevents similar facilities near residential areas and requests denial.

Alison Wanner (affiliation unclear) manages billing for services. She explains how funding is received—almost 100% of costs are covered—and they accept private insurance. She reminds the commission that similar services already operate out of the old hospital without issue. Schwab asks about the diversion program, and Wanner explains its function. She references a new House bill allowing only three counties in North Dakota to apply for such programs.

Sarah Moe, a private citizen, speaks in favor. She says the commission must support all Dickinson residents and states that denying this would go against the Constitution.

Trevor Ernst speaks in opposition, comparing the project to Villard Commons. He claims it does not support public health, safety, or welfare. He provides a handout referencing a research study and argues that some of the supporting documentation is inaccurate or misleading.

Phyllis Sackman, a nearby resident, asks whether there has been research on the project's impact on local businesses and if those businesses were consulted. She opposes the facility at this specific location.

Tracy Tooz, an investor, states that the SUP requirements have been met, including those for security. He has been an employer in Dickinson for many years and points out that grants require strict compliance and monitoring. He believes local homelessness numbers are underreported, citing untracked tent encampments. He also comments on the high cost of mental health services in the area.

Public hearing is closed.

Rothstein follows up about the smoking area. Gant says it will follow state and city regulations, though the specific location hasn't been determined. Rothstein asks how soon the facility will open if approved. Gant estimates 3–6 months.

Rothstein asks what procedures are in place if the SUP is revoked. Gant says they currently have none.

Schwab asks if future funding issues might impact SWCCC. Wanner says it should not be an issue. If necessary, the facility could relocate.

Haugen asks if any city or county funds will be used. Gant firmly states no—they will not seek city or county funding.

Schwab requests a staffing breakdown showing what United Way pays versus SWMCC. Gant says it's included in the documentation, but Schwab disagrees. Gant shows him where it's located and explains which entity covers each position.

Decker expresses concern about property values and disagrees with the business revenue plan. Schwab agrees.

Haugen shares similar concerns but is unsure if those fall under the Planning and Zoning Commission's purview. Commissioner Bullinger echoes Haugen's comments, believes the proximity to residential is acceptable, and recognizes the need.

Rothstein agrees there is a need and references the comprehensive plan and a 10-year plan to end homelessness. He feels the city hasn't made a strong effort to implement that plan and questions the lack of community engagement. He doubts whether this project reflects the interests of all Dickinson residents.

Commissioner Franchuk acknowledges the need but believes this site is not appropriate and raises concerns about finances.

Fridrich says he understands both sides. He admits he would not be comfortable having this facility near his own home. He emphasizes that health, safety, and welfare must include everyone. While he's personally concerned about reliance on grant funding as both a citizen and business owner, he recognizes that's outside P&Z's scope.

Motion to recommend denial made by Commissioner Decker. Seconded by Commissioner Franchuk.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein

Voting Nay: Commissioner Haugen

4. PUBLIC ISSUES OF CONCERN NOT ON AGENDA

5. ITEMS NOT ON AGENDA

Steve Josephson announces Vision West will be holding a workshop in July and invites the Commissioners to attend.

6. WORK SESSION

A. AG - DISTRICT MINIMUM TEXT AMENDMENT - *Presented by City Planner, Natalie Birchak*

Ms. Birchak presents the proposed text amendment, which was discussed at the previous Planning & Zoning meeting. The amendment proposes changing the minimum lot size from 5 acres to 10 acres. She is seeking confirmation from the commission on whether it is acceptable to bring this forward at the July P&Z meeting. Anything already approved would be grandfathered in. The Commission recommends for her to proceed.

B. LOT MODIFICATIONS - *Presented by City Planner, Natalie Birchak*

Ms. Birchak presents the current lot modification process and asks whether the commission would like to see any changes. She shares a PowerPoint presentation with questions to consider and reviews the existing definitions of lot split, lot combination, and lot line adjustment. She also presents North Dakota Century Code 57-02-39, along with process comparisons from Bismarck, Williston, Fargo, and Grand Forks. She summarizes her findings.

Schwab asks whether a survey is still required if a lot line is being eliminated and whether hiring a surveyor could be avoided in that case. Birchak responds that a survey is still necessary when combining lots.

Fridrich asks whether there have been any issues with the current process. Birchak comments that the existing process is compliant with Century Code. She notes that there is no requirement for a city planner's signature on the plat and no ceiling on how many lots can be combined.

City/County Planner, Steve Josephson adds that a concern with large lot combinations is the lack of a public hearing process.

Fridrich argues that since density isn't changing, the public hearing might not be necessary. He agrees that planning input is important but does not believe the process needs to change.

Birchak states that she would like to see a change to the ceiling on the number of lots that can be combined.

7. ADJOURNMENT

9:04am

Motion made by Vice Chairman Bullinger, Seconded by Commissioner Schwab.

Voting Yea: Chairman Fridrich, Vice Chairman Bullinger, Commissioner Franchuk, Commissioner Haugen, Commissioner Schwab, Commissioner Decker, Commissioner Rothstein



RENAISSANCE ZONE PROJECT APPLICATION
 CITY OF DICKINSON, NORTH DAKOTA
 COMMUNITY DEVELOPMENT DEPARTMENT

To receive City of Dickinson approval on zone projects, the following information must be submitted .

1. Type of project		
Business <input checked="" type="checkbox"/>	Residential <input type="checkbox"/>	Utility Infrastructure Project (UIP) <input type="checkbox"/>
2. If this is a UIP, project is the applicant a Renaissance Zone project? Yes <input type="checkbox"/> No <input type="checkbox"/>		
a. To be considered a Renaissance Zone project, the project would need to take place in the Renaissance Zone and be a utility company.		
b. If this is a property owner affected by a UIP not participating in a Renaissance Zone project, is the property owner in the Renaissance Zone? Yes <input type="checkbox"/> No <input type="checkbox"/>		
3. Applicant Information		
Name of applicant(s) or business name		
Lori Ludwig (406-860-7943) and Taylor Jones (406-860-7257) popssodashack@gmail.com		
If business, type of entity (Provide a copy of the Certificate of Good Standing from Tax Department)		
Ludwig & Jones LLC DBA Pop's Soda Shack		
Address and renaissance zone block number as it appears in the development plan property listings.		
Address	City	Renaissance Zone Block
Lot 6, Block 18, Youngs 5th	Dickinson	30
4. For residential projects provide evidence that the home purchased is the taxpayer's primary residence.		
NA		
5. Project Type		
a. Purchase (to include new construction) <input type="checkbox"/>		
b. Purchase with major improvements <input type="checkbox"/>		
c. Lease <input type="checkbox"/>		
i. What type of lease?		
New <input type="checkbox"/> Expansion <input type="checkbox"/> Continuation of a Lease <input type="checkbox"/> Leasehold Improvement <input type="checkbox"/>		
If this an expansion, what is the additional square feet of the expansion? _____		
ii. If it is a lease project, does it involve the relocation of a business from one location in the city to the Renaissance Zone or from one zone property to another zone property? Yes <input type="checkbox"/> No <input type="checkbox"/>		
d. Rehabilitation		
i. Commercial 50% or more of the true and full value <input type="checkbox"/>		
Or		
ii. Commercial 75% or more of the true and full value <input checked="" type="checkbox"/>		
Or		
iii. Residential 20% of the true and full value <input type="checkbox"/>		
iv. Current true and full value \$ _____		




10. Identify from the Development Plan the specific criteria used to approve the project
 To gain at least 3 improved structures or new businesses in the Renaissance Zone a year.

11. Evidence that the taxpayer is current on state taxes. (Taxpayers can contact the Office of State Tax Commissioner to receive a Certificate of Good Standing. This request must indicate that it is for a Renaissance Zone Project.) See Appendix E.
 Letter of Good Standing Attached? Yes No

12. Expected date of occupancy or project completion 08/31/2025

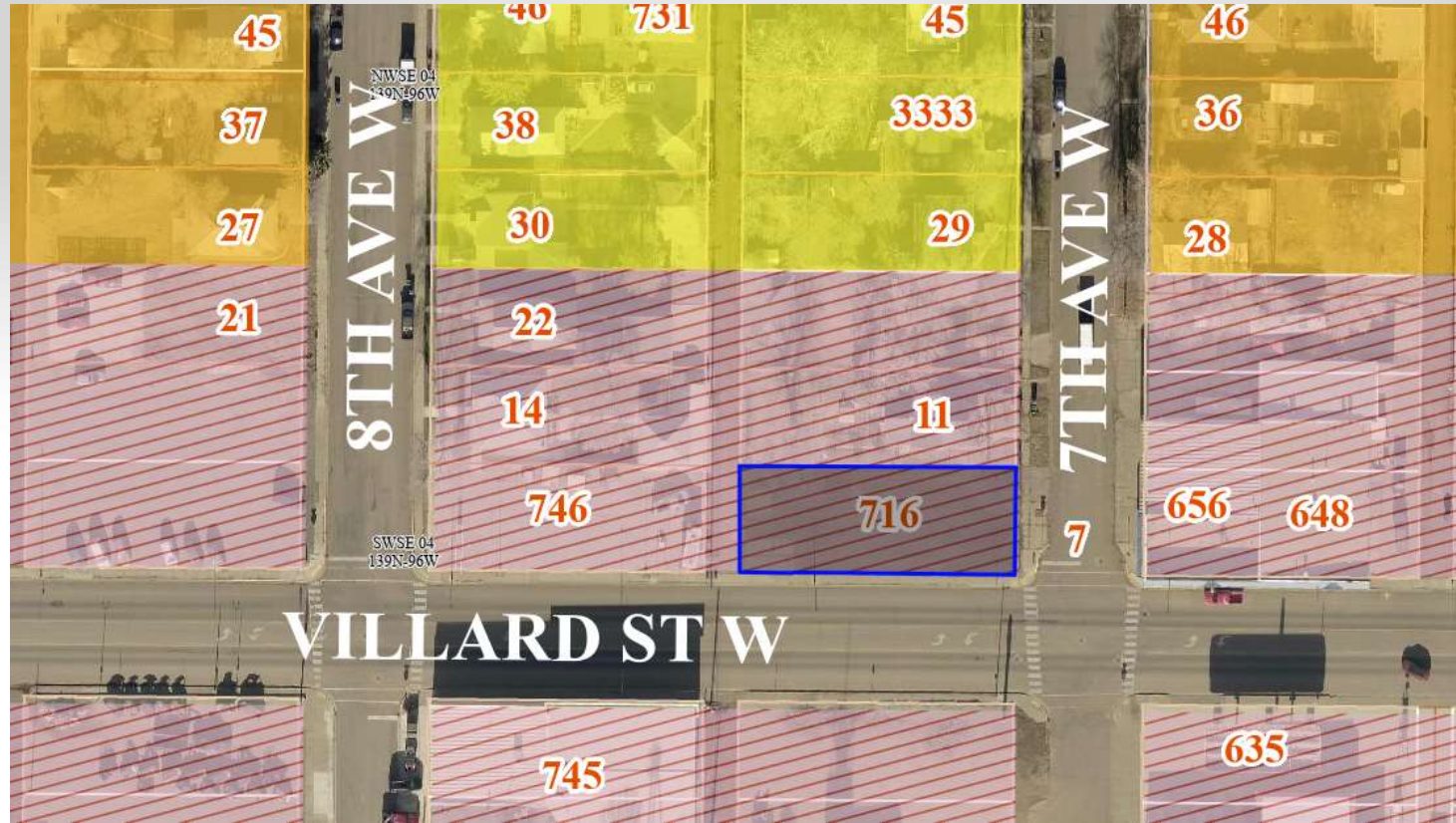
ADDITIONAL DOCUMENTATION:

- For rehabilitation or new construction please include building plans or renderings.
- Narrative discussing why the applicant wants to participate in this program and what is expected from such participation.
- List of project funding sources, both public and private.

Printed Name Lori Ludwig and Taylor Ludwig	Title Owners of Pop's Soda Shack
Signature   	Date 06/02/25 05/30/2025

Please email completed application to: sylvia.miller@dickinsongov.com

POP'S SODA SHACK RENAISSANCE ZONE (REZ-002-2025)



Lori Ludwig and Taylor Jones
popssodashack@gmail.com
Lot 6, Block 18, Youngs 5th
Owner's: Ludwig & Jones LLC
Vacant Lot

Additional Information Required:

_ Detailed project description including cost estimates, any impact of the project on historic properties, anticipated tenant mix, the current building valuation, the estimated building valuation upon completion of project.

***Build a new building with a drive-thru and landscaping the lot.**

_ Narrative discussing why the applicant wants to participate in this program and what is expected from such participation.

***We are excited to participate in the Renaissance Zone Project as a way to contribute to the revitalization of this area. By bringing a creative, family-friendly business to this area, we aim to attract new visitors, foster a stronger sense of community, and support economic growth. The tax incentives offered through the program will allow us to reinvest in the property and continue improving our space, helping transform the Renaissance Zone into a vibrant and welcoming destination for all ages.**

_ Description of how the project meets the Renaissance Zone Development Plan goals and objectives. (The Renaissance Zone Development Plan is found on the City of Dickinson homepage).

***The zone goals of redevelopment and investment are met by providing an additional business in the Renaissance Zone which will contribute to the overall revitalization efforts.**

_ For rehabilitation, documentation that the re-investment totals at least 50 percent of the current value of the building.

***Lot assessed value: \$27,000.00 (see attached)**

*** See bids (\$268,339.32)**

_ For new construction, documentation of project costs.

***See Attached**

_ For rehabilitation or new construction, building plans and/or renderings.

***NA**

_ List of project funding sources, both public and private.

***-Gate City Bank**

-Bank of North Dakota

-Personal funding as needed

_ An estimate of the tax impact of Zone incentives (annual property tax levy and potential annual income tax savings).

***Annual Property Tax Savings = \$3025.00**

Potential Income Tax Savings = \$4250.00

_ Evidence that the applicant is current on state income tax and local property tax (available from the ND

***See Attached**

Office of the State Tax Commissioner).

_ Any Additional information the applicant believes will help the Zone Authority (i.e., the City Commission) make a decision regarding the project.

CONSTRUCTION DRAWINGS

DATE: 5/27/2025
 ANY CONSTRUCTION DOCUMENTS PRINTED
 BEFORE THIS DATE ARE VOID.

BUILDER TO VERIFY DIMENSIONS

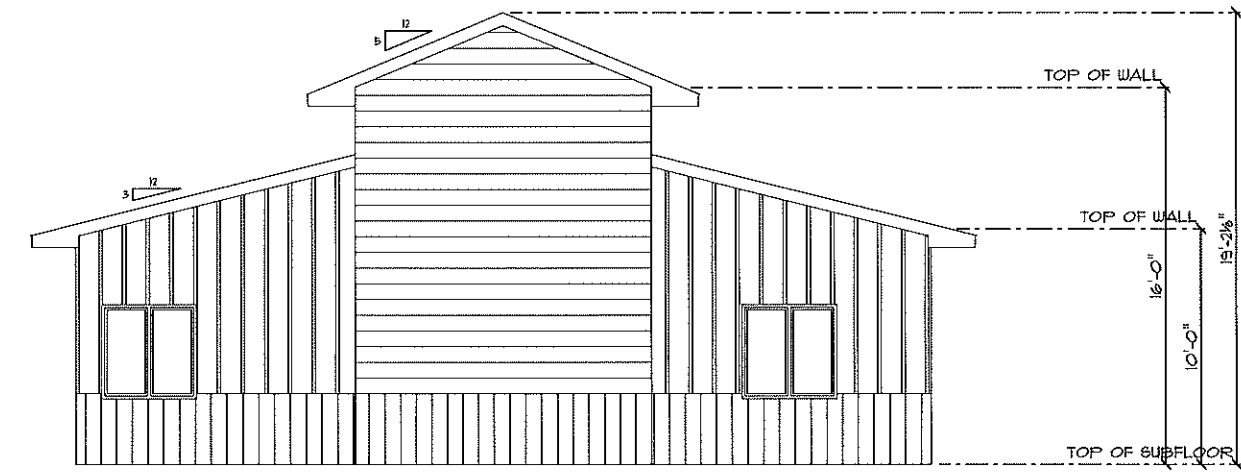
These general drawings are not produced by an architect or engineering firm. Builders First Source is not responsible for the accuracy of these drawings. It is the responsibility of the architect or engineer to verify the accuracy of these drawings. Builders First Source assumes no responsibility for claims or damages arising from errors, omissions, deficiencies, or omissions of the drawings.

02.06.2025	05.06.2025
02.07.2025	
04.10.2025	
04.14.2025	

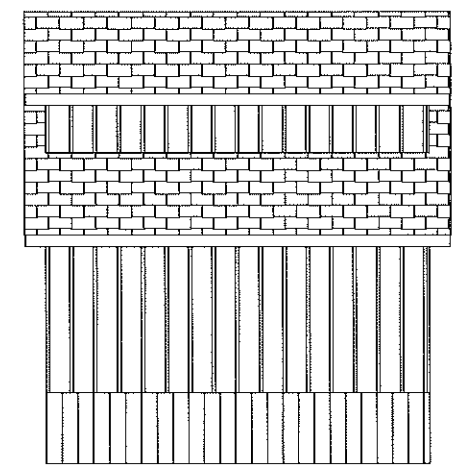
REVISIONS

BUILDERS FIRST SOURCE
 SALES: DALE WANNER
 DRAWN BY: CLAIRE GRAYJUNDER

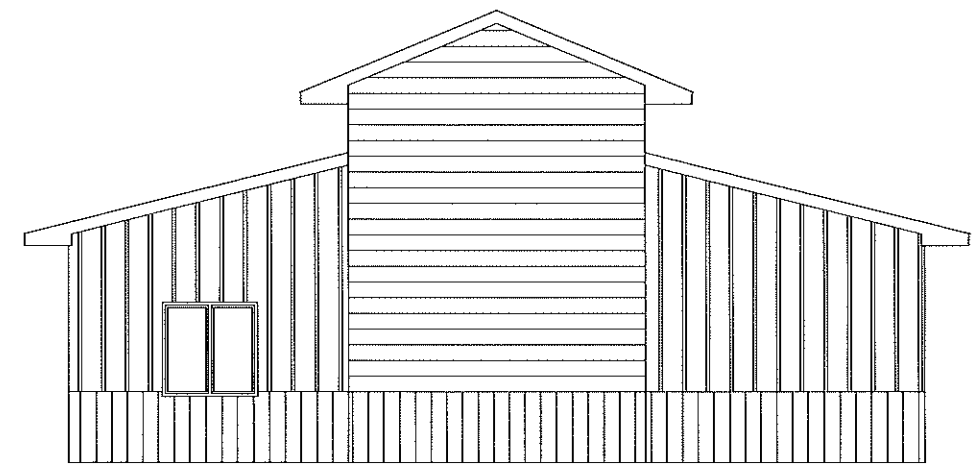
POPS SODA SHACK



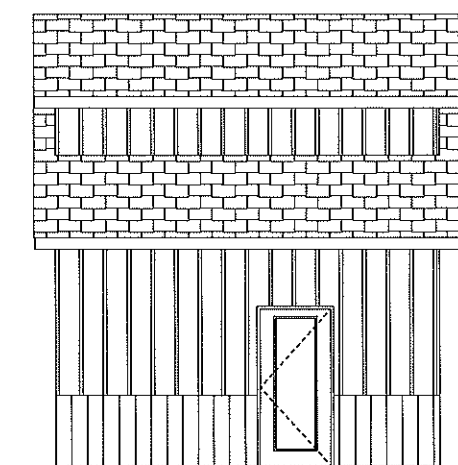
NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



WEST ELEVATION
 SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



EAST ELEVATION
 SCALE: 1/8" = 1'-0"

CONSTRUCTION DRAWING

DATE: 5/27/2025

ANY CONSTRUCTION DOCUMENTS PRINTED BEFORE THIS DATE ARE VOID.

BUILDER TO VERIFY DIMENSIONS

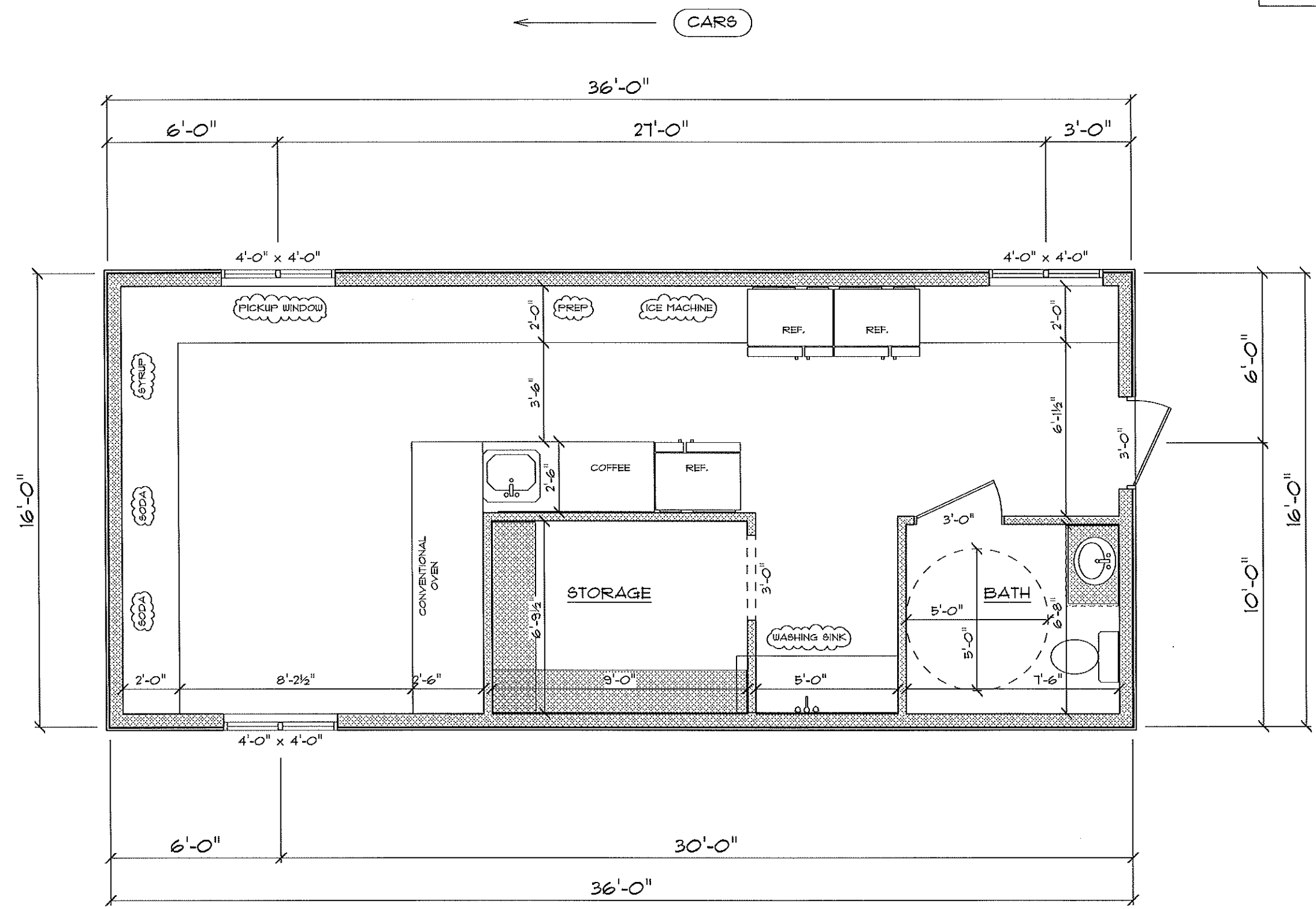
These general drawings are not produced by an Architect or Engineering firm. Before construction, the customer should consult a contractor or an architect to determine if these drawings need to be changed to meet local building codes, zoning regulations, or other applicable structural requirements. Builder FirstSource assumes no responsibility for claims or damages arising from errors, omissions, deficiencies, or defects of the drawings.

02.06.2025	05.06.2025
02.07.2025	
04.10.2025	
04.14.2025	

REVISIONS

BUILDERS FIRST SOURCE
 SALES: DALE WANNER
 DRAWN BY: CLAIRE GRAYJNDER

POPS SODA SHACK



MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"

CONSTRUCTION DRAWING

DATE: 5/27/2025

ANY CONSTRUCTION DOCUMENTS PRINTED BEFORE THIS DATE ARE VOID.

•BUILDER TO VERIFY DIMENSIONS•

These general drawings are not produced by an Architect or Engineering firm. Before construction, the customer should consult a contractor or an architect to determine if these drawings need to be changed to satisfy: 1) state or local building codes, 2) local zoning ordinances, 3) local health department regulations. Builders FirstSource assumes no responsibility for claims or damages arising from errors, omissions, deficiencies, or defects of the drawings.

02.06.2025	05.06.2025
02.07.2025	
04.10.2025	
04.14.2025	

REVISIONS

BUILDERS FIRST SOURCE
 SALES: DALE WANNER
 DRAWN BY: CLAIRE GRAYVINDER

POPS SODA SHACK



ALLEY

5' 00" 00" 00" W 54.500'



GREEN SPACE

20'-0"

5'-0"

16'-0"

PROPOSED BUILDING

11'-0"

PROPOSED PATIO

12'-6"

GREEN SPACE

36'-0"

5'-0" SIDEWALK

5'-0" SIDEWALK

5'-0"

21'-0"

HANDI CAP PARKING

12'-6"

GREEN SPACE

S 90°00'00" E 141.000'

65'-0"

DRIVEWAY

GREEN SPACE

15'-0"

5' 00" 00" 00" W 54.500'

TTH AVE. WEST

WEST VILLARD STREET

SITE PLAN

SCALE: 1" = 10'

	A	B	C	D
1	JOB NAME:Pops Soda Shack			
2	Bid Items	Qty	Cost	Total
3	PLANS & PERMITS:			
4	Plans	1	\$ 1,500.00	\$1,500.00
5	Building Permit	1	\$ 1,300.00	\$1,300.00
6	Wac/Sac Fee	1	\$ 4,800.00	\$4,800.00
7				
8	SITE WORK:			
9	Survey	1	\$ 1,500.00	\$1,500.00
10	Excavation	1	\$ 1,700.00	\$1,700.00
11	Backfill	0	\$ -	\$0.00
12	City Water/Sewer Line	1	\$ 3,500.00	\$3,500.00
13	Rurel Meter pit Labor	0	\$ -	\$0.00
14	Rurel Water Line	0	\$ -	\$0.00
15	Rurel Sewer System	0	\$ -	\$0.00
16	Sewer Lift Station	0	\$ -	\$0.00
17	Culvert & Install	0	\$ -	\$0.00
18	Fill Dirt	1	\$ 750.00	\$750.00
19	Drain Tile	0	\$ -	\$0.00
20				
21	CONCRETE:			
22	Foundation	1	\$ 10,174.00	\$10,174.00
23	Concrete Flatwork	1	\$ 53,350.00	\$53,350.00
24	Garage Floor	0	\$ -	\$0.00
25	Driveway	0	\$ -	\$0.00
26	Piers	0	\$ -	\$0.00
27	Approach	0	\$ -	\$0.00
28	Patio	0	\$ -	\$0.00
29	Private Walk	0	\$ -	\$0.00
30	Curb Cut	0	\$ -	\$0.00
31	Public Walk	0	\$ -	\$0.00
32				
33	MASONRY:			
34	EFIS	0	\$ -	\$0.00
35	Brick	0	\$ -	\$0.00
36	Stone	0	\$ -	\$0.00
37				
38	ROUGH CARPENTRY:			
39	Main Floor Framing	576	\$ 12.00	\$6,912.00
40	Frame Garage	0	\$ -	\$0.00
41	Basement Framing	0	\$ -	\$0.00
42	Exterior Porch/Deck Roof Framing	0	\$ -	\$0.00
43	Fork Lift/Crane/Pump	1	\$ 2,500.00	\$2,500.00
44	Roofing Install	1	\$ 1,260.00	\$1,260.00
45				
46	DECKS:			

	A	B	C	D
47	Wood Deck Material	0	\$ -	\$0.00
48	Trex Deck Material	0	\$ -	\$0.00
49	Wood Deck Labor	0	\$ -	\$0.00
50	Trex Deck Labor	0	\$ -	\$0.00
51				
52	ALLOWANCES:			
53	Appliances	0	\$ -	\$0.00
54	Audio/Video	0	\$ -	\$0.00
55	Cabinetry	1	\$ 10,000.00	\$10,000.00
56	Countertops	1	\$ 4,000.00	\$4,000.00
57	Front Door	0	\$ -	\$0.00
58	Fireplace	0	\$ -	\$0.00
59	Carpet Flooring	0	\$ -	\$0.00
60	Tile Shower Labor	0	\$ -	\$0.00
61	Custom Shower Door	0	\$ -	\$0.00
62	LVT Flooring	576	\$ 8.00	\$4,608.00
63	Wood Flooring	0	\$ -	\$0.00
64	Ceramic Tile Material	0	\$ -	\$0.00
65	Tile Back Splash	0	\$ -	\$0.00
66	Custom Master Closet Shelving	0	\$ -	\$0.00
67	Light Fixtures	0	\$ -	\$0.00
68				
69	FEES:			
70	Origination Fees	0	\$ -	\$0.00
71	Closinig Costs	0	\$ -	\$0.00
72	Legal	0	\$ -	\$0.00
73	Bank Interest	0	\$ -	\$0.00
74	Insurance	1	\$ 5,000.00	\$5,000.00
75	Sales Commision	0	\$ -	\$0.00
76	Advertising	0	\$ -	\$0.00
77				
78	BUILDING MATERIALS:			
79	Lumber	1	\$ 37,024.02	\$37,024.02
80	Millwork	1	\$ 1,680.00	\$1,680.00
81	Windows/Doors	1	\$ 2,847.00	\$2,847.00
82	Floor Trusses	0	\$ -	\$0.00
83	Roof Trusses	1	\$ 3,903.00	\$3,903.00
84				
85	DRYWALL:			
86	Drywall Hanging	2400	\$ 0.50	\$1,200.00
87	Tape & Texture	2400	\$ 1.00	\$2,400.00
88	Drywall Stocking	50	\$ 3.50	\$175.00
89				
90	MECHANICAL:			
91	Electrition Bid	1	\$ 8,600.00	\$8,600.00
92	Recessed Cans	0	\$ -	\$0.00

	A	B	C	D
93	HVAC Bid	1	\$ 12,000.00	\$12,000.00
94	Zone	0	\$ -	\$0.00
95	Humidifier	0	\$ -	\$0.00
96	Garage Heater	0	\$ -	\$0.00
97	Air Cleaner	0	\$ -	\$0.00
98	Plumbing Bid	1	\$ 15,000.00	\$15,000.00
99	Hot Water Return Line	0	\$ -	\$0.00
100				
101	INTERIOR FINISH WORK:			
102	Finish Carpenter	576	\$ 2.75	\$1,584.00
103	Painting	576	\$ 4.00	\$2,304.00
104	Staining	0	\$ -	\$0.00
105	Closet Labor	0	\$ -	\$0.00
106	Cabinet Labor	0	\$ -	\$0.00
107	Cleaning	0	\$ -	\$0.00
108				
109	EXTERIOR FINISH WORK:			
110	Siding Install	1	\$ 3,000.00	\$3,000.00
111	Garage Wraps	0	\$ -	\$0.00
112	Soffit and Facial Install	1	\$ 800.00	\$800.00
113	Porch/Deck Roof Soffit Install	0	\$ -	\$0.00
114	Painting	0	\$ -	\$0.00
115	Rain Gutters	1	\$ 680.00	\$680.00
116				
117	LANDSCAPING:			
118	Rough-In	1	\$ 1,000.00	\$1,000.00
119	Top Soil	1	\$ 1,500.00	\$1,500.00
120	Sprinklers	6	\$ 575.00	\$3,450.00
121	Sod/Hydro	2478	\$ 0.35	\$867.30
122	Curbing	0	\$ -	\$0.00
123				
124	GARAGE:			
125	Garage Doors	0	\$ -	\$0.00
126	Door Openers	0	\$ -	\$0.00
127	Epoxy Floor Coating	0	\$ -	\$0.00
128				
129	INSULATION:			
130	Insulation Material	1	\$ 1,621.00	\$1,621.00
131	Insulation Labor	1	\$ 2,500.00	\$2,500.00
132	Spray Foam	0	\$ -	\$0.00
133				
134	LAND:			
135	Lot	0	\$ -	\$0.00
136	Property Taxes	0	\$ -	\$0.00
137				
138	UTILITIES:			

	A	B	C	D
139	Gas & Electric	1	\$ 750.00	\$750.00
140	Sanitation	1	\$ 4,000.00	\$4,000.00
141	Service Line Install	1	\$ 1,500.00	\$1,500.00
142				
143	BUILDER FEES:			
144	Builder Overhead	1	\$ 10,250.00	\$10,250.00
145	Builder Profit	1	\$ 34,850.00	\$34,850.00
146				
147	TOTAL:			\$268,339.32
148	DATE:5/27/2025			
149	Legend Homes inc		Bids Still outstanding	
150	2893 3rd Avw W STE100			
151	Dickinson, ND 58601			
152	Jason L Fridrich			



Ludwig & Jones LLC DBA
Pop's Soda shack
Renaissance Zone Project

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Services Department
Date: July 2, 2025
Re: **REN-002-2025 Ludwig & Jones LLC DBA Pop's Soda Shack
Rehabilitation Renaissance Zone Project**

APPLICANT

Ludwig & Jones LLC DBA Pop's Soda Shack
1519 Ruby Range Way
Billings MT 59101
Phone: 406-860-7943
popssodashack@gmail.com

Public Hearing	July 9, 2025	Planning and Zoning Commission
Final Consideration	July 15, 2025	City Commission

EXECUTIVE SUMMARY

Location

The subject property is located at 716 West Villard on the northwest corner of Villard Street West and 7th Avenue West legally described as Lot 6, Block 18, of Young's 5th Subdivision. Although the lot is currently vacant, it was previously developed with a commercial structure.

Request

The applicants are requesting an eight-year real estate tax exemption and an eight-year income tax exemption for a commercial rehabilitation project on Block 30 of the City of Dickinson's Renaissance Zone. The applicants describe their project as follows:

- build a new building and landscaping on a vacant lot; and
- relocate their existing business to that location.

The applicants have submitted a completed application that is compliant with application requirements.

The applicants estimate the costs of improvements project investment amount at \$275,000.

The City of Dickinson City Assessor indicates the current true and full value of the property is \$27,100.

Based upon information provided by the applicants, it is estimated the total property tax benefit for five years would be \$38,720.

Staff Recommendation: Staff recommends approval of this Renaissance Zone project.

LOCATION

The subject property is legally described as Lot 6, Block 18, of Young’s 5th Subdivision. The subject lot is zoned General Commercial (GC). The proposed retail use is a permitted use in the GC zoning district. The subject lot is also located in the Corridor Overlay District.

CURRENT ZONING	General Commercial
FUTURE LAND USE MAP DESIGNATION	COMMERCIAL
GROSS SITE ACREAGE	0.178
LOTS PROPOSED	N/A

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	GC	Single-family structure
East	GC	Retail uses
South	GC	Vacant
West	GC	Retail use

STAFF ANALYSIS

At a pre-application held with City Development staff on November 26, 2024, the applicants were notified the subject lot is located within the City’s Renaissance Zone. Subsequently, the applicants met with City staff prior to submitting this application.

Staff of the North Dakota Department of Commerce have reviewed this project and have confirmed this is an allowable Renaissance Zone project.

According to the City of Dickinson's Renaissance Zone Development Plan, as amended effective May 2024, the site of the project is located within the City's Renaissance Zone, and it is listed in the Plan's Property Inventory.

The proposed project is consistent with the following goals of the City's Renaissance Zone Plan:

To gain at least 3 improved structures or new businesses in the Renaissance Zone a year.

This is the second Renaissance Zone project submitted to the City in 2025.

The proposed project is consistent with the following objectives of the City Renaissance Zone Plan:

Foster a culture of progressiveness and change while recognizing the traditions and history of the area; and

Help businesses apply and receive the benefits of the Renaissance Zone.

Chapter VI of the Development Plan "Renaissance Zone Project Selection Minimum Criteria" contains the following:

- To be considered an eligible zone rehabilitation project, a **commercial property owner** must invest at least 50% of the full and true value of the property. The City may grant an exemption of up to five years if the investment is at least 50% of the full and true value of the property. The City may grant an exemption of up to eight years if the investment exceeds 75% of the full and true value of the property.

According to the Property Inventory found in Attachment D of the City's Renaissance Zone Development Plan, the property is identified as a potential project site. Additionally, the applicant has committed to spend approximately \$275,000 to renovate the existing building.

Consistency with the Comprehensive Plan

The proposed project is consistent with Policy 1.1. of Chapter 3 of the City of Dickinson Comprehensive Plan, which states the City shall actively promote the Renaissance Zone. The project is also consistent with Comprehensive Plan Policy 1.4 of Chapter 3, which states the City shall provide technical assistance with Renaissance Zone applications.

PUBLIC COMMENT AND STAFF RECOMMENDATION

Public Input: As of the date of this report, City staff has not received any public comments.

Staff Recommendation: The City Community Development Team staff recommends **approval** of this renaissance zone project petition.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend Approval of **REN-002-2025: The Ludwig & Jones LLC DBA Pop's Soda Shack Commercial Rehabilitation** project as being consistent with City of Dickinson Renaissance Zone Development Plan, as well as being the compliant with the City of Dickinson Comprehensive Plan and also being in the interest of the public health, safety and welfare."*

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend Denial of **REN-002-2025: The Ludwig & Jones LLC DBA Pop's Soda Shack Commercial Rehabilitation** project as NOT being consistent with City of Dickinson Renaissance Zone Development Plan, as Not being compliant with the City of Dickinson Comprehensive Plan and as being contrary to interest of the public health, safety and welfare."*

From: Jotform
To: Sylvia Miller; Sylvia Miller; Steven Josephson; Dustin D. Dassinger; Leonard W. Schwindt; Joshua Skluzacek; Sylvia Miller; Natalie Birchak
Subject: Re: Unified Development Application
Date: Thursday, May 29, 2025 1:17:26 PM
Attachments: [Jolliffe Pre-Application Letter.pdf](#)
[CITY OF DICKINSON CONSENT LETTER Duane Sickler property.docx.pdf](#)
[326067.pdf](#)
[Dickinson Utility Information Map.pdf](#)
[Dickinson Parcel Map \(ETZ\).pdf](#)
[Dickinson Zoning Map \(ETZ\).pdf](#)
[38089C0200F.pdf](#)
[JOLLIFE ACRES FINAL.pdf](#)
[25-006_JOLLIFFE_TRANSMITTAL.pdf](#)
[6243553741813404728_signature_23.png](#)



Unified Development Application

Have you met with Planning Staff regarding your application? **Yes**

Please upload the letter or counseling form you received following your pre-application meeting: [Jolliffe Pre-Application Letter.pdf](#)

Type of Development **Major Subdivision Final Plat**

Is this a Replat **Yes**

Subdivision Being Re-platted **GREENVALE 3RD SUBDIVISION**

Date of Final Plat Approval at Planning & Zoning Commission **05-14-2025**

Name **Erik Jolliffe**

Applicant Email **erik.jolliffe@foremostwell.com**

Applicant Phone # **(701) 578-4674**

Applicant Representative (if applicable) **Nick Jensen**

Applicant Representative Company **Western Edge Surveying, PLLC**

Applicant Representative Email nick.jensen@westernedgesurveying.com

Applicant Representative Phone # (701) 505-8209

Owner Name Jill Gilmore

Owner Address 111H E Ave SW, Dickinson, North Dakota, 58601

Owner Email jgilmore@regency-mgmt.com

Owner Phone # (605) 280-5414

Is the owner present to Sign

Owner Signature Upload [CITY OF DICKINSON CONSENT LETTER Duane Sickler property.docx.pdf](#)

Will this application require any other action to complete the development?

Metes and Bounds Description (ONLY REQUIRED FOR UNPLATTED SUBDIVISION LOTS) A TRACT OF LAND BEING THE REPLAT OF BLOCKS 1 & 2 , AND LOTS 1 THROUGH 4 OF BLOCKS 3 & 4 OF GREENVALE 3RD SUBDIVISION IN THE EAST HALF OF SECTION 9, TOWNSHIP 140 NORTH, RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID GREENVALE 3RD SUBDIVISION, THENCE S88°24'27"E ALONG THE NORTH LINE OF SAID GREENVALE 3RD SUBDIVISION A DISTANCE OF 645.80' TO A POINT BEING THE NORTHEAST CORNER OF SAID GREENVALE 3RD SUBDIVISION, THENCE S1°49'37"W ALONG THE EAST LINE OF SAID GREENVALE 3RD SUBDIVISION A DISTANCE OF 1785.44' TO A POINT BEING THE SOUTHEAST CORNER OF LOT 4, BLOCK 3 OF SAID GREENVALE 3RD SUBDIVISION THENCE N88°22'15"W ALONG THE SOUTH LINE OF LOT 4, BLOCK 3 AND SOUTH LINE OF LOT 4 BLOCK 4 OF SAID GREENVALE 3RD SUBDIVISION A DISTANCE OF 645.81' TO A POINT BEING THE SOUTHWEST CORNER OF SAID LOT 4 BLOCK 4, THENCE N1°49'38"E ALONG THE WEST LINE OF SAID GREENVALE 3RD SUBDIVISION A DISTANCE OF 1785.02' TO THE POINT OF BEGINNING.

SAID TRACT NOW PLATTED AS JOLLIFFE ACRES SUBDIVISION CONTAINS 26.467 ACRES, MORE OR LESS,

AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES, AND SURVEYS.

	1/4 Section	Township	Range
Description	SE 9	140	96

Property Address / General Project Location Undeveloped portion of a subdivision about 350' west of the intersection of 104TH ST NW & 111E AVE SW.

Total Square Footage or Acreage of Subject Property 26.467

Transmittal Letter (Explanation of Request & Proposed Operations) [25-006_JOLLIFFE_TRANSMITTAL.pdf](#)

Rezone Calc Multiplier 0

Minor Platting Multiplier 0

Prelim Platting Multiplier 0

Major Platting Multiplier 1

Name of Final Plat Jolliffe Acres Subdivision

Final Platted Lots 1 to 10 Lots

Final Platted Block(s) 1

Name of Preliminary Plat Jolliffe Acres Subdivision

Preliminary Number Lots 1 to 10 Lots

Preliminary Number of Block(s) 1

0

Application Calc 350

Required Documentation Upload [Dickinson Utility Information Map.pdf](#)
[Dickinson Parcel Map \(ETZ\).pdf](#)
[Dickinson Zoning Map \(ETZ\).pdf](#)
[38089C0200F.pdf](#)
[JOLLIFE ACRES FINAL.pdf](#)

Deed for Property [326067.pdf](#)

Application Fees Applicable Fees 350.00 USD

Total: \$350.00

Transaction ID: c6hz9rjv

Payment Information

First Name: Nicholas
Last Name: Jensen
E-Mail erik.jolliffe@foremostwell.com

Applicant Signature

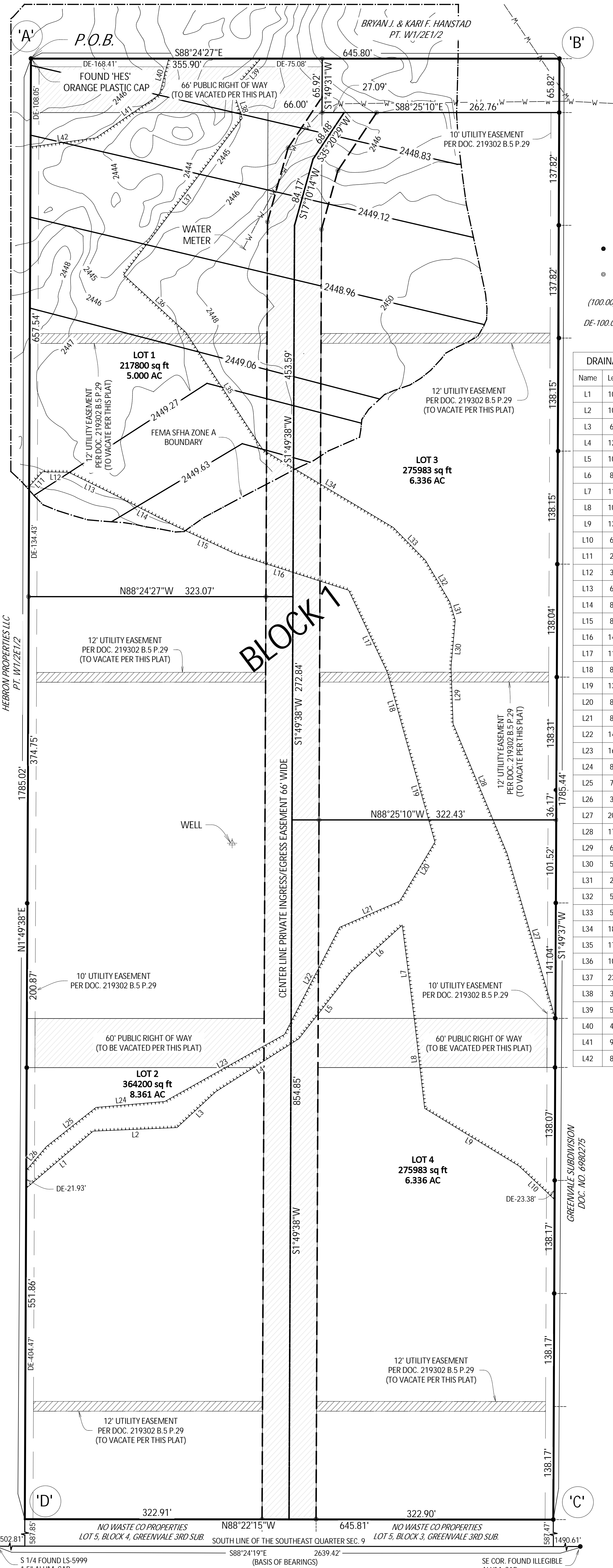


Date 05-29-2025

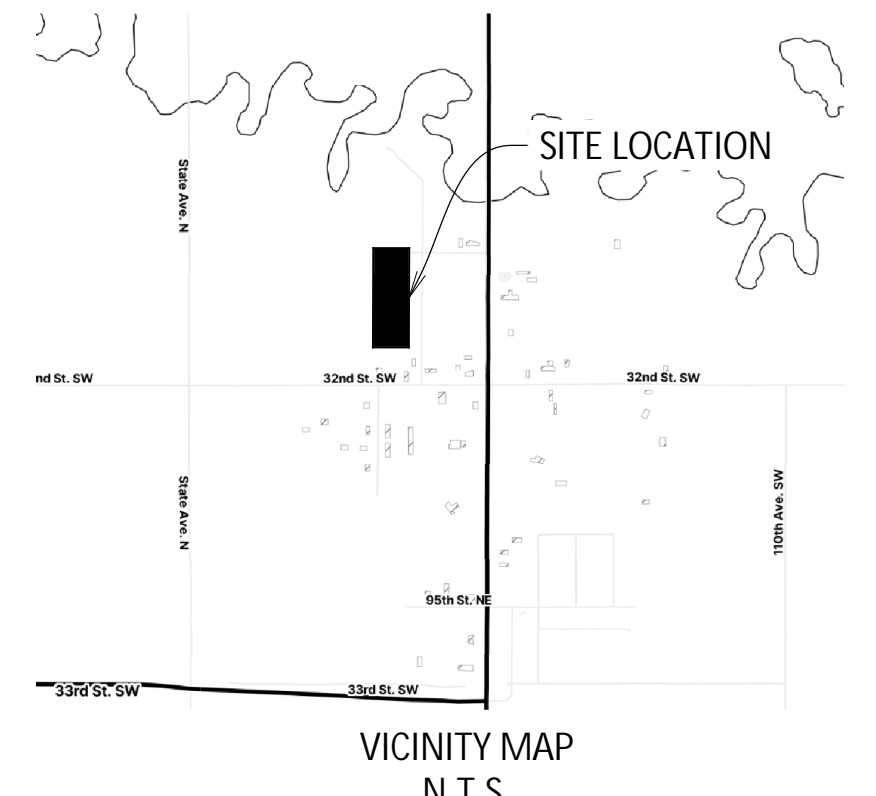
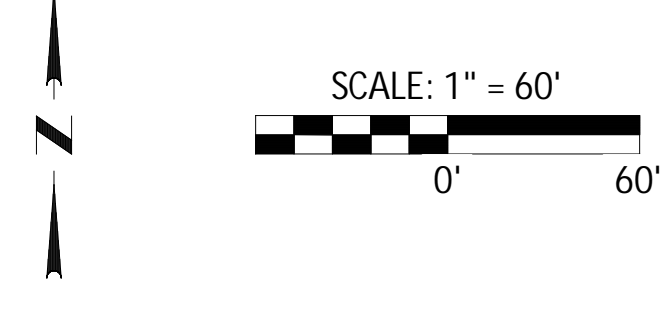
You can [edit this submission](#) and [view all your submissions](#) easily.

JOLLIFFE ACRES SUBDIVISION

BEING A REPLAT OF LOTS 1 THROUGH 8 BLOCKS 1 & 2, AND LOTS 1 THROUGH 4 OF BLOCKS 3 & 4 OF GREENVALE 3RD SUBDIVISION IN THE EAST HALF OF SECTION 9, T. 140 N., R. 96 W., 5TH PRINCIPAL MERIDIAN, STARK COUNTY, NORTH DAKOTA



Name	Northing	Easting	Elevation
A	478204.52	1394663.52	2447.50
B	478186.57	1395309.96	2448.69
C	476402.36	1395252.04	2469.12
D	476420.72	1394606.62	X



LEGEND

- FOUND CORNER - 1/2" REBAR (UNLESS DESCRIBED OTHERWISE)
- SET 2" ALUM CAP STAMPED "WES 29362"
- (100.00) RECORD DISTANCE
- DE-100.00' DRAINAGE EASEMENT TIE
- SUBDIVISION BOUNDARY LINE
- LOT LINES
- ADJACENT LOT LINES
- EASEMENT LINES
- - - FEMA SFHA ZONE 'A' LIMITS
- /// PUBLIC RIGHT-OF-WAY (TO BE VACATED)
- DRAINAGE EASEMENT
- INGRESS/EGRESS EASEMENT CENTERLINE

SUBDIVISION NOTES:

- PART OF JOLLIFFE ACRES SUBDIVISION IS WITHIN SPECIAL FLOOD HAZARD AREA AS SHOWN BY ZONE "A" OF FEMA FIRM NO. 38089C0200F DATED AUGUST 28, 2024

SURVEY NOTES:

- UTILITIES DEPICTED ARE THE RESULT OF A 811 CALL TICKET #25008484 AND WERE EITHER MARKED OR ELECTRONICALLY SUBMITTED TO SURVEYOR. SURVEYOR MAKES NO GUARENTEES TO THE PHYSICAL LOCATION OF UTILITIES.
- ALL DOCUMENTS REFERENCED ARE ON FILE WITH THE STARK COUNTY COURTHOUSE.
- DATE OF LATEST FIELD WORK: APRIL 1ST, 2025

BASIS OF BEARINGS:

BASIS OF BEARINGS BEING THE SOUTH LINE OF THE SOUTHEAST QUARTER SECTION 9, TOWNSHIP 140 NORTH, RANGE 96 WEST, 5TH PRINCIPAL MERIDIAN HAVING A BEARING OF S88°24'19"E.

SURVEY BASED ON NORTH DAKOTA SOUTH ZONE 1983 (2011), INTERNATIONAL FOOT, BEARINGS ARE GRID, DISTANCES ARE GROUND USING A SCALE FACTOR OF 1.0001777027. COORDINATES ARE GRID. VERTICAL DATUM NAVD88 (GEOID18).

LEGAL DESCRIPTION:

A TRACT OF LAND BEING THE REPLAT OF LOTS 1 THROUGH 8, BLOCKS 1 & 2, AND LOTS 1 THROUGH 4 OF BLOCKS 3 & 4 OF GREENVALE 3RD SUBDIVISION IN THE EAST HALF OF SECTION 9, TOWNSHIP 140 NORTH, RANGE 96 WEST OF THE 5TH PRINCIPAL MERIDIAN CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID GREENVALE 3RD SUBDIVISION, THENCE S88°24'27"E ALONG THE NORTH LINE OF SAID GREENVALE 3RD SUBDIVISION A DISTANCE OF 645.80' TO A POINT BEING THE NORTHEAST CORNER OF SAID GREENVALE 3RD SUBDIVISION, THENCE S1°49'37"W ALONG THE EAST LINE OF SAID GREENVALE 3RD SUBDIVISION A DISTANCE OF 1785.44' TO A POINT BEING THE SOUTHEAST CORNER OF LOT 4, BLOCK 3 OF SAID GREENVALE 3RD SUBDIVISION THENCE N88°22'15"W ALONG THE SOUTH LINE OF LOT 4, BLOCK 3 AND SOUTH LINE OF LOT 4 BLOCK 4 OF SAID GREENVALE 3RD SUBDIVISION A DISTANCE OF 645.81' TO A POINT BEING THE SOUTHWEST CORNER OF SAID LOT 4 BLOCK 4, THENCE N1°49'38"E ALONG THE WEST LINE OF SAID GREENVALE 3RD SUBDIVISION A DISTANCE OF 1785.02' TO THE POINT OF BEGINNING.

SAID TRACT NOW PLATTED AS JOLLIFFE ACRES SUBDIVISION CONTAINS 26.467 ACRES, MORE OR LESS, AND IS SUBJECT TO ANY PREVIOUS EASEMENTS, AGREEMENTS, CONVEYANCES, AND SURVEYS.

SURVEYOR'S CERTIFICATE:

I, NICHOLAS R JENSEN, REGISTERED LAND SURVEYOR, N.D. NO. 29362 DO HEREBY CERTIFY THAT JOLLIFFE ACRES SUBDIVISION SHOWN HEREON IS A CORRECT REPRESENTATION OF THE SURVEY, THAT ALL DISTANCES ARE CORRECT, MONUMENTS ARE PLACED IN THE GROUND AS SHOWN, THAT THE OUTSIDE BOUNDARY LINES ARE CORRECTLY DESIGNATED ON THE PLAT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

NICHOLAS R. JENSEN LS-29362

PROPRIETOR'S CERTIFICATE

WE, ERIK JOLLIFFE & TRICIA JOLLIFFE, OWNERS AND PROPRIETORS OF JOLLIFFE ACRES SUBDIVISION TO THE CITY OF DICKINSON, STARK COUNTY, NORTH DAKOTA. WE HEREBY DECLARE THAT WE HAVE CAUSED THE LAND DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND DEPICTED ON THIS PLAT TO BE SURVEYED AND SUBDIVIDED AS SHOWN HEREON. WE FURTHER DEDICATE TO THE PUBLIC, FOR PUBLIC USE FOREVER, ALL UTILITY EASEMENTS AND PUBLIC RIGHTS-OF-WAY AS SHOWN AND DESIGNATED ON THIS PLAT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME:

BY: _____ ERIK JOLLIFFE
BY: _____ TRICIA JOLLIFFE

STATE OF _____ SS

COUNTY OF _____

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ERIK JOLLIFFE AND TRICIA JOLLIFFE, KNOWN TO ME TO BE THE SAME PERSON(S) DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FORGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES: _____

RESIDING AT COUNTY OF _____ STATE OF _____

Name	Length	Azimuth
L1	107.55	N51°07'58"E
L2	102.60	N89°10'22"E
L3	64.47	N48°46'49"E
L4	120.41	N59°04'14"E
L5	102.87	N39°32'09"E
L6	85.56	N49°04'01"E
L7	118.58	S5°43'24"E
L8	107.02	S5°01'07"E
L9	134.94	S56°59'15"E
L10	60.02	S45°09'03"E
L11	24.43	N43°40'56"E
L12	31.97	S87°23'05"E
L13	63.54	S62°11'44"E
L14	80.67	S61°13'47"E
L15	83.82	S63°29'48"E
L16	144.19	S70°39'58"E
L17	111.28	S23°36'50"E
L18	81.65	S13°50'23"E
L19	133.39	S14°12'58"E
L20	83.96	S32°22'13"W
L21	80.08	S68°00'44"W
L22	147.23	S28°49'55"W
L23	167.71	S62°19'18"W
L24	84.37	S86°38'51"W
L25	77.31	S53°19'16"W
L26	37.95	S41°53'02"W
L27	209.80	N14°42'24"W
L28	171.81	N21°01'16"W
L29	69.40	N0°27'41"W
L30	57.76	N6°40'39"E
L31	23.22	N15°22'28"W
L32	58.74	N28°45'38"W
L33	56.04	N42°46'17"W
L34	185.34	N57°39'00"W
L35	171.93	N31°40'37"W
L36	103.54	N45°38'55"W
L37	239.88	N38°43'03"E
L38	36.32	N16°25'02"W
L39	51.27	N43°04'15"E
L40	45.64	S16°11'15"W
L41	93.82	S57°25'59"W
L42	80.49	S83°39'52"W

CITY OF DICKINSON COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
SIGNATURE: _____ DATE: _____

CITY ENGINEER APPROVAL

PRINTED NAME: _____ TITLE: _____
SIGNATURE: _____ DATE: _____

CITY PLANNING AND ZONING COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
SIGNATURE: _____ DATE: _____

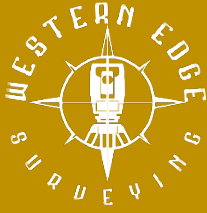
STARK COUNTY COMMISSION APPROVAL

PRINTED NAME: _____ TITLE: _____
SIGNATURE: _____ DATE: _____

DRAWN BY: NRJ	SHEET: 1 OF 1
PROJECT NO: 25-006	DATE: 7/3/2025
WESTERN EDGE SURVEYING, PLLC	
1175 LINCOLN STREET DICKINSON, ND 58601 PHONE: (701) 505-8209	
WWW.WESTERNEDGESURVEYING.COM	

JOLLIFFE ACRES FINAL MAJOR SUBDIVISION (FLP-005-2025)





Western Edge Surveying, PLLC
1175 Lincoln Street
Dickinson, ND 58601

Phone: (701) 505-8209
Email: nick.jensen@westernedgesurveying.com
Website: www.westernedgesurveying.com

To: Natalie Birchak – City Planner
City of Dickinson
38 1st Street West
Dickinson, ND 58601

Date: May 29th, 2025

Subject: Major Plat Final Application – Jolliffe Acres Subdivision

Attached to the application form you will find the following Major Plat documents for Jolliffe Acres Subdivision being submitted for consideration:

- Pre-submittal Meeting Letter
- Project Scope (see below)
- Legal Description
- Warranty Deed(s)
- Final Plat Drawing
- City Parcel Map (ETZ Zone)
- City Utility Map (ETZ Zone)
- City Zoning Map (ETZ Zone)
- FEMA Floodplain Map

PROJECT SCOPE:

The applicant is submitting this Major Subdivision Plat as a replat of Greenvale 3rd Subdivision. This has been reconfigured to contain one block, with four lots. Additionally, the applicant proposes to vacate the previously platted public Right-of-Way, replacing it with a private easement (as depicted on the plat) to maintain access to all lots along the main North-South corridor. The 12’ wide east-west utility easements are also requested to be vacated. The petition to vacate the utilities as indicated on the plat was turned into the City. A minor adjustment to the road alignment is proposed at the northern end to facilitate construction and reduce encroachment into lower elevations of the FEMA SFHA Zone ‘A’. *No changes have occurred from the preliminary hearing to final plat application.*

Thank you for your time and consideration of this application. We appreciate any feedback you can provide during the review process.

Thanks,
Nicholas Jensen, PLS
Western Edge Surveying, PLLC



City of Dickinson
Petition for Vacation
38 1st Street W | Dickinson, ND
701-456-7000
Fee: \$250.00

(We) the undersigned certify that we are all adjoining property owners and request the City Commission to vacate (street, alley, easement, plat) located at:
GREENVALE 3RD SUBDIVISION, BLOCKS 1 & 2, BLOCK 3 LOTS 1-4, BLOCK 4 LOTS 1-4, Stark County, ND

For the Reason:
GREENVALE 3RD SUBDIVISION IS PROPOSED TO BE REPLATTED AS JOLLIFFE ACRES, THE VACATED AREAS PROPOSED ARE HATCHED ON THE ATTACHED PLAT, BEING THE PUBLIC ACCESS AREAS WITHIN THE SUBDIVISION.

Jill Sell
Signature Line

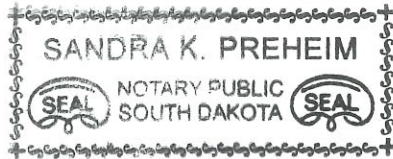
South Dakota
State of ~~North Dakota~~)

:SS
County of ~~Stark~~ Minnehaha)

Jill Gilmore, being first duty sworn, deposes and says as follows: That he/she has read the within and foregoing Petition and knows the contents thereof, and that the same are true to the best of his/her knowledge, information and belief.

Subscribed and sworn to before me this 24 day of April, 2025

My Commission Expires
2/9/2028



Sandra K. Preheim, Notary Public
Stark County, North Dakota Sioux Falls, SD, Minnehaha
My Commission Expires: _____

Signatures of Adjoining Property Owners
(add more pages if needed)

Address, Lot, Block and Addition
My Commission Expires 2/9/2028

The following utility companies have been notified and by the respective signature are not opposed to the vacation:

MDU (Gas Department)

MDU (Electric Department)

Century Link (701-690-2079)

Roughrider Electric

Consolidated Telephone

Consolidated Cable Vision

Midcontinent Communications

City of Dickinson



City of Dickinson
Petition for Vacation
38 1st Street W | Dickinson, ND
701-456-7000
Fee: \$250.00

(We) the undersigned certify that we are all adjoining property owners and request the City Commission to vacate (street, alley, easement, plat) located at:
GREENVALE 3RD SUBDIVISION, BLOCKS 1 & 2, BLOCK 3 LOTS 1-4, BLOCK 4 LOTS 1-4, Stark County, ND

For the Reason:
GREENVALE 3RD SUBDIVISION IS PROPOSED TO BE REPLATTED AS JOLLIFFE ACRES, THE VACATED AREAS PROPOSED ARE HATCHED ON THE ATTACHED PLAT, BEING THE PUBLIC ACCESS AREAS WITHIN THE SUBDIVISION.

Jill Gilmore
Signature Line

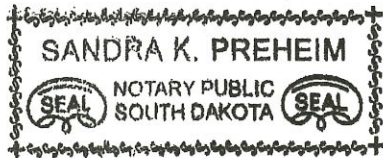
South Dakota
State of North Dakota)

:SS
County of Stark Minnehaha)

Jill Gilmore, being first duty sworn, deposes and says as follows: That he/she has read the within and foregoing Petition and knows the contents thereof, and that the same are true to the best of his/her knowledge, information and belief.

Subscribed and sworn to before me this 24 day of April, 2025

My Commission Expires
2/9/2028



Sandra K. Preheim
Notary Public
Stark County, North Dakota Sidex Falls, SD, Minnehaha
My Commission Expires: 2/9/2028

Signatures of Adjoining Property Owners
(add more pages if needed)

Address, Lot, Block and Addition

My Commission Expires
2/9/2028

The following utility companies have been notified and by the respective signature are not opposed to the vacation:

[Signature]
MDU (Gas Department)

[Signature]
MDU (Electric Department)

Century Link (701-690-2079)

[Signature]
Roughrider Electric

[Signature]
Consolidated Telephone

[Signature]
Consolidated Cable Vision

Midcontinent Communications

City of Dickinson



City of Dickinson
Petition for Vacation
38 1st Street W | Dickinson, ND
701-456-7000
Fee: \$250.00

(We) the undersigned certify that we are all adjoining property owners and request the City Commission to vacate (street, alley, easement, plat) located at: GREENVALE 3RD SUBDIVISION, BLOCKS 1 & 2, BLOCK 3 LOTS 1-4, BLOCK 4 LOTS 1-4, Stark County, ND

For the Reason: GREENVALE 3RD SUBDIVISION IS PROPOSED TO BE REPLATTED AS JOLLIFFE ACRES, THE VACATED AREAS PROPOSED ARE HATCHED ON THE ATTACHED PLAT, BEING THE PUBLIC ACCESS AREAS WITHIN THE SUBDIVISION.

Jill Gilmore Signature Line

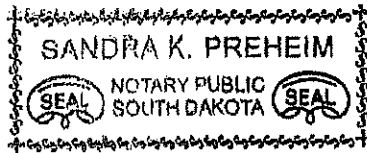
South Dakota State of North Dakota)

County of Stark Minnehaha)

Jill Gilmore being first duty sworn, deposes and says as follows: That he/she has read the within and foregoing Petition and knows the contents thereof, and that the same are true to the best of his/her knowledge, information and belief.

Subscribed and sworn to before me this 24 day of April, 2025

My Commission Expires 2/9/2028



Sandra K. Preheim Notary Public Stark County, North Dakota Sioux Falls, SD, Minnehaha My Commission Expires: 2/9/2028

Signatures of Adjoining Property Owners (add more pages if needed)

Address, Lot, Block and Addition

Blank lines for signatures and addresses

The following utility companies have been notified and by the respective signature are not opposed to the vacation:

MDU (Gas Department)

MDU (Electric Department)

Century Link (701-690-2079)

Roughrider Electric

Consolidated Telephone

Consolidated Cable Vision

Randy Heaton Midcontinent Communications

City of Dickinson

4/25/2025

Nick Jensen, PLS
Western Edge Surveying, PLCC



No Reservations/No Objections

SUBJECT: Jolliffe Acres Subdivision - Vacate/Abandon

To Whom It May Concern:

Quest Corporation d/b/a CENTURYLINK QC ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

If you have any questions, please contact Richard Hollis at 903-559-1095 or richard.hollis@lumen.com

Sincerely yours,

CenturyLink ROW Team



Joliffe Acres Subdivision Final Major Plat Staff Report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: July 2, 2025
Re: **FLP-005-2025 Jolliffe Acres Subdivision Preliminary Major Subdivision**

APPLICANT

Erik Jolliffe
 2705 Heritage Court
 Minot, ND, 58703
 erik.jolliffe@foremostwell.com
 (701) 578-4674

APPLICANT’S REPRESENTATIVE

Nick Jensen
 Western Edge Surveying, PLLC
 1175 Lincoln Street
 Dickinson ND 58601
 nick.jensen@westernedgesurveying.com
 (701) 505-8209

Public Hearing	July 9, 2025	Planning and Zoning Commission
Final Consideration	July 15, 2025	City Commission

EXECUTIVE SUMMARY

The applicant is requesting a final major subdivision plat for the Jolliffe Acres Subdivision Plat. The proposed subdivision is a replat of Blocks 1 & 2 and Lots 1 through 4 of Block 3 & 4 of the Greenvale 3rd Addition subdivision is located in E1/2 of Section 9, Township 140 North, Range 96 West. This 26.467-acre property is located within the City of Dickinson’s Extra Territorial Zone. According to the applicant, the purpose of this subdivision is to combine the smaller residential lots in order to construct a residence while utilizing space for a hobby farm.

Staff Recommendation: Staff recommends approval of this plat.

LOCATION

The property is located within the E1/2 of Section 9, Township 140 North, Range 96 West, of the 5th Principal Meridian, Stark County, North Dakota, located within the City of Dickinson’s Extra-territorial Zone.

CURRENT ZONING	RR
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/-26.467
LOTS PROPOSED	4

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG; RR	Undeveloped; Single-Family Residential
East	RR	Single-Family Residential
South	LI	Industrial Uses
West	AG	Undeveloped

STAFF ANALYSIS

BACKGROUND

The property is located outside of the City’s Urban Service Area as depicted in Chapter 6-Infrastructure of the City’s Comprehensive Plan. Potable water would be provided either by a potable well or by connection with the Southwest Water Authority. Any new residences shall utilize a septic system.

CURRENT ORDINANCE REVIEW

The proposed subdivision involves the vacation of rights-of-way, and as such is considered a major plat according to Section 52-1 of the City Municipal Code. Access to 32nd Street SW would be provided by a proposed private ingress/egress easement that would connect to 11th Avenue SW, preventing any proposed lots from being landlocked.

The minimum lot size for RR-zoning is one acre, as outlined in Table 62-162-3a: Summary of Site Development Regulations of the Municipal Code. All lots located in this plat meet this minimum lot size requirement.

The site was first platted in 1981, and has not seen any residential development within its boundaries since. Street infrastructure has not been extended into the site, and a significant portion of the subdivision is located within Zone A of the floodplain.

The proposed 12-foot utility easement vacation proposed with this plat will be required to follow the easement vacation process as defined in the City of Dickinson Municipal Code Section 52.12.

The proposed 66-foot-wide ingress/egress easement proposed with this plat is required to be routed outside of the Federal Emergency Management Agency Special Flood Hazard Area Zone A limits.

Stark County Weed Control Officer requests developers in the ETZ contact their office and arrange for an invasive weed inspection prior to submittal of building permit applications.

PUBLIC INPUT AND STAFF RECOMMENDATION

Public Input: Staff has not received any public input as of the date of this report.

Staff Recommendation: City of Dickinson Community Development Staff recommends **approval** of FLP-005-2025.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-005-2025: Jolliffe Acres Subdivision Preliminary Major Plat** as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare "*

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend denial of **FLP-005-2025: Jolliffe Acres Subdivision Preliminary Major Plat** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*



RENAISSANCE ZONE PROJECT APPLICATION
CITY OF DICKINSON, NORTH DAKOTA
COMMUNITY DEVELOPMENT DEPARTMENT

To receive City of Dickinson approval on zone projects, the following information must be submitted .

1. Type of project
Business [checked] Residential [] Utility Infrastructure Project (UIP) []
2. If this is a UIP, project is the applicant a Renaissance Zone project? Yes [] No [checked]
a. To be considered a Renaissance Zone project, the project would need to take place in the Renaissance Zone and be a utility company.
b. If this is a property owner affected by a UIP not participating in a Renaissance Zone project, is the property owner in the Renaissance Zone? Yes [] No []
3. Applicant Information
Name of applicant(s) or business name
Blaine and Denise Decker
If business, type of entity (Provide a copy of the Certificate of Good Standing from Tax Department)
Address and renaissance zone block number as it appears in the development plan property listings.
Address: 1500/1520 West Villard City: Dickinson Renaissance Zone Block: 21
4. For residential projects provide evidence that the home purchased is the taxpayer's primary residence.
N/A
5. Project Type
a. Purchase (to include new construction) []
b. Purchase with major improvements []
c. Lease []
i. What type of lease?
New [] Expansion [] Continuation of a Lease [] Leasehold Improvement []
If this an expansion, what is the additional square feet of the expansion?
ii. If it is a lease project, does it involve the relocation of a business from one location in the city to the Renaissance Zone or from one zone property to another zone property? Yes [] No []
d. Rehabilitation
i. Commercial 50% or more of the true and full value []
Or
ii. Commercial 75% or more of the true and full value [checked]
Or
iii. Residential 20% of the true and full value []
iv. Current true and full value \$

10. Identify from the Development Plan the specific criteria used to approve the project
 The project meets one of the following objectives listed in the Goals and Objectives of the Renaissance Zone Development Plan.
 To gain at least 3 improved structures or new businesses in the Renaissance Zone a year.
 To be considered an eligible zone rehabilitation project, a commercial property owner must invest at least 50% of the full and true value of the property. The City may grant an exemption of up to five years if the investment is at least 50% of the full and true value of the property. The City may grant an exemption of up to eight years if the investment exceeds 75% of the full and true value of the property.

11. Evidence that the taxpayer is current on state taxes. **(Taxpayers can contact the Office of State Tax Commissioner to receive a Certificate of Good Standing. This request must indicate that it is for a Renaissance Zone Project.)** See Appendix E.

 Letter of Good Standing Attached? Yes No

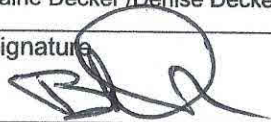

12. Expected date of occupancy or project completion 2026

ADDITIONAL DOCUMENTATION:

For rehabilitation or new construction please include building plans or renderings.

Narrative discussing why the applicant wants to participate in this program and what is expected from such participation.

List of project funding sources, both public and private.

Printed Name Blaine Decker /Denise Decker	Title President owners Blaine Decker Denise Decker
Signature  	Date 6-5-25

Please email completed application to: sylvia.miller@dickinsongov.com

Additional Documentation for what is expected from participation in program:

We have purchased the lot next to 1500 West Villard and plan to build a new shop and attach this structure to our existing business. We will build and attach the new structure at 1520 West Villard to the existing structure at 1500 West Villard and will be modernizing the current structure and bringing it up to current City Codes and practices. After completion of the project will be able to meet the needs of the people we service in a more efficient manner. If we qualify for this application we will be able to get a tax break for participation in this program.

v. For **rehabilitation** projects, provide a narrative of the work and the estimated costs.

Narrative of Work to be done	Estimated Cost
Building of 6000 square foot shop at 1520 West Villard and	\$ 1,000,000.00
attaching it to existing shop at 1500 West Villard.	

vi. What is the term (in months) sought for benefits related to this project? 96

7. For projects other than the purchase (includes new construction) or rehabilitation of a single-family home and historical preservation and renovation, describe how the overall benefit(s) of the project to the community meets or exceeds the financial and tax benefit to the businesses or investor. Any impact of the project on historic properties, anticipated tenant mix, the current building valuation, the estimated building valuation upon completion of project.
N/A

8. Provide the estimated state and local tax benefit to the taxpayer for five years (applies to all projects).

Total State tax benefit for five years \$ _____

Total Property tax benefit for five years \$ 65,000 5 yrs @ \$13,000

Total Non-participating owner tax credit \$ _____

9. Zone Authority and City Documentation:

Date of approval or conditional approval _____

Provide a copy of minutes or other supporting documentation that indicates the formal approval by the approving entity.

Project Funding Sources:

Private Funding: Bravera Bank, Dickinson



STATE OF NORTH DAKOTA
OFFICE OF STATE TAX COMMISSIONER
BRIAN KROSHUS, COMMISSIONER

April 29, 2025

Ref: L1038762624

BLAINE DECKER
1265 20TH AVE SW
DICKINSON ND 58601-8819

RE: Renaissance Zone Certificate Of Good Standing, State Income And Sales Taxes Only

This letter is evidence of good standing as required by the North Dakota Division of Community Services for purposes of obtaining final approval of a renaissance zone project.

As of the date of this letter, the records in the North Dakota Office of State Tax Commissioner do not show probable cause to believe that any income taxes (including income tax withheld from wages) or sales and use taxes are due and owing to the State of North Dakota by the following taxpayer:

Taxpayer's Name: BLAINE DECKER
SSN or FEIN: ***-**-5649

This letter must be submitted (as part of the zone project application) to the local zone authority for the renaissance zone in which the proposed zone project will be located. Please keep a copy of this letter for your records.

Liliya Montgomery

Liliya Montgomery
Supervisor, Individual Income Tax and Passthrough Entities
Phone: 701-328-1296
Email: lmontgomery@nd.gov





STATE OF NORTH DAKOTA
OFFICE OF STATE TAX COMMISSIONER
BRIAN KROSHUS, COMMISSIONER

April 29, 2025

Ref: L0065684096

DENISE DECKER
1265 20TH AVE SW
DICKINSON ND 58601-8819

RE: Renaissance Zone Certificate Of Good Standing, State Income And Sales Taxes Only

This letter is evidence of good standing as required by the North Dakota Division of Community Services for purposes of obtaining final approval of a renaissance zone project.

As of the date of this letter, the records in the North Dakota Office of State Tax Commissioner do not show probable cause to believe that any income taxes (including income tax withheld from wages) or sales and use taxes are due and owing to the State of North Dakota by the following taxpayer:

Taxpayer's Name: DENISE DECKER
SSN or FEIN: ***-**-1109

This letter must be submitted (as part of the zone project application) to the local zone authority for the renaissance zone in which the proposed zone project will be located. Please keep a copy of this letter for your records.

Liliya Montgomery

Liliya Montgomery
Supervisor, Individual Income Tax and Passthrough Entities
Phone: 701-328-1296
Email: lmontgomery@nd.gov



Blaine and Denise Decker

Current Address: 1265 20th Ave. SW, Dickinson, ND 58601

Address to be rehabilitated in Renaissance Zone :
1500/1520 West Villard, Dickinson, ND (Block 21)

Blaine Decker contact information:

Email: badeck@ndsupernet.com

Phone Number: 701-260-0738

Denise Decker contact information:

Please use Blaine Decker contact information

Deed: DECKER, BLAINE A. & DENISE
 Contract: 014-050-230
 CID#: Dickinson
 DBA: MARTINS WELDING & REFRIGERATION, INC.
 MLS: COLLEGE(0400)

Map Area: Metal Bldgs
 Route: 014-050-230
 Tax Dist: Dickinson
 Plat Page: COLLEGE(0400)
 Subdiv: COLLEGE(0400)

Checks/Tags:

Lister/Date: KRA, 05/23/2023

Review/Date: C.J, 08/23/2023

Entry Status: Exterior Review

Urban / Commercial
 Legal: LOTS 17 & 18, BLOCK 3, COLLEGE ADDITION

Land Basis	Land				Acres	Depth/Unit	EFF/Type	Qual./Land	SF	R. Lot	Side 1	Side 2	Recording	Date	Number	Tag	\$ Amount	Reason	Type	Appraised	Exempt Amount	Net Assmt	Pr Yr: 2024
	Front	Rear	Side 1	Side 2																			
SqFt Dim	100.00	100.00	140.00	140.00				C-5.00	14,000.00										Land		\$0	\$0	
Sub Total					0.321				14,000.00										LandC	\$70,000	\$0	\$0	\$70,000
Grand Total					0.321				14,000.00										Dwlg	\$193,700	\$0	\$0	\$193,700
																			Impr	\$263,700	\$0	\$0	\$263,700
																			Total		\$0	\$0	\$263,700

SqFt Dim	Street	Sales		Building Permits		Zoning		Utilities		Land Use		Values
		\$ Amount	NUTC	Number	Tag	\$ Amount	Reason	City	General Commercial	Not Applicable	Exempt Amount	
	Paved											

Deed: DECKER, BLAINE & DENISE
Contract:

Map Area: Dickinson Comm
Route: 014-050-220

Checks/Tags:
Lister/Date: KRA, 05/23/2023
Review/Date: CJ, 08/23/2023

CID#: VAC LOT
DBA: VAC LOT
MLS:

Tax Dist: Dickinson
Plat Page:
Subdiv: COLLEGE(0400)

Entry Status: Vacant

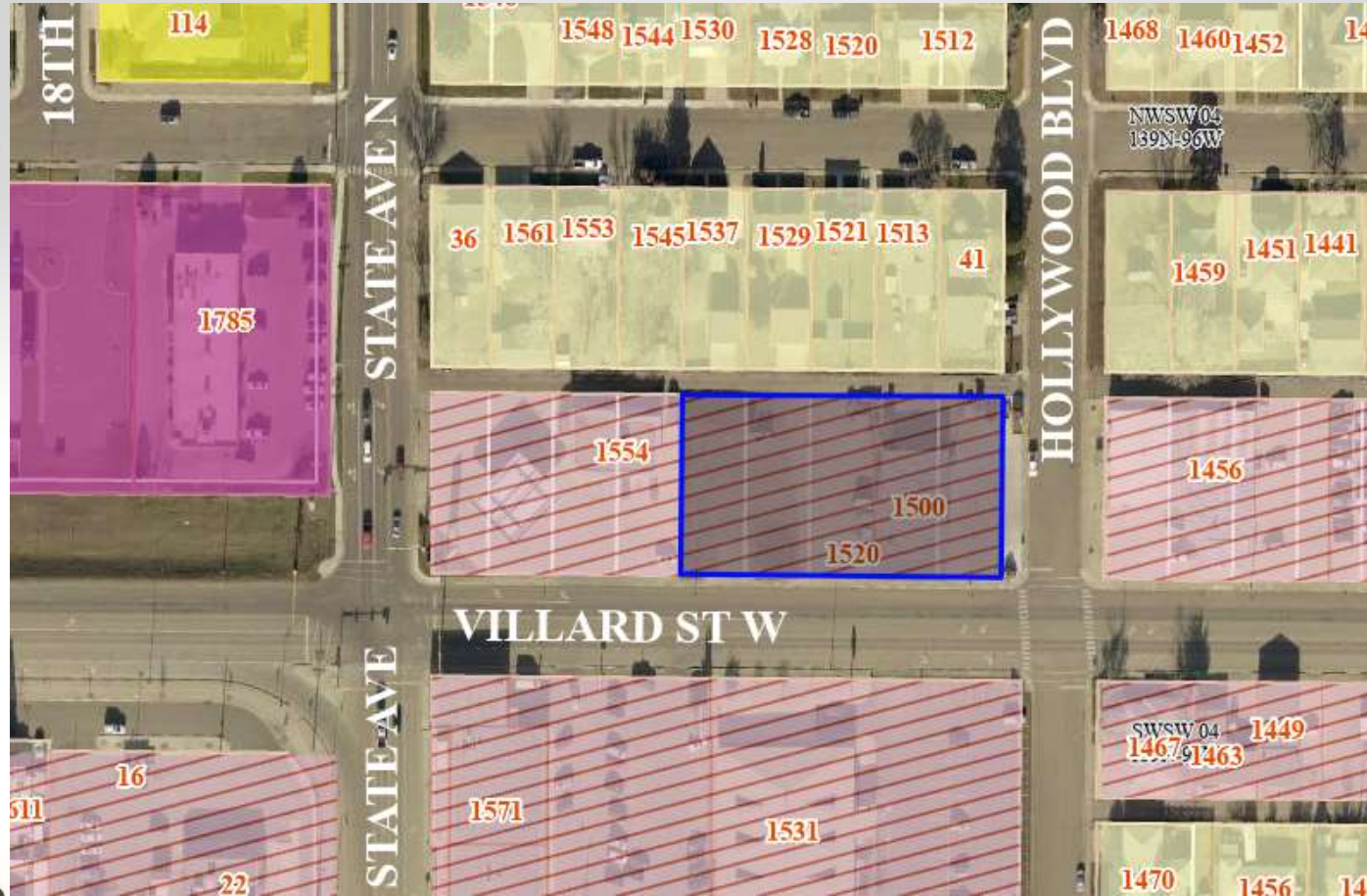
Urban / Commercial
Legal: LOTS 14-16, BLOCK 3, COLLEGE ADDITION

Land Basis		Front	Rear	Side 1	Side 2	R. Lot	SF	Acres	Depth/Unit	EFF/Type	Qual/Land
SqFt Dim		150.00	150.00	140.00	140.00		21,000.00	0.482			C-5.00
Sub Total							21,000.00	0.482			
Grand Total							21,000.00	0.482			

Street		Utilities		Zoning		Land Use	
SqFt Dim	Paved	City	City	General	Commercial	Not	Applicable

Sales		Building Permits		Values								
Date	\$ Amount	NUTC	Recording	Number	Tag	\$ Amount	Reason	Type	Appraised	Exempt Amount	Net Assmt	Pr Yr: 2024
				DM100097	Y	\$0	Demo/Rmvl	Land			\$0	
				DM100091	Y	\$0	Demo/Rmvl	LandC	\$94,500		\$0	\$94,500
								Dwlg			\$0	
								Impr			\$0	
								Total	\$94,500		\$0	\$94,500

MARTIN'S WELDING AND REFRIGERATION RENAISSANCE ZONE (REZ-003-2025)



Blaine and Denise Decker Building Addition and Remodel 1520/1500 West Villard

Description of work

● Building materials	\$257,062.74
● HVAC/R	\$58,000.00
● Plumbing	\$30,000.00
● Electrical	\$35,000.00
● Concrete	\$200,000.00
● Framing	\$125,000.00
● Finish Work	\$125,000.00
● Construction Coordinator	\$125,000.00
● Office Furniture	<u>\$44,937.26</u>
	\$1,000,000.00

Blaine and Denise Decker Addition/ Remodel 1520/1500 West Villard

- **Income Tax Paid 2023** **\$133,035.00**
- **Income Tax Paid 2024** **\$56,448.00**



Blaine & Denise Martin Rehabilitation Renaissance Zone Project

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Services Department
Date: July 2, 2025
Re: **REN-003-2025 Blaine and Denise Martin Rehabilitation Renaissance Zone Project**

APPLICANTS

Blaine and Denise Decker
 1265 20th Avenue SW
 Dickinson ND 58601
 Phone: 701-260-0738
 badeck@ndsupernet.com

Public Hearing	July 9, 2025	Planning and Zoning Commission
Final Consideration	July 15, 2025	City Commission

EXECUTIVE SUMMARY

Location

The subject property is located at 1500 Villard Street West and 1520 Villard Street West on the northwest corner of Villard Street West and Hollywood Boulevard. The site is legally described as Lot 17A, Block 3, College Addition Subdivision. The western portion of Lot 17A is currently vacant but had previously been developed with a motel. The eastern portion has been developed with a commercial structure.

Request

The applicants are requesting an eight-year real estate tax exemption and an eight-year income tax exemption for a commercial rehabilitation project on Block 21 of the City of Dickinson's Renaissance Zone. The applicants describe their project as follows:

- build a 6,000 square foot shop at 1520 Villard Street West;
- attach the new building to the existing building at 1500 Villard Street West.

The applicants have submitted a completed application that is compliant with application requirements.

The applicants estimate the costs of improvements project investment amount at \$1,000,000.

The City of Dickinson City Assessor indicates the current true and full value of the property is \$358,200.

Based upon estimates provided by the applicants, total property tax benefit for eight years would be \$104,000.

Community Development Staff recommends APPROVAL.

LOCATION

The subject property is legally described as Lot 17A, Block 3, College Addition Subdivision. The subject property is zoned General Commercial (GC). The proposed commercial use is a permitted use in the GC zoning district. The subject lot is also located in the Corridor Overlay District.

CURRENT ZONING	General Commercial
FUTURE LAND USE MAP DESIGNATION	COMMERCIAL
GROSS SITE ACREAGE	0.803
LOTS PROPOSED	n/a

NEARBY ZONING & LAND USE		
Direction	Zoning	Land Use
North	R-1	Single-family structures
East	GC	Body Repair
South	GC	Medical Office Building
West	GC	Auto Services

STAFF ANALYSIS

At a pre-application held with City Development staff on March 18, 2025, the applicants were notified the subject lot is located within the City's Renaissance Zone. Subsequently, the applicants met with City staff prior to submitting this application.

Staff of the North Dakota Department of Commerce have reviewed this project and have confirmed this is considered an allowable Renaissance Zone project.

According to the City of Dickinson’s Renaissance Zone Development Plan, as amended effective May 2024, the site of the project is located within the City’s Renaissance Zone, and it is listed in the Plan’s Property Inventory as a potential project site.

The proposed project is consistent with the following goal of the City’s Renaissance Zone Plan:

To gain at least 3 improved structures or new businesses in the Renaissance Zone a year.

This is the third Renaissance Zone project submitted to the City in 2025.

The proposed project is consistent with the following objectives of the City Renaissance Zone Plan:

Foster a culture of progressiveness and change while recognizing the traditions and history of the area; and

Help businesses apply and receive the benefits of the Renaissance Zone.

Chapter VI of the Development Plan “Renaissance Zone Project Selection Minimum Criteria” contains the following:

- To be considered an eligible zone rehabilitation project, a **commercial property owner** must invest at least 50% of the full and true value of the property. The City may grant an exemption of up to five years if the investment is at least 50% of the full and true value of the property. The City may grant an exemption of up to eight years if the investment exceeds 75% of the full and true value of the property.

According to the Property Inventory found in Attachment D of the City’s Renaissance Zone Development Plan, the western portion of the property, which was previously legally described as Lots 14-16, Block 3, of the College Addition Subdivision, is identified as a potential project site. Additionally, the applicant has committed to spend approximately \$1,000,000 to renovate the entire property.

Consistency with the Comprehensive Plan

The proposed project is consistent with Policy 1.1. of Chapter 3 of the City of Dickinson Comprehensive Plan, which states the City shall actively promote the Renaissance Zone. The project is also consistent with Comprehensive Plan Policy 1.4 of Chapter 3, which states the City shall provide technical assistance with Renaissance Zone applications.

PUBLIC COMMENT AND STAFF RECOMMENDATION

Public Input: As of the date of this report, City staff has not received any public comments.

Staff Recommendation: The City Community Development Team staff recommends **approval** of this renaissance zone project petition.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend Approval of **REN-003-2025 The Blaine and Denise Decker Commercial Rehabilitation** project as being consistent with City of Dickinson Renaissance Zone Development Plan, as well as being the compliant with the City of Dickinson Comprehensive Plan and also being in the interest of the public health, safety and welfare."*

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend Denial of **REN-003-2025 The Blaine and Denise Decker Commercial Rehabilitation** project as NOT being consistent with City of Dickinson Renaissance Zone Development Plan, as Not being compliant with the City of Dickinson Comprehensive Plan and as being contrary to interest of the public health, safety and welfare."*

Natalie Birchak

From: Jotform <noreply@jotform.com>
Sent: Thursday, June 5, 2025 1:46 PM
To: Sylvia Miller; Sylvia Miller; Steven Josephson; Dustin D. Dassinger; Leonard W. Schwindt; Joshua Skluzacek; Sylvia Miller; Natalie Birchak
Subject: Re: Unified Development Application
Attachments: Schmidt Pre-Application Letter.pdf; City Planner Letter.pdf; Schmidt Minor Subdivision.pdf; Jeff Thompson Letter.pdf; SW Water Letter.pdf; Warranty Deed 2008_8504.pdf; Warranty Deed 12 1997.pdf



Unified Development Application

Have you met with Planning Staff regarding your application? **Yes**

Please upload the letter or counseling form you received following your pre-application meeting: [Schmidt Pre-Application Letter.pdf](#)

Type of Development **Minor Subdivision Plat**

Is this a Replat **Yes**

Subdivision Being Re-platted **23-0000-03506-100**

Name **Andy Schmidt**

Applicant Email **andypschmidt@hotmail.com**

Applicant Phone # **(701) 260-4737**

Owner Name **Gary Schmidt**

Owner Address 10524 HWY 10 EAST, Dickinson, North Dakota, 58601

Owner Email srigary@ndsupernet.com

Owner Phone # (701) 290-4397

Is the owner present to Sign Yes

Signature

GARY SCHMIDT

Will this application require any other action to complete the development? Yes

	1/4 Section	Township	Range
Description	SE 1/4 of Section 33	140	95

Property Address / General Project Location 10524 Hwy 10, Dickinson, ND 58601

Total Square Footage or Acreage of Subject Property 1.5 (+/-)

Transmittal Letter (Explanation of Request & Proposed Operations) [City Planner Letter.pdf](#)

Rezone Calc Multiplier 0

Minor Platting Multiplier 1

Prelim Platting Multiplier 0

Major Platting Multiplier 0

Name of Plat Schmidt Minor Subdivision

Number Lots **1 to 10 Lots**

Number of Block(s) 1

1

Application Calc 500

Required Documentation Upload [Schmidt Minor Subdivision.pdf](#)
[Jeff Thompson Letter.pdf](#)
[SW Water Letter.pdf](#)

Deed for Property [Warranty Deed 2008_8504.pdf](#)
[Warranty Deed 12_1997.pdf](#)

Application Fees

Applicable Fees	500.00 USD
<hr/>	
Total:	\$500.00

Transaction ID: 2btsar4b

Payment Information

First Name: Andy
Last Name: Schmidt
E-Mail andypschiidt@hotmail.com

Applicant Signature



Date 06-05-2025

You can [edit this submission](#) and [view all your submissions](#) easily.

SCHMIDT MINOR SUBDIVISION (FLP-006-2025)

Section 3. Item D.



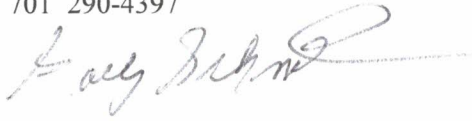
June 6, 2025

Natalie Birchak, City Planner
City of Dickinson
38 1st Street West
Dickinson, ND 58601

I, Gary Schmidt, approve giving Andy Schmidt approximately 1.5 acres of land located on the property of Schmidt Repair Inc. Parcel Number 23-0000-03506-100 at 10524 Hwy 10 East, Dickinson, ND 58601. This gifted parcel will be rezoned from Commercial to Rural Residential, so that Andy Schmidt can use the property as the site for his home.

Thank you

Gary Schmidt
Schmidt Repair Inc.
701 290-4397



Andy Schmidt
Schmidt Repair Inc.
701 290-4737





Schmidt Minor Subdivision Staff Report

To: City of Dickinson Board of Commissioners
 From: City of Dickinson Community Development Services
 Date: July 2, 2025
 Re: FLP-006-2025 Schmidt Zoning Map Amendment

OWNER/APPLICANT

Andy Schmidt
 10520 Highway 10 East
 Dickinson, ND, 58601
 andypschiidt@hotmail.com
 (701) 260-4737

Public Hearing	July 9, 2025	Planning and Zoning Commission
Final Consideration	July 15, 2025	City Commission

The applicant is requesting the approval of the Schmidt Minor Subdivision plat, located within the SE1/4 of Section 33, Township 140 North, Range 95 West, 5th Principal Meridian, Stark County, North Dakota; in the City of Dickinson’s Extra-Territorial Zone. According to the applicant, the purpose of this subdivision is to divide a parcel of land out of the existing tract to construct a primary residence. The property is +/- 7.83 acres.

A companion zoning map amendment request is also scheduled for public hearing at the July 9, 2025 Planning and Zoning Commission meeting (REZ-005-2025).

Staff recommendation: Staff recommends approval of this minor subdivision plat contingent on approval of REZ-005-2025.

LOCATION

The property is a previously unplatted tract located within the SE1/4 of Section 33, Township 140 North, Range 95 West, of the 5th Principal Meridian, Stark County, North Dakota in the City of Dickinson’s Extra-Territorial Zone. This subdivision contains the existing business at 10524

Highway 10. The proposed Lot 3 contains an existing cell tower and building, and the proposed Lots 1 & 2 contain an outdoor storage area with significant scoria/gravel surface coverage.

CURRENT ZONING	GC & AG
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/- 7.83 acres
LOTS PROPOSED	2

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Agriculture
East	GC	Commercial
South	AG	Water treatment plant; agriculture
West	GC; AG	Commercial; single-family residential

CURRENT ORDINANCE REVIEW

According to Section 52-1 of the Municipal Code, a minor subdivision is a subdivision that meets the following requirements:

- Does not require the dedication of public rights-of-way or the construction of new public streets or public infrastructure; and
- Does not land-lock or otherwise impair convenient ingress and egress to or from the rear side of the subject tract or any adjacent property; and
- Does not violate any local, state, or federally-adopted law, ordinance, regulation, plan, or policy; and
- Consists of four lots or less.

The proposed subdivision meets the requirements and is considered a minor subdivision plat.

The applicant has submitted an associated zoning map amendment request, which would rezone Lot 2 of Block 1 of the Schmidt Minor Subdivision from AG and GC into RR. This zoning map amendment cannot proceed without the approval of this minor subdivision due to Section 62-160 of the Municipal Code stating that "A site must be in one base district."

According to Section 62-162 of the Municipal Code, the minimum RR lot size is 1 acre and the minimum lot size for GC is 12,000 square feet. The six proposed lots all exceed the minimum lot

size requirement of their respective zoning district. No existing structures violate any use or setback requirements laid out in the Zoning Ordinance.

The Stark County Weed Control Office requests developers in the ETZ contact their office and arrange for an invasive weed inspection prior to submittal of building permit applications.

Public Input: As of the date of this report, City staff has not received any public comments.

Staff Recommendation: The City Development Team staff recommends approval of FLP-006-2025 contingent on the approval of REZ-005-2025.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **FLP-006-2025: The Schmidt Minor Subdivision** as being consistent with the City of Dickinson Comprehensive Plan, as being compliant with the City of Dickinson Zoning Ordinance, and as being in the interest of the public health, safety and welfare "*

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend Denial of **FLP-006-2025: The Schmidt Minor Subdivision** as NOT being consistent with the City of Dickinson Comprehensive Plan, as not being compliant with the City of Dickinson Zoning Ordinance, and as being contrary to the interest of the public health, safety and welfare."*

Natalie Birchak

From: Jotform <noreply@jotform.com>
Sent: Thursday, June 5, 2025 2:22 PM
To: Sylvia Miller; Sylvia Miller; Steven Josephson; Dustin D. Dassinger; Leonard W. Schwindt; Joshua Skluzacek; Sylvia Miller; Natalie Birchak
Subject: Re: Unified Development Application
Attachments: Schmidt Pre-Application Letter.pdf; City Planner Letter.pdf; Schmidt Minor Subdivision.pdf; Warranty Deed 2008.pdf; Warranty Deed 12 1997.pdf



Unified Development Application

Have you met with Planning Staff regarding your application? **Yes**

Please upload the letter or counseling form you received following your pre-application meeting: [Schmidt Pre-Application Letter.pdf](#)

Type of Development **Rezoning - Zoning Map Amendment**

Name **Andy Schmidt**

Applicant Email **andypschmidt@hotmail.com**

Applicant Phone # **(701) 260-4737**

Owner Name **Gary Schmidt**

Owner Address **10520 HWY 10 EAST, Dickinson, North Dakota, 58601**

Owner Email **srigary@ndsupernet.com**

Owner Phone # **(701) 290-4397**

Is the owner present to Sign **Yes**

Signature

SARX Schmitt

Will this application require any other action to complete the development? **No**

	1/4 Section	Township	Range
Description	SE 1/4 of Section 33	140	95

Legal - Lot/Block/Addition

	Lot	Block	Addition
Description	SE 1/4 sec 33 T140N R95W 5TH PM	1	1

Property Address / General Project Location 10524 Hwy 10, Dickinson, ND 58601

Total Square Footage or Acreage of Subject Property 1.5 (+/-)

Transmittal Letter (Explanation of Request & Proposed Operations) [City Planner Letter.pdf](#)

Existing Zoning **GC - General Commercial**

Proposed Zoning **RR - Rural Residential**

Rezone Calc Multiplier 1

Overlay District Description N/A

Map of Area to be Rezoned [Schmidt Minor Subdivision.pdf](#)

Minor Platting Multiplier 0

Prelim Platting Multiplier 0

Major Platting Multiplier 0

Application Calc 350

Deed for Property [Warranty Deed 2008.pdf](#)
[Warranty Deed 12 1997.pdf](#)

Application Fees Applicable Fees 350.00 USD

Total: \$350.00

Transaction ID: a6xv5tve

Payment Information

First Name: Andy
Last Name: Schmidt
E-Mail andypschiidt@hotmail.com

Applicant Signature



Date 06-05-2025

You can [edit this submission](#) and [view all your submissions](#) easily.

SCHMIDT ZONING MAP AMENDMENT (REZ-005-2025)



SCHMIDT ZONING MAP AMENDMENT (REZ-005-2025)



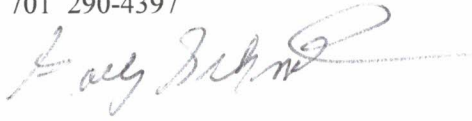
June 6, 2025

Natalie Birchak, City Planner
City of Dickinson
38 1st Street West
Dickinson, ND 58601

I, Gary Schmidt, approve giving Andy Schmidt approximately 1.5 acres of land located on the property of Schmidt Repair Inc. Parcel Number 23-0000-03506-100 at 10524 Hwy 10 East, Dickinson, ND 58601. This gifted parcel will be rezoned from Commercial to Rural Residential, so that Andy Schmidt can use the property as the site for his home.

Thank you

Gary Schmidt
Schmidt Repair Inc.
701 290-4397



Andy Schmidt
Schmidt Repair Inc.
701 290-4737





Schmidt Zoning Map Amendment Staff Report

To: City of Dickinson Board of Commissioners
 From: City of Dickinson Community Development Services
 Date: July 2, 2025
 Re: REZ-005-2025 Schmidt Zoning Map Amendment

OWNER/APPLICANT

Andy Schmidt
 10520 Highway 10 East
 Dickinson, ND, 58601
 andypschiidt@hotmail.com
 (701) 260-4737

Public Hearing	July 9, 2025	Planning and Zoning Commission
Public Hearing	July 15, 2025	City Commission
Final Consideration	August 5, 2025	City Commission

The applicant is requesting the approval of a zoning map amendment from General Commercial (GC) and Agriculture (AG) to Rural Residential (RR) for Lot 1 of Block 1 of the Schmidt Minor Subdivision, located within the City of Dickinson’s Extra-Territorial Zone (ETZ). The purpose of this rezoning is to allow the applicant to construct a primary residence on the subdivided lot.

A companion minor subdivision plat is also scheduled for public hearing at the July 9, 2025 Planning and Zoning Commission meeting (FLP-006-2025).

Staff recommendation: Staff recommends approval of this rezone contingent of approval of FLP-006-2025.

LOCATION

CURRENT ZONING	GC & AG
FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/- 1.49 acres
LOTS PROPOSED	N/A

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	AG	Agriculture
East	GC	Commercial
South	AG	Water treatment plant; agriculture
West	GC; AG	Commercial; single-family residential

COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility with the Comprehensive Plan

According to the City’s Comprehensive Plan Future Land Use Map (FLUM), the subject property is designated RESIDENTIAL. This zoning map amendment request is consistent with this FLUM designation.

Compliance with The Zoning Ordinance

There is a 0.15-acre portion of the proposed site which is the proposed Lot 1, Block 1 of the proposed Schmidt Minor Subdivision that is currently zoned Agriculture (AG) while the remainder is zoned General Commercial (GC). According to Section 62-160 of the Zoning Ordinance, “A base district designation shall apply to each lot or site within the City and its planning jurisdiction. A site must be in one base district.” The proposed rezone eliminates the partial AG zoning and zones the total property into Rural Residential (RR), bringing the lot into compliance with the Municipal Code.

The applicant has submitted an associated minor subdivision plat, which would subdivide this property into three (3) lots. The proposed Lot 3 contains an existing cell tower and building, and the proposed Lots 1 & 2 contain an outdoor storage area with significant scoria/gravel surface coverage. This subdivision contains the existing business at 10524 Highway 10.

The Stark County Weed Control Office requests developers in the ETZ contact their office and arrange for an invasive weed inspection prior to submittal of building permit applications.

Public Input: As of the date of this report, City staff has not received any public comments.

Staff Recommendation: The City Development Team staff recommends approval of REZ-005-2025 contingent on the approval of the associated FLP-006-2025.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **REZ-005-2025: The Schmidt Rezoning Request** as being consistent with the City of Dickinson Comprehensive Plan, as being compliant with the City of Dickinson Zoning Ordinance, and as being in the interest of the public health, safety and welfare "*

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend Denial of **REZ-005-2025: The Schmidt Rezoning Request** as NOT being consistent with the City of Dickinson Comprehensive Plan, as not being compliant with the City of Dickinson Zoning Ordinance, and as being contrary to the interest of the public health, safety and welfare."*



CITY OF Dickinson North Dakota Unified Development Application


NOTE: A PRE-APPLICATION MEETING WITH CITY STAFF IS REQUIRED PRIOR TO APPLYING.

Have you met with Planning Staff regarding your application? *

Yes

No

Please upload the letter or counseling form you received following your pre-application meeting: *



Browse Files
Drag and drop files here

image0.png#jotformf...6976c067

Required in order to apply

Type of Development *

Special Use Permit ▼

ALL OF THE FOLLOWING ITEMS SHALL BE SUBMITTED WITH THE APPLICATION

- Presubmittal meeting letter.
- A description of the proposal that specifically describes the function, operation and duration of the proposed use.
- A description of how the project address the criteria listed in Table 12-1, Section 39.12.003 of the Zoning Ordinance.
Those criteria are found on pages 3 and 4 of this application form.
- Legal Description of property
- Copy of the recorded deed of the subject property
- Scaled map of the property showing boundaries, current and proposed zoning, adjacent zoning; and all existing and proposed buildings and land uses on the property
- Proposed site plan/master plan
- Additional information deemed by staff as necessary to conduct a thorough analysis of the application, which may include, but may not be limited to, a stormwater analysis, a traffic study, or an environmental impact study

PLEASE PROVIDE A WRITTEN DESCRIPTION OF HOW THE PROJECT IS CONSISTENT WITH EACH OF THE FOLLOWING CRITERIA IN TABLE 12-1, SECTION 39.12.003 OF THE ZONING ORDINANCE

Land Use Compatibility

- Site area per unit or floor area ratio should be similar to surrounding uses if not separated by natural or artificial features
- Development should minimize differences in height and building size from surrounding structures. Differences should be justified by urban design considerations
- Development should respect pre-existing setbacks in surrounding area. Variations should be justified by site or operating characteristics.
- Building coverage should be similar to that of surrounding development of possible. Higher coverage should be mitigated by landscaping or site amenities.

Site Development

- Project frontage along a street should be similar to lot width.
- Parking should serve all structures with minimal conflicts. Circulation between pedestrians and vehicles as well as lighting.
- All structures must be accessible to public safety vehicles.
- Development must have access to adjacent public streets and ways. Internal circulation should minimize conflicts and congestion at public access points.
- Lighting plan

Landscaping/Street Trees

- Landscaping should be integral to the development, providing street landscaping, breaks in uninterrupted paved areas, and buffering where required by surrounding land uses. Parts of site with sensitive environmental features or natural drainage ways should be preserved.

Operating Characteristics

- Project should not reduce the existing level of traffic service on adjacent streets. Compensating improvements will be required to mitigate impact on street system operations.
- Project design should direct non-residential traffic away from residential areas.
- Projects with long operating hours must minimize effects on surrounding residential areas.
- Outside storage areas must be screened from surrounding streets and less intensive land uses.

- Outside storage areas must be screened from surrounding streets and less intensive land uses.
- Developments within 200 feet of a public sanitary sewer must connect to sewer system. Individual disposal systems, if permitted, shall not adversely affect public health, safety, or welfare.
- Sanitary sewer must have adequate capacity to serve development.
- Development should handle storm water adequately to prevent overloading of storm water management system.
- Development should not inhibit development of other properties.
- Development should not increase probability of erosion, flooding, landslides, or other run-off related effects
- Project must be served by utilities
- Rural estate subdivisions should be located in designated areas which can accommodate utility and infrastructure installation consistent with the need to protect the environment and public health.
- Projects should be consistent with the City of Dickinson's Comprehensive Plan.

Applicant Information

Name *

Cailie	Brewer
--------	--------

First Name

Last Name

Company

The Barking Lot

If applicable

Applicant Email *

thebarkinglotnd@gmail.com

example@example.com

Applicant Phone # *

(701) 590-5181

Please enter a valid phone number.

Applicant Representative

Applicant Representative (if applicable)

First Name

Last Name

Applicant Representative Company

Type here...

If applicable

Applicant Representative Email

example@example.com

Applicant Representative Phone #

(000) 000-0000

Please enter a valid phone number.

Property Owner Information

Owner Name *

Cailie Brewer
Last Name

First Name

Owner Address *

270 Dakota Pl.

Street Address

Street Address Line 2

Dickinson ND

City

State / Province

58601

Postal / Zip Code

Owner Email *

Owner Phone # *

thebarkinglotnd@gmail.com

(701) 590-4320

example@example.com

Please enter a valid phone number.

Is the owner present to Sign *

Yes



Signature *

Clear

Will this application require any other action to complete the development? *

No



Metes and Bounds Description (ONLY REQUIRED FOR UNPLATTED SUBDIVISION LOTS)

Type here...

Legal - Section/Township/Range *

1/4 Section

Township

Range

96 W

139 N

NW¹/₄ of the SW¹/₄ of Sector

Description

Legal - Lot/Block/Addition *

Lot

Block

Addition

Lot 7

Block 4

Suncrest Addition

Description

Property Address / General Project Location *

270 Dakota Pl.

Total Square Footage or Acreage of Subject Property *

11667

Existing Future Land Use Map Category *

Residential



Existing Zoning *

R2 - Medium Density Residential



Existing Use *

Residential Single Family



Property is located within the following Overlay District(s) as described in Zoning Code Ordinance Article 39.05

Overlay District Description *

Dickinson Zoning: Low Density Residential: R1

Use N/A if not applicable

Special Use Permit for the following Use: *

Dog Grooming

Site Exhibit - Not Less than 1" = 20' Scale *




Browse Files

Drag and drop files here



Transmittal Letter (Explanation of Request & Proposed Operations) *




Browse Files
Drag and drop files here

IMG_3625.png#jotfor...a32630a7




Floor Plan if Accessory Dwelling Unit



Browse Files
Drag and drop files here

Deed for Property *



Browse Files
Drag and drop files here

IMG_3623.jpeg#intfo 1ea59a4e



IMG_3624.jpeg#jotfo...da9d562c



Application Fees *

350

USD

Applicable Fees

Credit Card Details

First Name

Last Name

Credit Card Number

Security Code

Expiration Month

Expiration Year

Applicant Signature *

Date *

Sign Here

MM-DD-YYYY

Date

Clear

PLEASE READ - SCAM ALERT: The City of Dickinson has been made aware of an ongoing scam campaign targeting businesses and citizens with regards to the payment of application fees. The emails are currently coming from the email address: planning.dickinsongov@usa.com. The City of Dickinson does not send invoices regarding fees associated with the Planning & Zoning Commission and has no fees outside of the application fee. If you receive any invoices or have questions regarding the validity of an electronic message regarding application fees, please contact the City at 701-456-7020 to verify it.

Save

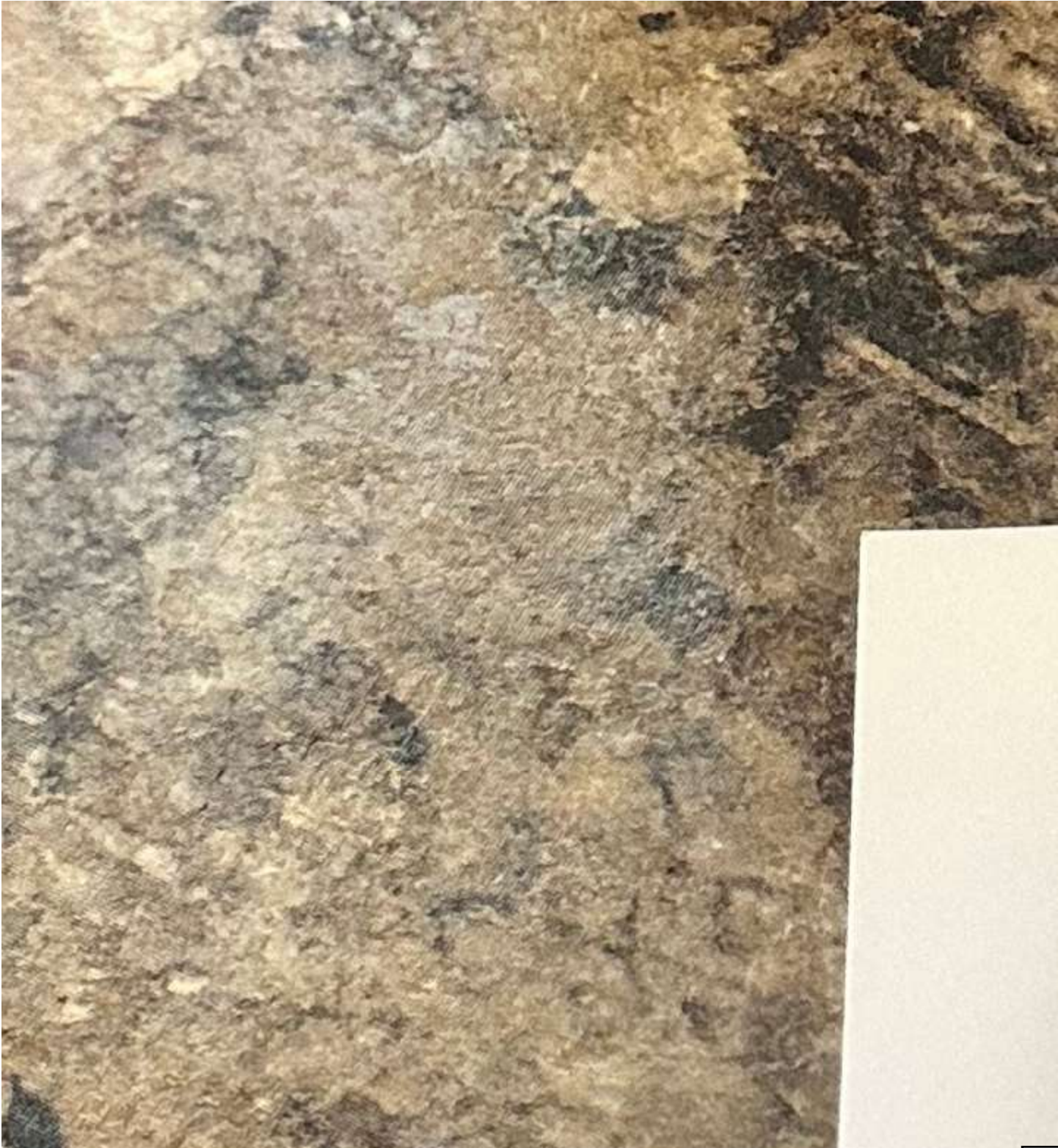
Submit

THE BARKING LOT SPECIAL USE PERMIT (SUP-003-2025)



Natalie Birchak

From: Cailie Brewer <cailiepaige8@gmail.com>
Sent: Thursday, June 12, 2025 7:29 AM
To: Natalie Birchak
Subject: Re: SUP Application Attachments



I'm not sure what the transmittal letter would be but here is the deed!

Conditions:

1. I groom with all doors closed, never open to prevent any escapees.
2. All dogs MUST come in leashed.
3. Everyone MUST park in the driveway at pickup and drop off.
4. Work hours are 8:30am-5pm Monday-Friday. I typically try to never work on weekends.
5. I have a dog waste baggy station inside in case of any dogs who potty on the property. This all goes into the garbage can outside.
6. All dogs are one-on-one unless one home has multiple dogs. I don't have my clients all drop off at once.
7. Deliveries can be dropped off at any door as I live there.
8. Dogs aren't allowed potty breaks to prevent any escapees. Owners are supposed to pick up within the allotted time in my policies so aren't supposed to be there long.

On Jun 11, 2025, at 11:08 PM, Cailie Brewer <cailiepaige8@gmail.com> wrote:

Oh shoot. Yes. Those were all in the documents that wouldn't send over. I will send photos of all of this in the morning. I thought you just needed the aerial view mostly! But I'll send it over right away when I wake up.

Sent from my iPhone

On Jun 11, 2025, at 10:09 AM, Natalie Birchak <Natalie.Birchak@dickinsongov.com> wrote:

Hi Cailie!

Thanks for dropping off your application for a Special Use Permit for a home-based occupation this morning! I don't believe we got a copy of your transmittal letter or your deed. Can you email those over to me when you get a chance? Additionally, can you provide a written outline of how your business would operate and how that may affect surrounding properties, such as any deliveries, whether customers will be parking, traffic generation, and disposal of materials like chemicals or dog waste?

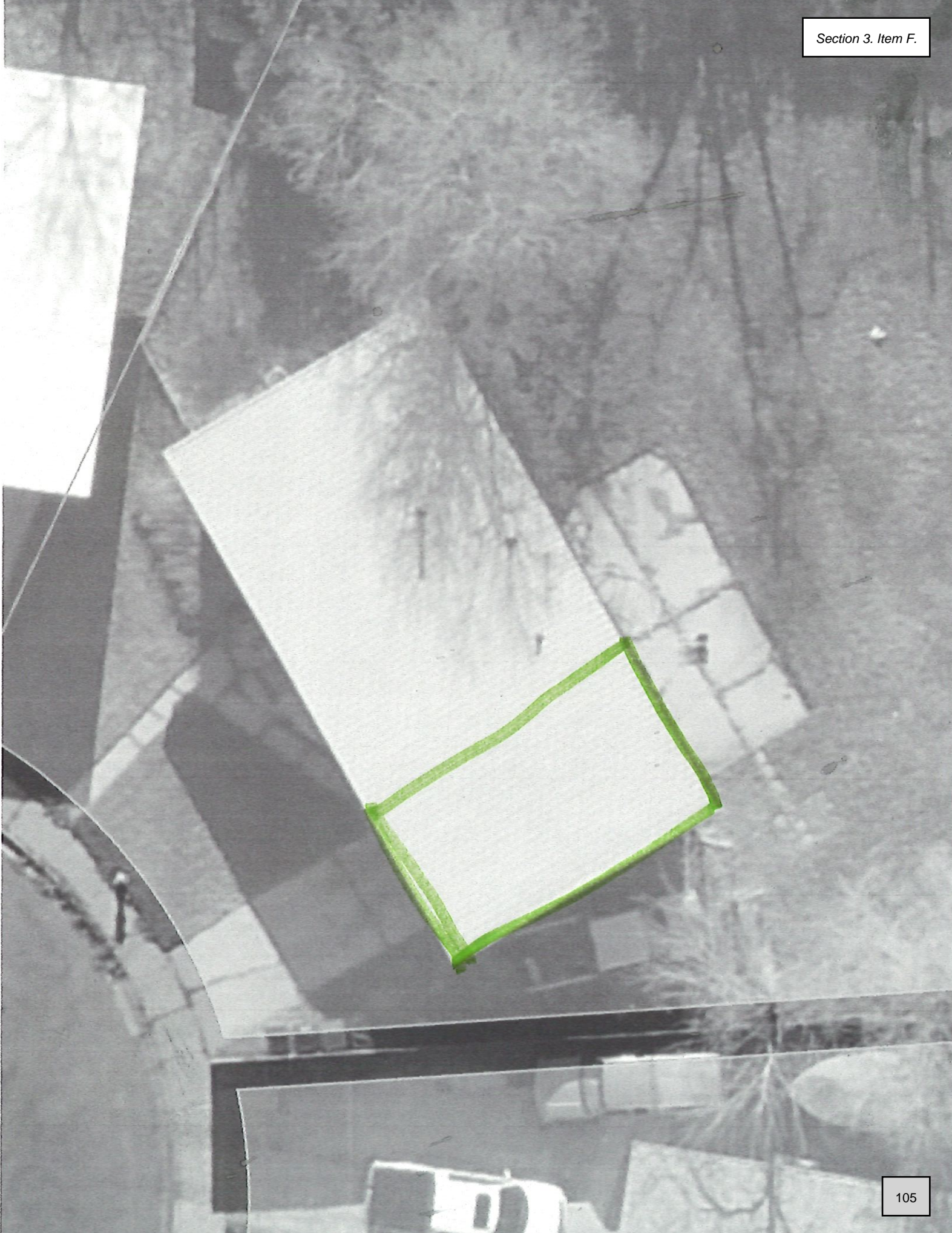
Thank you!
Natalie Birchak

NATALIE BIRCHAK

**PLANNER
PLANNING**

**Natalie.Birchak@dickinsongov.com
O: 701.456.7812**







The Barking Lot SUP Staff Report

To: City of Dickinson Planning and Zoning Commission
From: City of Dickinson Community Development
Date: July 2, 2025
Re: **SUP-003-2025 The Barking Lot Special Use Permit**

OWNER/APPLICANT

Cailie Brewer
 270 Dakota Place
 Dickinson, ND, 58601
 thebarkinglot@gmail.com
 (701) 590-5181

Public Hearing	July 9, 2025	Planning and Zoning Commission
Final Action	July 15, 2025	City Commission

EXECUTIVE SUMMARY

The applicant is requesting approval of a Special Use Permit (SUP) application for a home-based dog grooming business. The business would be located in a primary residence on a 0.268-acre parcel at 270 Dakota Place in the City of Dickinson. The property is zoned Low-Density Residential (R-1).

Staff Recommendation: Approval subject to conditions.

LOCATION

The property is located within the NW1/4 of the SW1/4 of Section 2, Township 139 North, Range 96 West, of the 5th Principal Meridian, City of Dickinson, Stark County, North Dakota. Currently, the property is legally described as Lot 7 of Block 4 of the Suncrest First Addition Subdivision.

CURRENT ZONING	R-1
-----------------------	------------

FUTURE LAND USE MAP DESIGNATION	RESIDENTIAL
GROSS SITE ACREAGE	+/- 0.286
LOTS PROPOSED	N/A

ADJACENT ZONING & LAND USE		
Direction	Zoning	Land Use
North	R-1	Single-family residences
East	R-1	Single-family residences
South	R-1	Single-family residences
West	R-1; R-2	Playground; multi-family residences

STAFF ANALYSIS

BACKGROUND

In 2023, the applicant received approval for a dog grooming home-based occupation Special Use Permit by the City Commission at 860 13th Street East. The subject property is also located in the R-1 zoning district. The applicant is moving to 270 Dakota Place and, as the previous SUP cannot be transferred, must apply for an SUP at the new location.

CURRENT ORDINANCE REVIEW

The proposed home-based occupation is located within a R-1-zoned district. Per Table 62-162-2: Permitted Uses by Zoning Districts, in the City Municipal Code, home-based business/home occupations are allowed in R-1 zoning upon obtaining a Special Use Permit, which is subject to a public hearing before the City Planning and Zoning Commission and approval by the City Commission.

The applicant has submitted a site plan demonstrating that all business operations would be limited to the residence’s attached garage. This garage takes up less than 30 percent of the building’s total floor area. This conforms with the regulations outlined in Sec. 62-471: Accessory uses, in the City’s Municipal Code.

COMPATIBILITY WITH LOCAL USES

The adjacent lots are zoned Low-Density Residential (R-1). The applicant has indicated all operations will be limited to taking place indoors. Minor traffic increases depending on the frequency of customers dropping off and picking up their dogs, but operations would not require the use of any commercial vehicles. The business operations as described in Attachment A should not result in a significant increase in traffic.

PUBLIC COMMENT AND STAFF RECOMMENDATION

Public Input: Staff has not received any public input as of the date of this report.

Staff Recommendation: Community Development staff recommends **approval** of SUP-003-2025 subject to the conditions listed below.

- **Hours of operation shall be limited to 8:30 a.m. to 5:00 p.m. Mondays through Fridays. Occasional operations on Saturdays are permitted, not to exceed one Saturday per calendar month.**
- **Dogs shall be confined within the building.**
- **Operation of the home-based business/home occupation shall be as described in this staff report as well as in the material found in Attachment A.**
- **The SUP approval shall expire with any change in ownership. All subsequent owners of the property shall be required to reapply for SUP approval.**
- **Operation of the home-based business/home occupation shall comply with all applicable City, County, State and Federal regulations.**

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **SUP-003-2025: The Barking Lot Special Use Permit Request** as meeting all the requirements of the Dickinson Municipal Code and also being in the interest of the public health, safety and welfare "*

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend denial of **SUP-003-2025: The Barking Lot Special Use Permit Request** as NOT meeting all the requirements of the Dickinson Municipal Code and as being contrary to interest of the public health, safety and welfare."*

ORDINANCE NO. 2025

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 62-162 OF CHAPTER 62, RELATING TO AG-DISTRICT LOT SIZE MINIMUM REQUIREMENTS

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DICKINSON, NORTH DAKOTA, AS FOLLOWS:

SECTION 1: Table 62-162-3a: Summary of Site Development Regulations, found in Section 62-162. Development regulations of Chapter 62 of the Municipal Code of the City of Dickinson is hereby amended and re-enacted as follows:

Table 62-162-3a. Summary of Site Development Regulations

Regulator	AG	RR	R-1	R-2	R-3*
Minimum lot area (square feet)	10 acres	1 acre (Note 1)*	7,500	7,000	7,000
Minimum lot width (feet)	300	100			
Single-family detached			60	50	50
Single-family attached			45	45	45
Other residential			60	75 (Note 3)	75 (Note 3)
Site area per housing unit (square feet)					
Single-family detached	10 acres	1 acre	7,500	7,000	7,000
Single-family attached				4,000	4,000
Duplex				10,000	10,000
Townhouse or multifamily up to 4 units				7,000 for the first unit and 3,000 thereafter (Note 6)	7,000 for the first unit and 3,000 thereafter
Each additional multifamily unit over 4 units					7,000 for the first unit, 3,000 for the next three units and 1,000 thereafter
Retirement residential	(Note 10)		(Note 10)	(Note 10)	(Note 10)
Front yard arterial streets	50	40	25	25	25
Other streets	50	40	25	25	25
Street side yard	15	15	15	15	15
Interior side yard	15	15	6	6 (Note 2)	6 (Note 2)
Rear yard	50	25	20	20 (Note 5)	20 (Note 5)

Maximum height (feet)		40	40	SUP in excess of 65 feet	60
Maximum building coverage	NA	25 percent	40 percent	60 percent	70 percent
Maximum impervious coverage	NA	35 percent	50 percent	65 percent	75 percent
Floor area ratio	NA	NA	NA	NA	

Notes accompanying this table appear after Table 62-162-3c.

Section 2: Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3: Severability. In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

Section 4: Effective Date: This Ordinance shall be in full force and effect from and after final passage.

Scott Decker, President
Board of City Commissioners

ATTEST

Dustin Dassinger, City Administrator

First Reading: _____, 2025
 Second Reading: _____, 2025
 Final Passage: _____, 2025



Agriculture Development Regulations Zoning Text Amendment Staff Report

To: City of Dickinson Planning and Zoning Commissioners
 From: City of Dickinson Community Development Services
 Date: July 2, 2025
 Re: ZTA-002-2025 Section 62 – Development Regulations

OWNER/APPLICANT

Name: City of Dickinson Community
 Development
 Address: 38 1st Street West
 City: Dickinson North Dakota 58601

Public Hearing	July 9, 2025	Planning and Zoning Commission
Public Hearing	July 15, 2025	City Commission
Final Consideration	August 5, 2025	City Commission

Community Development staff is requesting approval of a zoning text amendment to Section 62-162. – Development regulations, as found in Table 62-162-3a: Summary of Site Development Regulations in Chapter 62-Zoning of the Dickinson Municipal Code, to increase the minimum lot area of the Agriculture (AG) zoning district from five (5) acres to ten (10) acres. This proposed amendment aligns Dickinson's zoning regulations with many of the adopted land development regulations in North Dakota. The proposed increase in the AG minimum lot size may also accomplish the following:

- Decrease the potential for creating land use conflicts with residentially-zoned properties in the City's Extra-Territorial Zone (ETZ); and
- Prevents the proliferation of subdivisions consisting of five-acre lots that could hinder redevelopment patterns.

Staff recommendation: Staff recommends approval of this text amendment.

STAFF ANALYSIS

BACKGROUND

According to Table 62-162-1: Purposes of Zoning District in Section 62-162 of the Municipal Code, the purpose of the Agricultural Zoning District is stated as follows: *"The AG District provides for and preserves the agricultural and rural use of land, while accommodating very low density residential development generally associated with agricultural uses. This district is designed to maintain complete agricultural uses within the City extraterritorial jurisdiction."*

Based on research of municipal land development codes of other North Dakota cities, the current five-acre minimum lot area found in Dickinson's Municipal Code currently is smaller than the majority of minimum lot area requirements for Agricultural zoning. Increasing the minimum lot size from five (5) acres to ten (10) acres puts the City Municipal Code in line with those cities' land development regulations.

COMPATIBILITY, COMPLIANCE, AND RECOMMENDATIONS

Compatibility with the Comprehensive Plan

The AG zoning district is only permitted within the City of Dickinson's ETZ. As the City of Dickinson grows, five-acre AG-zoned lots are more difficult to redevelop due to the large lot areas and ongoing agricultural uses. Requiring developers to rezone rural subdivisions into Rural Residential (RR), which has a one-acre minimum lot area, as opposed to AG allows for these lots to continue to be utilized primarily for residential uses. Additionally, RR-zoned subdivisions may be less difficult to rezone, subdivide, and redevelop into smaller lots than AG-zoned large lot subdivisions, should city water and sewer services become available.

PUBLIC INPUT AND STAFF RECOMMENDATION

Public Input: As of the date of this report, City staff has not received any public comments.

Staff Recommendation: The City Development Team staff recommends **approval** of ZTA-002-2025.

MOTIONS:

*****Approval*****

*"I move the City of Dickinson Planning and Zoning Commission recommend approval of **ZTA-002-2025: The Agriculture Development Regulations Zoning Text Amendment** as being consistent with the City of Dickinson Comprehensive Plan, as being compliant with the City of Dickinson Zoning Ordinance, and as being in the interest of the public health, safety and welfare "*

(AND) the following additional requirements (IF THE PLANNING AND ZONING COMMISSION RECOMMENDS ANY ADDITIONS AND/OR DELETIONS TO THE PROPOSED MOTION LANGUAGE):

1. _____;
2. _____.

*****Denial*****

*"I move the Dickinson Planning and Zoning Commission recommend Denial of **ZTA-002-2025: The Agriculture Development Regulations Zoning Text Amendment** as NOT being consistent with the City of Dickinson Comprehensive Plan, as not being compliant with the City of Dickinson Zoning Ordinance, and as being contrary to the interest of the public health, safety and welfare."*

ORDINANCE NO. 2025**AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 52,
RELATING TO LOT MODIFICATION DEFINITIONS AND PROCEDURE**

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DICKINSON, NORTH DAKOTA, AS FOLLOWS:

SECTION 1: Section 52-1. Definitions of Chapter 52 of the Municipal Code of the City of Dickinson is hereby amended and re-enacted as follows:

Sec. 52-1. - Definitions.

Lot modification means an administrative lot line adjustment, lot split or lot combination as defined herein as an adjustment of an existing lot line by relocation of a common boundary.

Lot combination means an administrative combination of two or more platted lots into a lesser number of lots whose boundaries coincide with the lot lines shown on the recorded plat of the subdivision that meets the following criteria:

- a. In residential zoning districts, the new lot area may not meet or exceed one (1) acre for Low Density Residential (R-1), Medium Density Residential (R-2), or High Density Residential (R-3), or meet or exceed ten (10) acres in Rural Residential (RR) zoning districts;
- b. In the Limited Commercial (LC) zoning district, the new lot area may not meet or exceed 12,000 square feet;
- c. Does not involve the vacation of existing easements; and
- d. Does not involve lots within more than one zoning classification.

Lot line adjustment means an administrative adjustment of an existing platted lot line between two adjoining lots by relocation of a common boundary that meets the following criteria:

- a. Does not involve lots within more than one zoning classification;
- b. Is not one lot line adjustment in a series of lot line adjustments proposed for contiguous lots as a way to circumvent the proper subdivision plat process;
- c. Both of the resulting parcels conform to the minimum lot area, width and depth for the zoning district in which the property is located, or will when combined with an adjacent parcel as part of the same lot modification action; and
- d. The resulting parcels can be legally described with no more than two directional descriptors (e.g. the north 100 feet of the west 200 feet of Lot 1, Block 1, ABC Addition). For lot line adjustments between irregularly-shaped parcels or to transfer an irregularly-shaped portion of a lot to an adjacent land owner, the administrator or designee may waive this requirement, provided the resulting parcels can be legally described as the original lot number combined with a letter (e.g., Lot 1 would become Lots 1A, 1B and 1C).

Lot split means an administrative division of ~~a~~one previously platted lot into not more than four lots that meets the following criteria:

- a. The lot split does not involve the creation of new utility easements or improvements;
- b. The lot split does not require the dedication of public rights-of-way for the purpose of gaining access to the property; minor dedications maybe allowed by the City Engineer;
- c. All parcels conform to the minimum lot area, width and depth for the zoning district in which the property is located;
- d. The subject property must not have been rezoned within the past one (1) year;
- e. The resulting parcels can be legally described with no more than two directional descriptors (e.g., the north 100 feet of the west 200 feet of Lot 1, Block 1, ABC Addition). For an irregularly-shaped lot, the administrator or designee may waive this requirement, provided the resulting parcels can be legally described as the original lot number combined with a letter (e.g., Lot 1 would become Lots 1A, 1B and 1C), and, provided that any line dividing the parcel along a common wall is a straight line from the front property line to the back property line among the common wall; and
- f. The property has not previously been divided through the lot split provisions of this chapter.

SECTION 2: Section 52-4. Procedure of Chapter 52 of the Municipal Code of the City of Dickinson is hereby amended and re-enacted as follows:

Sec. 52-4. - Procedure.

(b) Lot modifications, lot line adjustments, lot splits and lot combinations.

- 1) The purpose of this subsection is to provide for approval of lot modifications that meet specific criteria and for the waiver of standard platting requirements specified elsewhere in this chapter. This process is intended to facilitate the further division of previously platted lots, the combination of previously platted lots or for the adjustment of an existing lot line by relocation of a common boundary.
- 2) Any person having a legal interest in the property may file an application for a lot modification. For an adjustment of an existing lot line, an affidavit from all affected property owners indicating their consent must also be submitted.
- 3) An application for a lot modification shall be submitted to the City Planning Director, along with the applicable fee; a certificate of survey prepared by a registered land surveyor showing the parcel or lot, the proposed modification, and all existing building or structures; a legal description of the original parcel and a legal description of the resulting parcels.
- 4) Applications for lot combinations and lot line adjustments in all zoning districts and for lot splits in all zoning districts will be reviewed by the City Planning Director ~~in consultation with the~~ and City Engineer or designees. No hearing or review by either the Planning Commission or Board of City Commissioners shall

be required. The irregular plat must be signed by the City Planning Director and City Engineer or designees prior to recording.

SECTION 3: Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4: Severability. In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

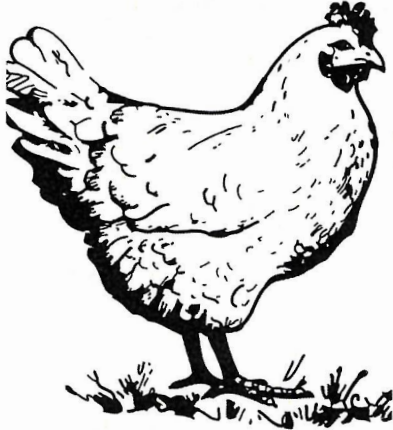
SECTION 5: Effective Date: This Ordinance shall be in full force and effect from and after final passage.

Scott Decker, President
Board of City Commissioners

ATTEST

Dustin Dassinger, City Administrator

First Reading: _____, 2025
Second Reading: _____, 2025
Final Passage: _____, 2025



A CASE FOR BACKYARD CHICKENS IN THE CITY OF DICKINSON

June

BY J. MCCARTY
APRIL 2025

402-306-1601

TABLE OF CONTENTS

INTRODUCTION	3
BACKGROUND	4
METHODS	7
A sampling of cities and towns in North Dakota that allow fowl:	7
Questions asked of City and County officials:	8
RESULTS	8
Belfield	8
Fargo	8
West Fargo	9
Hettinger	10
Jamestown	10
Mandan	11
Williston	12
Killdeer	13
Bismarck	13
DISCUSSION	13
Fowl and Nuisances	13
Fowl in HOAs and Property Values	15
Fowl and Public Health Risks	16
Enforcement	17
Chickens Attracting Predators to Neighborhoods	18
Economic Opportunities	18
Educational and Community Building Opportunities	19
Environmental Impact	20
Recommendations	20
IMPLICATIONS	22
CONCLUSION	23
REFERENCES	23
APPENDIX	30

INTRODUCTION

Eggs are one of the most nutrient dense, bioavailable food sources on the planet that contains choline, DHA, folate, iodine, iron, lutein, omega-3, omega-6, pantothenic acid, phosphorous, protein, riboflavin, selenium, vitamin A, vitamin B6, vitamin B12, vitamin D, and zinc. Eggs are perfect to add to any diet because of the range of benefits provided to anyone who consumes them. Eggs are nutritionally valuable to fetus growth and development in pregnant women and nursing mothers because of their bioavailability. Fat and mineral solubility in breast milk and mother's body stores allows infants to easily access proteins and minerals for steady weight gain and brain development which is important because of how fast cellular division and growth occurs, and nutrients' permeability in the body may influence immune and hormonal levels (Lutter, C.K, Iannotti, L.L, & Stewart, C.P., 2018). Consuming eggs has also led to managing healthy brain growth and skeletal development in adults and children through stabilizing insulin sensitivity, reducing the risk for hypertension, cardiovascular disease, osteoporosis, counteracting muscle protein breakdown (Puglisi, M.J., & Fernandez, M.L., 2018), and supporting optimal body composition through lowering weight management, metabolic stability, and increasing muscle mass (Meyers, M. & Ruxton, S., 2023). Egg consumption studies have revealed potential for combatting and lowering Dementia risk (Margara-Escudero H.J., Zamora-Ros R., de Villasante, I., Crous-Bou, M., Chirlaque M.-D., Amiano, P., Mar, J., Barricarte, A., Ardanaz E., & Huerta, J.M., 2022). It's why in World War I, the United States worked to "rechickenize" France when France was facing famine and why chickens were encouraged during World War II with victory gardens (Harm, S., 2019). Americans have a long history of procuring and producing family food sources and being neighborly about food because the majority of food sources came from home gardens that produced home-canned goods and cellar provisions. Hunting and fishing was a reliant method of obtaining meat. Bartering and buying goods from neighbors and regional family farms was a more common practice. In the 1950s, commercial chicken operations became lucrative through technological developments, scientific research into health management and genetics, and implementation of industrial methods of processing (Pennsylvania State 4H Office, n.d.). Grocery stores quickly became the number one provider of food with markets implementing coupons, grocery carts which offered self-service, and providing every provision needed in one place: dairy, grains,

meats, eggs, vegetables, fruits, and even retail goods like clothing and jewelry, all paid for by a credit or debit card.

Eggs in Dickinson, ND grocery stores are from Missouri, Michigan, and Arkansas. In March and April 2025, the United States began importing eggs from South Korea and Turkey to meet demands and relieve pricing from the ongoing egg shortage (Samuels, B., 2025). COVID-19, and most recently Avian flu, has demonstrated that our supply chain and large-scale commercial agricultural policies are not resilient against upset in the ordinary day-to-day flow of goods. Geographically, Dickinson is an isolated inland island with our closest city being Bismarck, ND. Bismarck does have larger supplies of eggs more readily available, but being an hour and a half away is not feasible for most people to commute weekly or biweekly to go to a city just for eggs when Dickinson runs out. Egg producers and food supply chains operate through privatized businesses, so citizens are at the whim of company policies, supply and demand, and pricing, including price skimming and dynamic pricing.

One of the strongest traits Americans have is the desire to be self-sufficient and independent, but that's not to say guidelines aren't needed for operating in society. Implementing the husbandry of backyard flocks in Dickinson opens a door to a sustainable food source that is uncoupled from the reliance on a fragile system and helps protect the food chain resilience of Dickinson residents from supply chain or industrial farming fallout. By amending city ordinance, it demonstrates to residents that city officials care about urban agriculture, resident's general welfare and the ability to feed themselves, investment of kids' futures in 4H and FFA, and freedom of choice through food sovereignty. Keeping flocks and humans safe and healthy is a priority and a proper ordinance should be instituted and residents should abide by municipal code. Responsible chicken keeping coinciding with proper permitting, applicable fees, qualified building plans subject to code, following ordinance standards, inspections, and code enforcement is a fair, justifiable, and measurable blueprint for the success of chickens being kept in town. Revocation of a chicken permit is reasonable and should be enforced when standards are not kept via contract.

BACKGROUND

As the ordinance currently stands (Section 5.12.040), "A person may not keep or raise domestic fowl, livestock or non-traditional livestock, within the City of Dickinson except as permitted in property which is zoned as Residential Agricultural - "RA" or Rural Residential - "RR", as defined by zoning ordinances." This current ordinance prevents 98% of the Dickinson

population from engaging in regulated, small-scale food production as only 2% of Dickinson residents are considered "Rural", according to recent Census data (Brewer, K., 2022). Nearly 400 students in Dickinson High School are enrolled in agricultural programs (Vagness, S., 2025). Yet, only 23 pupils are enrolled in the Poultry Program through 4H.

Through conversation with several officials from city halls across the state, Agriculture Extension offices, the NDSU County Extension office, and FFA members, there are a few working theories as to how backyard husbandry became unsanctioned. Suburbanites and HOAs may see them as unsightly, smelly, noisy, and undignified. Another theory is that someone may have at one point had too many or too big farm animals encroaching on someone else's property in town, thus closing the loop for everyone. Lastly, the idea that one city wrote an ordinance to exclude backyard husbandry was already created, and towns simply adopted it out of ease and efficiency.

In 2014, a group of researchers began surveying flock owners through various sources like Master Gardeners' websites, social media, and other platforms. Surveys were conducted that had 56 questions about flock history, husbandry, healthcare, and owner attitude and demographics. Surveys came in almost equally from urban, suburban, and rural areas. Most respondents owned fewer than 10 chickens and had kept them for less than 5 years. The major reasons cited were for home use (95%), gardening partners (63%) and pets (57%), or a combination of the variables. Owners thought that eggs and meat from their chickens were more nutritious (86%), safer to consume (84%), and tasted better (95%) than store-bought products, and also that the health and welfare of their chickens was better (95%) than on commercial farms. The majority (59%) indicated no flock health problems in the last 12 months (Elkhoraihi, C.; Blatchford, R.A.; Pitesky, M.E.; Mench, J.A., 2014).

In the last several years, towns all over the state have adopted changes to city ordinance to allow chickens for home use, gardening partners, and pets, with Dickinson residents also trying to amend city code as early as 2015. It is not far-fetched to believe that if polled, Dickinson backyard keepers would have the same outcome as this study, as investigation suggests that citizens have been actively working to pass ordinance change in the last 10 years. In May 2023, a petition through Change.org had been created by Kelsey Brewer and as of April 2025, almost 400 digital signatures have been collected with signatures still incoming in the last month. Residents such as the Dykemans, had tried to sit down with the Planning and Zoning Commission to begin the process of changing the ordinance in August 2016. Meetings with the City Administrator Shawn Kessel and City Planning Director Walter Hadley had occurred, but the outcome of the meeting was unfruitful and no buy-in from

public officials occurred. In 2019, a residential family that had been harboring chickens got busted and tried to change the ordinance. They were unsuccessful because they didn't have the petition prepared and signatures and the city commissioners were cold against the idea of having chickens in town. Again in 2021, backyard chickens were discussed at a City commission meeting, but no progress was made. In 2023, Kelsey Brewer, a certified master gardener, co-owner of Lazy Ey Ranch and owner of Half-Acre Microfarm, drafted a formal paper petition to start gathering in person signatures in order to formally request that the ordinance be changed. She had been advised that +1,000 paper signatures needed to be collected to be brought to a vote before the commission based on a ND century rule. Unfortunately because of the lack of assistance, time constraints, and the volume of pushback from city council, signatures weren't collected.

There is a small amount of formal studies conducted on backyard flock ownership because of the complexity, funding limitations, and question of how to define measurable data with a changing population. The most thorough studies have been conducted under National Animal Health Monitoring System (NAHMS), a nonregulatory program of the U.S. Department of Agriculture. NAHMS began their first study in 1999 with subsequent studies published in 2004, 2007, and 2013. In the April 2013 issue, four cities were polled: Denver, Los Angeles, Miami, New York City, and people located in Denver and Los Angeles were more open to chickens than residents in Miami and New York. One key finding in the study was that age inversely affected outcomes of answers more than gender, race, and property ownership type. People 34 and younger were more open to chicken ownership than people 65 and older and people 65 and older saw no difference in egg quality produced on an industrial scale or in a local setting (United States Department of Agriculture, 2013). This could potentially reflect that disagreement with backyard chicken ownership is a generational difference. Today in Dickinson, ND, the majority of residents are aged 30-64 and account for 44% of the population (Neilsburg Research, 2025), which may explain why the demand and acceptance for backyard chickens and urban homesteading has increased as years have progressed.

The current general population has shown signs of wanting to decrease reliance on industrial farming by actively looking to source food from farmers markets, direct to consumer producers that provide beef, pigs, lambs, chickens, fruit, vegetables, and processed goods like cheese or eggs. Through online forums like Farm to Table Facebook pages, posts on Instagram, and Tiktok reels, putting a face to a name for the land that's

worked and people that process and create nutritional food allows consumers to feel appreciative of their community and personal value alignment, like supporting small businesses. Real property with private ownership with respect to neighbors should be allowed to participate in an activity that grants them access to sell goods in a free market. Discussing at a city-wide level about problems caused by industrial agriculture, lack of locally sourced food, greenhouse gas emissions, and rising obesity rates along with heart disease being the leading cause of death, due in part to diabetes, obesity, and high blood pressure, should be at the forefront when solutions are available through loosening Euclidean zoning, presenting the people with self-driven opportunities, and civic duty (Schindler, S.B., 2016).

METHODS

City selection for studying backyard chicken ownership was based on city proximity to Dickinson, ND, city size equivalent to Dickinson, ND, and availability of obtaining ordinances and permits for future modeling. Phone calls and emails were first conducted in February 2025 to various city hall offices, agricultural research extensions, and talks with members of the community including residential homeowners, renters, and agricultural hobby participants.

Compiling the ordinances and permits into one pool and assembling a list of best practices for the mayor and city council to review was the deliverable to demonstrate that backyard chicken husbandry can be implemented in Dickinson successfully with careful review and thoughtful details.

A sampling of cities and towns in North Dakota that allow fowl:

City of Belfield

City of Fargo

City of Hettinger

City of Jamestown

City of Killdeer

City of Mandan

City of West Fargo

City of Williston

*City of Bismarck is working to amend their ordinance when the last inquiry was made in March 2025.

Questions asked of City and County officials:

What office manages the chicken ordinance?

Who enforces chicken ordinance?

Who approves chicken permits?

Who inspects property for chickens?

How does the chicken permit move through the system?

Where do the permit fees go and what do they fund?

Has there been any issues with people having chickens running loose or complaints?

Has there been issues with predation?

Has there been push back with fines or confiscating chickens?

Have there been any complaints about coop management?

RESULTS

Belfield

The City of Belfield has one of the most lax chicken ordinances. No permit is required. The City of Belfield auditor has confirmed that 3 hens are allowed per household, no roosters. There are no special requirements to have chickens. There have never been any incident reports of chickens at large or complaints.

Fargo

The City of Fargo's chicken program goes through the Auditor's office. Fargo has a \$10 application fee for the permit to keep chickens. No more than 4 chickens may be kept at a time and no roosters. No person may slaughter or breed any chickens within city limits. Chickens need to be confined in a coop or run at all times unless under the direct supervision of the caretaker. Chicken coops have to be made of wood or similar materials, which provides shelter from the elements. Coops either need to be elevated with a clear open space of at least 24" between the ground surface and framing/floor of the coop or the coop floor, foundation, and footings must be constructed using rodent resistant construction. Chicken coops are not allowed to be located in any part of a home or garage. Chicken coops must be a minimum 4 sq. ft. per chicken in size, may not exceed 10 sq. ft. per chicken in size, and may not exceed 6 feet in total height from adjacent ground level. Chicken coops may be a part of a detached garage or shed so long as there is a physical separation between the coop and run and the space used for

non-chicken keeping purposes. Chicken runs must be provided and made with wood or woven wire materials or a combination thereof. The coop and run may not be located within the front yard and are subject to a three foot setback from any adjacent premises. Upon completion of the permit application, you must have your coops inspected by the city. A scaled diagram that indicates the location of any chicken coop and chicken run with the approximate size and distance from adjoining structures and property lines.

West Fargo

West Fargo's permit is an annual \$25 and is regulated by Code Enforcement. Renewal is between December 1-31. The residents are subject to inspection by the City of West Fargo and Public Health Officials. The permit application must include a scaled diagram and may be subject to suspension or revocation if not up to code. Single family residential homes are only allowed to participate. No more than 6 hens can be kept, no roosters. Chickens are not allowed to run at large and must be secured in a coop from sunset to sunrise each day. Coops must not be located in the front yard, must be set back a minimum of 3 feet from any adjacent structures, must be setback a minimum of 10 feet from all property lines, must not be located on any public easement, must be a minimum of 4 feet per chicken and may not exceed 10 feet per chicken, coop and run must not exceed 7 feet in total height from adjacent ground level. Coops can be commercially purchased that substantially conforms with requirements, but fencing for coops and runs may not exceed 6 feet in height from adjacent ground level. Coops and runs must not be located in garages or dwellings and must be located within a yard enclosed by a solid opaque face or wall, or be screened from view of adjacent properties; fences or walls should not exceed 5 feet in height. Coops must be constructed using rodent resistant construction. Runs must not exceed 10 sq ft per chicken. Chicken runs must be provided and made with wood or woven wire materials or a combination thereof. Feed must be kept within the coop and run and must be kept in a metal predator proof container. Manure must be removed frequently and use a quality bedding material. Manure which is not properly disposed of or causes odor issues will result in revocation of the permit. A person who owns and maintains chickens must not allow the premises to be kept unhealthy, unsanitary, or in a noxious condition. Chickens are under authorization to be inspected at any reasonable time by any law enforcement officer, public health official, or other agent of the City. The City has the right to grant or renew a permit or revoke or suspend a license for any violation of the ordinance.

Hettinger

The City of Hettinger has a \$10 annual license to be renewed by March 1 every year. Application requirements include scaled diagrams indicating the location of chicken coop and run, including the size and distance from adjoining structures and property lines. 6 chickens are allowed to be kept while indicating the species, no roosters. Written consent of keeping chickens on your premises from all property owners within 300 ft of the boundary of the proposed use or proof of mailing certified notices to all property owners is required. All chicken coops and runs must be located within the rear yard and subject to a 20 foot setback from any adjacent premises and be at least 6 feet away from any residential structure or dwelling. All chicken coops must be a minimum of 4 sq. ft. per chicken in size. All new chicken coops must not exceed 10 sq. ft. in size, and must not exceed 8 feet in height. Attached fenced in chicken runs must not exceed 24 sq. ft. and fencing must not exceed 6 feet in total height. Chicken runs may be enclosed with wood and woven wire material and may not allow chickens contact with the ground. Chicken feed must be kept in metal predator proof containers. Chicken manure may be placed in yard compost piles. City council approves the process with renewal every year and works closely with the Zoning department. If there are any complaints, there is no renewal for the next year. If there are complaints, it is enforced by the city police. There are no property inspections. Funds are allocated to a general fund. The City allows up to 10 permits at one time to be out. There have been no complaints from residents. The only complaint they're getting is cats. The City had one person move and cut the fowl loose in the city years ago.

Jamestown

The City of Jamestown has a \$60 annual permit fee with application. Photos and maps of property location need to be provided with a permit, including written confirmation from neighbors within 150 feet of property location stating they have no objections to the request. The application is sent to the Jamestown Building Inspector for review. There is no hen limit. The Building Inspector reviews photos, maps, and diagrams of coops and runs on the property and passes it off to Finance after approval. Finance accepts the permit, and then passes it off to the Auditor for filing. It goes to the City Council for approval, and fees go into a general fund for the City's time and efforts. There have never been any issues with permit holders but one property was unlawfully harboring chickens, but it was reported that there were way more issues with the resident than just chickens, and the individual ended up skipping town eventually.

Mandan

The City of Mandan has a one-time \$100 permit fee and a \$50 annual renewal fee for chicken keeping applications. Permits cannot be transferred and are good for 1 calendar year. A permit may be revoked by the city planner if the permit holder fails to comply with the requirements outlined in the municipal code. Any person whose permit is revoked shall within 10 business days humanely dispose of all chickens being owned, kept, or harbored, by such person, and no part of the application fee shall be refunded. The permittee may appeal the revocation or refusal of renewal of the permit by timely request for a hearing before the Board of City Commissioners. The request for hearing must be received by the city planner of their design within 10 business days following the date of the notice of revocation or refusal of renewal. The Board of City Commissioners shall hold a hearing on the permittee's request for hearing and shall render a final decision on the matter after said hearing. The property owner and applicant must provide site plans illustrating property lines and distance to proposed coop and run, neighboring residences location and distance to proposed coop and run, and the type and style of back and side yard fence. The construction drawings have to include building materials and a diagram of a prefabricated kit, if applicable. No more than 4 hens, no roosters. The coop, run, and chickens, must be located in the rear or side yard obscured from view from any street, trail, public park, or other right-of-way. Chickens outside the coop or run shall be supervised at all times. Coop dimensions shall total less than 120 sq. ft. Coop height as measured from the average ground elevation to the highest point on the coop shall not exceed 8 feet. The coop and run shall be no closer than 10 feet from the property line and no closer than 20 ft from an adjacent property dwelling. The coop must be constructed which prevents rodent infiltration, have a minimum of 4 sq. ft. per chicken, and then run shall provide a minimum of 10 sq. ft. per chicken. Chickens must never be off property for which they have been permitted. Coops, runs, and manure storage must be kept 20 feet from streams, tributaries, ditches, stormwater management facilities, drop inlets, or other storm drainage systems that would allow fecal matter to enter any city storm drainage system or stream. Dumping chicken manure into the city's storm drainage system is prohibited. Unless chickens are properly slaughtered for consumption, dead chickens must be disposed of within 24 hrs after death. Legal forms of chicken carcass disposal include burial and offsite incineration or rendering. All slaughtering of chickens shall be conducted so as not to be visible to the public or adjacent property owners and occupants. All grain must be stored in a rodent proof container. Mandan had permits for 6 years, with 1 issue where a chicken got out and it was returned to his home. The city currently has 12 permit owners. Permitting is set up through the City planner. The application with the

plans for your property and coop, with materials list goes to Planning. Then it goes to the Finance and Auditor's office to be filed. The City Council gives final approval. Fees from permits falls into the general fund to recuperate city and staff time for going through the application process.

Williston

The City of Williston has the most intensive permitting process. The Finance Department can issue you the annual \$25 permit but the forms must come from the Building Department for the Supplemental Statements for Chicken Keeper License. It is good from December 31 to November 30th. The first steps are to provide a site plan illustrating property lines of the entire site, distance between proposed coop and run, distance and size of all on-site structures and distances to neighboring property lines and neighboring dwellings, material type and height of screening fence, chicken coop and run, and distance from any adjacent streams, tributaries, ditches, stormwater management facilities, storm drainage areas, or stormwater easements. Next, Contact planning and Zoning to verify the size of your lot and zoning. Then contact the Building Department to review your site plans for setback requirements and intent of the ordinance for rodent proof construction. Contacting adjacent neighbors to get letters from them stating it is acceptable for chickens to be present on the permittee's property. If the property is rented, a letter from the landlord is mandatory stating approval for chickens. Heating and electrical must adhere to the City of Williston Fire and Building Codes. All electrical work shall be completed by a licensed electrician. Electrical receptacles must have GFCI protection. Extension cords shall not be used as an alternative to permanent wiring. Light fixtures must have fully enclosed lamps. Receptacles must have dust resistant covers. All appliances must be listed by a qualified testing lab and must be for the installed use. Chicken coops and runs may not be located within the front or side yard and are subject to 10 foot setbacks from any adjacent premises. All chicken coops must be a minimum of 4 sq. ft. per chicken, and may not exceed 10 sq. ft. per chicken. Attached fences in chicken runs must have a minimum of 10 sq ft per chicken and may not exceed 20 sq. ft. per chicken. Fencing may not exceed 6 feet in total height from adjacent ground level. Chicken runs must be enclosed with wood or woven wire materials or a combination thereof. Chicken coops must be elevated with a clear open space of at least 24 inches between the ground and surface and framing/floor of the coop or foundation and footings must be constructed using rodent resistant construction. Chicken coops cannot be in the garage or any dwelling attached to the home. A chicken coop may be attached to a detached garage, detached shed, or other structure that is not attached to a dwelling or any

other structure that includes sleeping, cooking, eating, or sanitation facilities, so long as there is a physical separation between the chicken coop and run and the space used and occupied for non-chicken-keeping-related purposes. Chickens must be enclosed in a chicken coop from sunset to sunrise each day, no later than 10 pm and no earlier than 6 am. Slaughtering and breeding chickens is prohibited. Chicken feed must be kept in metal predator proof containers. Chicken coop must be constructed with weather appropriate materials and electrical. Chicken manure cannot be placed in yard compost piles. Straw bedding and other materials must be stored indoors and used bedding planed for discard must be stored in a metal, non-combustible container. Straw and bedding must be changed once a month. Once your coop is complete, you need to schedule inspections with the Building Department and the Fire Department. Backyard chicken keeping is new to Williston, but no complaints have been made about keepers or birds at large.

Killdeer

The Killdeer City Auditor has reported they are in the process of updating the city code and land development code with regards to chickens. The City of Killdeer will follow up in the next month or two after March 2025 with what is assembled once it has been ratified. They currently have a committee in place to work on the details with subsequent follow-up with the Planning and Zoning Board and the City Commission.

Bismarck

The City of Bismarck is currently in the process of disputing allowing chickens in city limits, but a revised ordinance amendment has been created.

DISCUSSION

Fowl and Nuisances

Dickinson ordinances already protect neighbors from noise ordinances, which would prohibit roosters. Generally, backyard chickens do not exceed noise levels with loud, shrill, repeated clucking. Chickens cluck when an egg is being laid because of the rush of adrenaline and hormones. Eggs are laid in the morning, when the temperature has risen but is usually complete by mid-morning. Once the egg is laid a hen will sing a “song”. When a rooster is around, it attracts him to come over to the hen to to mate to fertilize the next egg, but because backyard chickens don’t have roosters around, the song quiets down quickly.

Chickens will naturally fall into a pecking order. The alpha hen will cluck when she notices a threat and starts crowing, which is less like a rooster cock-a-doodle-doo, and more like a Bostonian saying “car”, “caaaaaw”. The clucking registers around 60-70 decibels, which is no louder than a lively human conversation (Smith, K., 2020). This alerts chickens to either gather round and observe, or head to safety. Chickens can also cluck in a flock when they get excited seeing their snacks like mealworms or their caretakers. Chickens go to roost in the coop when sundown or twilight comes and they’re usually quiet all night long until egg laying begins in the morning.

There are some species of chickens known for being more docile than others. The docile species has been bred to be better layers and to be handled by caretakers, and a secondary trait to that is less noise. Australorps, Rhode Island Reds, Brahmas, Orpingtons, Easter Eggers, and Silkies are all excellent choices for backyard flocks. They are also known for their cleaner demeanors, being more well mannered when eating and drinking, and managing their coats.

With coop maintenance, bedding and feces will be disposed of properly, either bagged thoroughly, composted on private property, or the option of looking at disposal into city compost could be options. Chicken manure and bedding is a highly sought after fertilizer for soil in gardens which could provide backyard flock managers the opportunity to share with their friends or sell it. Dickinson backyard soils are not ideal for growing in-ground gardens without amending the soil due to the heavy clay composition and compacted soils. Ingredients on bags of soil sold at Menards, Runnings, Tractor Supply Co., and Walmart, almost all contain poultry byproduct.

Chickens can participate in a feedback loop called nutrient cycling; eating leftover food, defecating, and then returning nutrients back into soils to grow more plants. Nitrogen, potassium, and phosphorus is known as NPK mixture and is largely regarded as the cornerstone of growing healthy crops. NPK is naturally found in chicken poop and eliminates having to amend soils with synthetic chemicals. Coops and runs should be held accountable for sanitation and current code could be updated to reflect chickens. Cities across North Dakota are listening to their constituents’ desires to feed themselves and have put up ample guardrails to protect against pests, disease, and uncleanliness. However, because Dickinson’s code has detailed directions for animals in place, it would hold flock owners accountable to the current code.

Sec. 6-85. - What constitutes nuisance; nuisances prohibited.

The keeping of any animal, other than a dog described in this article which causes annoyance, disturbance or offense to reasonable persons of ordinary sensibilities residing in or passing through the neighborhood, either by reason of:

- (1) Excessive barking, howling, braying, crowing or other sound common to its species;
- (2) Biting, threatening, chasing or molesting persons upon the public sidewalk or streets, or the property of persons other than the owner;
- (3) The failure of any person responsible for an animal to maintain all structures, pens, coops or yards wherein any animal is kept in a clean and sanitary condition devoid of rodents and vermin, and free from all objectionable odors;
- (4) Keeping any animal in violation of any provision of this article, is hereby declared to be a nuisance and the keeping or maintaining of any such nuisance is hereby prohibited. Each day's continuance of such nuisance shall be a separate offense; or
- (5) Allowing solid waste of animal to accumulate.

(Code 1993, § 5.12.080; Ord. No. 857, § 1; Ord. No. 1332, § 29; Ord. No. 1764, § 17)

Sec. 6-46. - Abatement of a nuisance.

An animal control officer or a police officer may direct the owner of a nuisance pursuant to this article to forthwith surrender the dog or cat. Failure to do so constitutes a violation of this article. In the event the owner fails to voluntarily surrender the dog or cat, the dog or cat may be seized by the animal control officer or police officer.

(Code 1993, § 5.08.020; Ord. No. 857, § 1; Ord. No. 1272, § 23; Ord. No. 1332, § 14)

Sec. 6-43. - Disposition of dog or cat waste.

Every person having custody or control of a dog or cat on property other than said person's own property shall be equipped to, and shall collect such dog's or cat's solid waste when eliminated. Any person having custody of a dog or cat on said person's own premises shall not permit animal waste to accumulate on said property.

(Code 1993, § 5.08.012; Ord. No. 857, § 1; Ord. No. 1272, § 19; Ord. No. 1332, § 10)

Fowl in HOAs and Property Values

Homeowner Associations do not have to allow chickens in the neighborhood and residents in that neighborhood would need to change HOA code should chickens be prohibited if the City of Dickinson were to lift the prohibition on backyard flocks. The majority of housing within city limits are not under HOA rule. The argument against property values is subjective

because people do not own their homes for their neighbors to gain equity. Property owners should have the right to do what they want on their property within reason and respect to others. Should a property owner list their residence, some prospective buyers see value in an established coop while others find it an eyesore. Prefabricated coops and runs can easily be disassembled and taken off the property. These are variables that can and would be discussed with real estate agents, the buying party, and the selling party. Oftentimes because the coop is a financial investment, they are created to be attractive, easy to clean, maintained, and a good home for their backyard pets. Managing a flock of chickens to provide food for a family is not an animal that is often neglected because of the social, financial, and personal cost if something goes wrong with a flock.

Fowl and Public Health Risks

The City of Dickinson has a standing ordinance pertaining to ill and infectious animals as outlined below that can also apply to chickens. Bowman Agricultural Extension officer has mentioned that there are tests that can be performed and flocks can be put into isolation if symptoms are observed with the help of the extension office. Speaking to West Dakota Vet Clinic, vaccination services and chicken services can be rendered at the clinic. The clinic has seen chickens before. It is imperative that human and animal health are prioritized to the highest standard, but the likelihood of a backyard flock obtaining Avian flu is low because their food and water is enclosed behind predator proof wire, where wild birds cannot access. Backyard flocks are more often cleaned and sanitized than commercially farmed barns, and the risk of spreading disease is lower because of more intensive care and attention.

The study conducted in 2014 noted what flock owners lacked most in the healthcare of chickens. The survey indicated that flock owners wanted to learn most about prevention, detection, and treatment. Most people get the majority of their information about flock management online through websites and husbandry groups, books, other backyard chicken keepers, and feed stores. It is suggested that a Chicken Keeping class could be conducted in the fall and winter months, before a permit is provided by the city in the spring the following year. The class could be held at the library, the extension offices, the college, or another public place. This could be a voluntary position but could be conducted with multiple people such as local chicken keepers, feed stores, college agriculture students, FFA members, or 4H members to further educate on the basics of backyard husbandry. A class could also provide members

with the chance to create a community in person, ask questions, and converse on topics that need insight.

Most common illnesses presented are Marek's disease and lymphoid leukosis, parasites like coccidiosis, and respiratory infections like coryza, mycoplasmosis, and avian flu. However, there are vaccinations that can be administered as chicks to protect the flock from these diseases. Proper hand washing and cleanliness of keeping a coop stops salmonella and campylobacter from spreading. West Dakota Vet Clinic has seen and can treat chickens and teach owners how to administer vaccinations and care of chickens if needed. Other issues like egg binding, bumblefoot, or mites are uncommon but do occur. These are all treatable at home through proper soaking, bathing, bandaging, vitamin supplementation, diatomaceous earth, permethrin, and scrubbing with soap and water.

Sec. 6-6. - Animal with infectious disease.

No person owning or having charge of any animal, knowing the animal to have any infectious or contagious disease, or to have recently been exposed thereto, may knowingly permit such animal to run at large or come into contact with another animal, or with another person without person's knowledge and permission.

(Code 1993, § 5.04.056; Ord. No. 1764, § 3)

State Law reference— Similar provisions, N.D.C.C. § 36-21.1-05.

Enforcement

Permits are widely accepted and lay the foundation for agreement between permittee and the City. Failure to follow procedure and policy of the permit can be enforced by existing code.

Sec. 6-8. - Penalties.

Any violation of or failure to comply with any of the provisions of this chapter is punishable by a fine not exceeding \$500.00 or by imprisonment of not more than 30 days, or both, in the discretion of the court, unless stated otherwise.

(Code 1993, § 5.04.060; Ord. No. 857, § 1; Ord. No. 1272, § 7)

Sec. 6-9. - Owner or keeper of nuisance.

Any person who owns or keeps and permits a nuisance within the City shall be subject to an administrative fee set and maintained on file in the City fee schedule.

(Code 1993, § 5.08.006; Ord. No. 857, § 1; Ord. No. 1272, § 13)

Chickens Attracting Predators to Neighborhoods

Enacted construction safety codes would deter predators from knowing about and seeking out chickens and eggs. Having feed and bedding in a dry, metal container and inaccessible place inhibits opportunistic creatures like squirrels, rabbits, or mice from taking a foothold. Predation most often occurs when chickens are free-ranged, unoccupied, not checked in on, or left out overnight. With proper security of closing up the coop every night, predator-proof wire mesh being buried into the ground around the coop and run, while keeping the area clean and contained, predators are less likely to come around homes than the stray cats, field mice, hawks, or loose dogs already do. Coyotes, opossums, and raccoons are not often found in city backyard flock coops because of the amount of work it takes to evade people, dogs, and the lack of hiding places to run to. Inversely, chickens provide relief from unwanted pests. Chickens eat bugs such as flies, aphids, ants, mosquitoes, ticks, grasshoppers, small rodents, and frogs. Space required for chickens is moderate depending on your backyard to chicken flock ratio, but even having a small flock in your backyard will reduce or eliminate bug larvae and infestations. They are a great help to gardens to control predation on plants.

Economic Opportunities

While backyard flocks are not lucrative, they may allow their caregivers to earn money from selling eggs or composted manure. The North Dakota Department of Agriculture provides an Egg Dealer License for \$10, with clearly defined rules and regulations. Eggs are always in demand and have been a diet staple for millenia. The Roughriders Homegrowers Farmers Market Facebook has 4,000 participants and the demand for fresh, local goods is already present. Speaking to a local market operator, current egg dealers at the Roughriders Farmers Market almost always sell out of eggs, Local egg sales are protected through North Dakota Century Law under the Cottage Food Production and Sales chapter. The North Dakota Farm to Table Facebook group is active with daily posts and has 38,500 members and has potential to serve as a resource for neighboring smaller towns for southwestern ND. Having local markets could also provide local businesses with the option to locally source eggs.

23-09.5-02. Direct producer to consumer sales of cottage food products

3. Transactions under this section may not:

d. Include the sale of uninspected products made from poultry, unless:

- (1) The cottage food operator slaughters no more than one thousand poultry raised by the cottage food operator during the calendar year;
- (2) The cottage food operator does not buy or sell poultry products, except products produced from poultry raised by the cottage food operator; and
- (3) The poultry product is not adulterated or misbranded.

Some homeowners may also opt for building a custom coop which could increase demand for hobby carpenters to provide local options. Prefabricated coops also boost the local economy with increased sales at Runnings, Menards, and Tractor Supply Co. This could also provide the rural chicken farmers the ability to sell their chickens locally to town residents.

Getting rid of food scraps through chickens can stop leftovers from going to landfills. Chickens will happily finish off scraps, which enriches their eggs and provides them with treats besides chicken feed. If dual purpose birds will be harvested in the fall or winter, caretakers will know exactly how that chicken was raised and processed, providing control over their own health. As it stands with large production chicken, when a shopper buys organic free range chicken or eggs, there is no way to verify how that chicken was raised, the buyer has to accept what is on a package is true.

Educational and Community Building Opportunities

There are over 400 Dickinson High School students that participate in FFA, but no outlet to participate in the poultry market unless they are a rural student. The NDSU Stark County Extension office confirmed that only 23 4-H members participated in the poultry program and they're all rural pupils. With the expansion of backyard chickens in town, that provides kids with the opportunity to try their hand at one of the easiest but rewarding activities. It could provide high school FFA members the opportunity to conduct research on residents in town and the success of backyard poultry for a project. Mentorship opportunities could occur. Having backyard chickens can show youth and adults alike the cycle of life, from fertilized eggs in incubators to processing a bird or years worth of care can go into a bird, drastically increasing knowledge of husbandry. There are nuances to raising and nurturing a creature that the majority of people in America don't have access to and instead have to learn behind screens from Youtube. Confucius said "If your plan is for one year, plant rice. If your plan is for 10 years, plant trees. If your plan is for 100 years, teach the children". If there is a chance at creating a sustainable, independent community for the next several years, involving the youth and their families in where their food comes from is a great stepping stone.

Environmental Impact

Small backyard flocks that are tightly managed and cared for appropriately have a minimal impact on environmental issues. Because chicken poop is high in nitrogen and phosphorus, it is advised to keep feces and soiled bedding away from waterways, tributaries, storm runoff drains, ditches with waterway access, and the like to avoid the occurrence of eutrophication. Eutrophication comes about through which occurs when the environment becomes enriched with nutrients, particularly phosphorus, increasing the amount of aquatic plant and algae overgrowth (NOAA, 2024) and thus setting off a chain reaction. The overgrowth of algae consumes oxygen and blocks sunlight from underwater plants. When the algae eventually dies, the oxygen in the water is consumed. The lack of oxygen makes it impossible for aquatic life to survive (Environmental Protection Agency, 2025) creating toxic water harmful to humans, wildlife, and pets. The phenomena generally occurs in ponds, lakes, estuaries, and oceans (acidification), but it is advised to mitigate risk and take the appropriate steps to ensure point and nonpoint source pollution is addressed. Sixty-five percent of the estuaries and coastal waters in the contiguous U.S. that have been studied by researchers are moderately to severely degraded by excessive nutrient inputs (NOAA, 2025). Water is limited in North Dakota and used for many purposes like crops, irrigation, manufacturing, and consumption, so it is vital we highlight and emphasize the importance of water quality and safety.

Recommendations

For the City of Dickinson, it should be allowed to keep up to 6 hens, no roosters, with each chicken needing a minimum of 4 sq. ft. per chicken, but not to exceed 10 sq. ft. in space. Coops and runs will be approved through site plan illustration showing property lines, distance between coops and runs, distance and size of all on-site structures, distances to neighboring property lines, building materials and construction. Building inspection and fire department certification for electrically-run coops be approved for safety. It should be noted that a backyard no smaller than 5000 sq. ft. be allowed to harbor chickens due to space regulations. Single family residential homes are only allowed to participate. If the property is rented, a landlord's signature or certified copy mail needs to be provided to the City.

Although a couple of permits require signatures from adjoining neighbors, a letter sent via certified mail to neighbors that chickens will be on the premises would be acceptable

because a homeowner should have the right to make the decision to keep chickens, albeit clean and sanitary, without a neighbor dictating if they can have chickens or not. The City allows anyone in town to have up to 4 cats or dogs without any approval from neighbors. Neighbors let cats roam freely frequently while chickens cannot be left unattended outside; they must be kept in a coop or run while unsupervised.

Chicken coops and runs must not be visible from the road and be kept on the back or side yard behind a fence. Coops must be elevated with a clear open space of at least 24 inches between the ground surface and framing/floor of the coop or the coop floor, foundation, and footings must be constructed using rodent resistant construction. Materials must be weather appropriate. Coops must be set back a minimum of 3 feet from any adjacent structures, must setback a minimum of 5 feet from all property lines, and must not be located on any public easement. Runs must be a minimum of 10 sq ft per chicken, including the chicken coop and may not exceed 20 sq ft per chicken and fencing may not exceed 6 feet in total height from adjacent ground level. Chicken coops or runs may not be attached to a dwelling or structure that includes sleeping, eating, cooking, or sanitation facilities but may be attached to a detached garage as long as one physical wall separates the coop and garage.

Chickens must be secured in a coop from sunset to sunrise, or 10 pm to 5 am. Chickens are prohibited to be running at large. Bedding must be stored in a dry location. Feed must be kept in a rodent proof metal container. Straw and other bedding may be composted properly on site, stored in a metal, non-combustible container. It should be discussed about residents having access to put bedding in the City compost.

Permit fees should be discussed and agreed upon through the City Commission, but a one-time \$75 fee to recoup city time and resources should be agreed upon, and annual renewal should be \$50. Renewals should be based on any received complaints, one yearly inspection of coop and run, and will be valid for 1 calendar year. Following other city models, it is recommended that the Auditor or Finance office process chicken keeper licenses, but inspections and building plans should be conducted through the Building Department or Planning and Zoning. City council can then move to approve or deny the permit. Discussion can be had about where to allocate funds best, but it is suggested that it could help ease funds for Animal Control or go into a fund to support 4H or FFA members.

The City has the right to grant or renew a permit or revoke or suspend a license for any violation of the ordinance. Any person whose permit is revoked shall within 10 business days humanely dispose of all chickens being owned, kept, or harbored, by such person, and no part of the application fee shall be refunded. The permittee may appeal the revocation or refusal of

renewal of the permit by timely request for a hearing before the Board of City Commissioners. The request for hearing must be received by the city planner of their design within 10 business days following the date of the notice of revocation or refusal of renewal. The Board of City Commissioners shall hold a hearing on the permittee's request for hearing and shall render a final decision on the matter after said hearing. Chickens must never be off property for which they have been permitted.

Coops, runs, and manure storage must be kept 20 feet from streams, tributaries, ditches, stormwater management facilities, drop inlets, or other storm drainage systems that would allow fecal matter to enter any city storm drainage system or stream. Dumping chicken manure into the city's storm drainage system is prohibited. Unless chickens are properly slaughtered for consumption, dead chickens must be disposed of within 24 hrs after death. Legal forms of chicken carcass disposal include burial and offsite incineration or rendering. All slaughtering of chickens shall be conducted so as not to be visible to the public or adjacent property owners and occupants.

Enforcement can be completed through joint efforts of the Police Department and Animal Control if necessary. Chickens are under authorization to be inspected at any reasonable time by any law enforcement officer, public health official, or other agent of the City.

IMPLICATIONS

The argument could be made that if chickens are being registered with a permit, getting vaccinated, and their dwellings approved by an official, they would be more like a pet than livestock. Hundreds of dollars and ample time goes into paying for a license, drawing up coop renderings, setting up meetings for approval and inspection, and the cost of feed, bedding, the chickens themselves, predation prevention, and equipment suggests that people would not neglect their animals or have them being any more disruptive than someone leaving their dog outside to bark for hours, or let cats roam outdoors.

Food insecurity in North Dakota is averaging around 8.5% and 40% of the households that identify as hungry, or food insecure, are ineligible for SNAP (Liu, J., 2024). In Stark County, the average is 7.5%. This inequity between living paycheck to paycheck and stretching budgets from unrelenting inflation has created a strain on our local food bank, the Amen Food Pantry, and the little food houses found alongside roads. If the pantry applies, they can get an egg handling license from the state to accept backyard chicken eggs. Local backyard flock keepers

can get an egg dealer license from the state as well. It may be a small or insignificant chance, but it's also noteworthy.

Overwhelmingly, the city officials were willing to work with people who wanted to get a permit and do the work to prove trustworthiness and responsibility of backyard keepers. City officials were positive about the outlook on their city allowing chickens and no negative comments had been provided after requesting any feedback when requesting complaints about noise, smell, care, predation, or escaped animals.

CONCLUSION

Brooke Rollins, the Secretary of Agriculture, went on national news to state that the best way to combat rising egg prices in America in February 2025 was to tend to a flock of backyard chickens. The climate has changed drastically since 2015 when the concept of chickens was first introduced, revealing that Dickinson can easily run out of provisions quickly, or goods get costly to keep the supply in line. People can live without eggs, but the ease of access to having nutrient dense food readily available at all times begs the question that if even the highest offices of the United States are encouraging backyard flocks, why should the City of Dickinson inhibit the people from their freedom of choice of where to get their food, especially if it can be right out the backyard.

The current ordinance is at odds with today's understanding of choice, freedom, independence, and chains residents to a fragile system that dictates when we get food and how we get it by people we don't know. It is reasonable to allow a single family residence up with a properly installed coop and run abiding by municipal code and permit to care for a small flock of 6 hens. It is fair to enforce code to protect the rights of neighbors to sanitary, quiet living conditions. It is prudent to maintain safety standards for humans and animals, and it is compassionate to let people feed themselves and their community, and it starts with one good egg.

REFERENCES

Adams County. (2019, February 13). *CHAPTER 11 ANIMALS AND FOWL*. Adams County.

<https://webgen1files1.revize.com/adamscountynd/CHAPTER%202011%20Animals%20&%20Fowl.pdf>

Adams County. (2020). *Hettinger City*. Adamscountynd.com.

https://www.adamscountynd.com/government/city_of_hettinger/index.php#outer-515

City of Belfield. (n.d.). *ORDINANCE NO. 293 AN ORDINANCE, AMENDING AND RE-ENACTING CHAPTER XI, ARTICLES 1, 2, AND 3 –ANIMALS AND FOWL OF THE CITY CODE OF THE CITY OF BELFIELD, NORTH DAKOTA*. City of Belfield.

City of Bismarck. (n.d.). *CITY OF BISMARCK ORDINANCE NO. XXXX*.

Bismarcknd.gov. Retrieved April 27, 2025, from

<https://bismarcknd.gov/AgendaCenter/ViewFile/Item/6219?fileID=14524>

City of Center. (2020, May 4). *ORDINANCE NO. 2020-01 AN ORDINANCE TO AMEND THE ORDINANCES OF THE CITY OF CENTER, NORTH DAKOTA, BY ADDING A NEW ARTICLE 3 TO CHAPTER ELEVEN, RELATING TO THE KEEPING OF CHICKENS WITHIN THE CITY LIMITS*.

City of Dickinson. (n.d.). *City of Dickinson Municode Library*. Municode.com. Retrieved April 28, 2025, from

https://library.municode.com/nd/dickinson/codes/code_of_ordinances?nodeId=PTIICOOR_CH6AN_ARTIIDOCA_S6-39WHDOCAISPUNU

City of Jamestown. (2025). *Municode Library*. Municode.com.

https://library.municode.com/nd/jamestown/codes/code_of_ordinances?nodeId=CH6ANFO

City of Mandan. (2020). *PERMIT FOR BACKYARD CHICKENS APPLICATION INFORMATION*.

https://www.cityofmandan.com/vertical/sites/%7B38C3EFDC-F4D8-4D02-9E13-0987A081A7A4%7D/uploads/Backyard_Chickens_Permit_Application_Packet_-_FILLABLE_03_2020.pdf

City of Mandan. (2022). *Planning & Zoning Permits*. Cityofmandan.com.

<https://www.cityofmandan.com/?SEC=E5FB2AEC-D8D7-4743-821A-AF96DE8767A0>

Clauer, P. (2023, October 5). *Proper Handling of Eggs: From Hen to Consumption*. Penn State Extension.

<https://extension.psu.edu/proper-handling-of-eggs-from-hen-to-consumption>

Coops, B. C. (2020, July 16). *How Noisy Are Chickens?* Backyard Chicken Coops.

<https://www.backyardchickencoops.com.au/blogs/learning-centre/how-noisy-are-chickens>

Elkhoraihi, C., Blatchford, R. A., Pitesky, M. E., & Mench, J. A. (2014). Backyard chickens in the United States: A survey of flock owners. *Poultry Science*, 93(11), 2920–2931. <https://doi.org/10.3382/ps.2014-04154>

EPA. (2024, January 3). *The Effects: Dead Zones and Harmful Algal Blooms*. US EPA. <https://www.epa.gov/nutrientpollution/effects-dead-zones-and-harmful-algal-blooms>

Farrell, K. (2020, April 21). *How we wound up with supermarkets: A history of the grocery store*. Usatoday.com; USA TODAY 10Best.

<https://10best.usatoday.com/food-drink/10-points-grocery-store-history-supermarkets-changed-how-we-shop/>

Feeding America. (n.d.). *North Dakota | Feeding America*. [Www.feedingamerica.org](http://www.feedingamerica.org).

Retrieved April 28, 2025, from

<https://www.feedingamerica.org/hunger-in-america/north-dakota>

Foundation for a Healthy North Dakota. (2023). *Foundation for a Healthy North Dakota*.

Foundation for a Healthy North Dakota. <https://www.foundationnd.org/hunger>

Fox Business. (2025, February 26). *Trump admin to deregulate egg industry to combat high prices, says USDA secretary*. Fox Business.

<https://www.foxbusiness.com/video/6369352589112>

Harm, S. (2019, April 10). *Bawk to the future: How backyard chicken keeping began as a war effort | AustinTexas.gov*. [Www.austintexas.gov](http://www.austintexas.gov).

<https://www.austintexas.gov/blog/bawk-future-how-backyard-chicken-keeping-began-war-effort>

Hudson Urban Chickens Group. (2013, June). *Public Safety Committee Council Item # VIII.A., A Case for Backyard Hens in the City of Hudson*. Hudsonwi.gov.

<https://hudsonwi.gov/DocumentCenter/View/366/Proposal?bidId=>

Infectious Disease Epidemiology, Prevention and Control Division. (2022, October 5).

Keeping Backyard Poultry - Minnesota Dept. of Health. [Www.health.state.mn.us](http://www.health.state.mn.us); Minnesota Department of Health.

<https://www.health.state.mn.us/diseases/animal/backyard.html>

Lahman, S., Nester, P., Keena, M., & Cronin, E. (2023, February 22). *NDSU Extension offers advice for backyard poultry owners*. NDSU Extension and Ag Research

News; North Dakota State University.

<https://www.ag.ndsu.edu/news/newsreleases/2023/february/ndsu-extension-offers-advice-for-backyard-poultry-owners>

Liu, J. (2024, November). *Food Insecurity in North Dakota*. North Dakota State University.

https://www.ndsu.edu/fileadmin/challeyinstitute/Food_Insecurity_in_North_Dakota.pdf

Lutter, C. K., Iannotti, L. L., & Stewart, C. P. (2018). The potential of a simple egg to improve maternal and child nutrition. *Maternal & Child Nutrition*, 14, e12678.

<https://doi.org/10.1111/mcn.12678>

Mace, J. L., & Knight, A. (2024). From the Backyard to Our Beds: The Spectrum of Care, Attitudes, Relationship Types, and Welfare in Non-Commercial Chicken Care. *Animals*, 14(2), 288. <https://doi.org/10.3390/ani14020288>

Maday, K. (2024, December 13). *NDSU study finds food insecurity is up in North Dakota, leaders call for "all hands on deck."* InForum.

<https://www.inforum.com/news/north-dakota/ndsu-study-finds-food-insecurity-is-up-in-north-dakota-leaders-call-for-all-hands-on-deck>

Margara-Escudero, H. J., Zamora-Ros, R., de Villasante, I., Crous-Bou, M., Chirlaque, M.-D., Amiano, P., Mar, J., Barricarte, A., Ardanaz, E., & Huerta, J. M. (2022). Association Between Egg Consumption and Dementia Risk in the EPIC-Spain Dementia Cohort. *Frontiers in Nutrition*, 9.

<https://doi.org/10.3389/fnut.2022.827307>

- Myers, M., & Ruxton, S. (2023). Eggs: Healthy or Risky? A Review of Evidence from High Quality Studies on Hen's Eggs. *Nutrients*, *15*(12), 2657–2657.
<https://doi.org/10.3390/nu15122657>
- Neilsburg Research. (2025). *Dickinson, ND Population by Age*. Neilsberg.com.
<https://www.neilsberg.com/insights/dickinson-nd-population-by-age/>
- NOAA. (2024, June 16). *What is eutrophication?* National Ocean Service; NOAA.
<https://oceanservice.noaa.gov/facts/eutrophication.html>
- North Dakota Century Code. (n.d.). *CHAPTER 23-09.5 COTTAGE FOOD PRODUCTION AND SALES*. Retrieved April 29, 2025, from
<https://ndlegis.gov/cencode/t23c09-5.pdf>
- North Dakota Department of Agriculture. (2023). *North Dakota Department of Agriculture Quick Reference for Egg Dealer Requirements*. North Dakota Department of Agriculture.
<https://www.ndda.nd.gov/sites/www/files/documents/files/Egg%20Dealers%20Requirements%20Quick%20Reference.pdf>
- Pennsylvania State 4-H Office. (2025). *Commercial Poultry*. Pennsylvania 4-H.
<https://extension.psu.edu/programs/4-h/opportunities/projects/animal-science/poultry/raising-rearing/viii-other-online-resources/the-chicken/commercial-poultry>
- Puglisi, M. J., & Fernandez, M. L. (2022). The Health Benefits of Egg Protein. *Nutrients*, *14*(14), 2904. <https://doi.org/10.3390/nu14142904>
- Retech Farming. (2022). *News - Reasons why hens keep “clucking” after laying eggs*.
<https://www.retechchickencage.com/>

<https://www.retechchickencage.com/news/reasons-why-hens-keep-clucking-after-laying-eggs/>

Ritz, C., & Kolich, H. (2014, May). *Poultry Litter Composting for Backyard Flocks*.

Uga.edu.

<https://extension.uga.edu/publications/detail.html?number=C1097&title=poultry-litter-composting-for-backyard-flocks>

Samuels, B. (2025, March 21). *Trump administration to import eggs from Turkey, South Korea*. The Hill.

<https://thehill.com/homenews/administration/5207932-trump-administration-egg-imports-turkey-south-korea/>

Schindler, S. B. (2016). *Of Backyard Chickens and Front Yard Gardens: The Conflict Between Local Governments and Locavores*. University of Maine School of Law Digital Commons.

<https://digitalcommons.minelaw.maine.edu/faculty-publications/6/>

The City of Fargo. (2017). *The City of Fargo - Fargo Backyard Chicken Keeping*.

Fargond.gov.

<https://fargond.gov/city-government/departments/fargo-cass-public-health/health-promotion/let-s-eat-local/fargo-backyard-chicken-keeping>

United States Department of Agriculture. (2011). *Poultry 2010, Urban Chicken Ownership in Los Angeles County, California, 2010*. United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services, National Animal Health Monitoring System.

United States Department of Agriculture. (2013). *Urban Chicken Ownership in Four U.S. Cities*. United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services, National Animal Health Monitoring System.

Vangsness, S. (2025, February). The blue and gold continues to impact youth.

Roughrider Electric Cooperative, C1–C2.

West Fargo Police Department. (2023). *Permit for housing chickens | West Fargo, ND.*

Westfargond.gov. <https://westfargond.gov/1300/Permit-for-housing-chickens>

APPENDIX

See handouts. Need adobe to compile PDFs efficiently.



June McCarty <june.m.mccarty@gmail.com>

Backyard Chickens Ordinance

City of Belfield Auditor <auditor@cityofbelfield.com>
To: June McCarty <june.m.mccarty@gmail.com>

Mon, Apr 7, 2025 at 5:14 PM

June

They are allowed in town. You can not have a crowing rooster and there is a limit to what you can have. There is only supposed to be a limit of 3 animals per household.

*Gennie O'Brien**Auditor*

City of Belfield

PO Box 5

Belfield, ND 58622

701-575-4235



City of Belfield E-mail Disclaimer

The City of Belfield is subject to North Dakota Open Records and Open Meeting Laws NDCC § 44-04-17.1 relating to public records. Email sent or received by City employees are subject to these laws. Unless otherwise exempted from the public records law, senders and receivers of City email should presume that the email are subject to release upon request, and to state record retention requirements.

This email and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to which they are addressed. The recipient should check this email and any attachments for the presence of viruses. The City of Belfield accepts no liability for any damage that may be caused by a virus that may be inadvertently transmitted by this email.

If you have received this email in error, please destroy it and notify the sender immediately.

[Quoted text hidden]

John McCarthy, Mayor, 2025-01-07 10:00 AM

Backyard Chickens Ordinance

Mon, Apr 7, 2025 at 5:14 PM

City of Bedford Auditor & Director of Public Works
John McCarthy, Mayor, 2025-01-07 10:00 AM

John

They are allowed in town. You can not have a crowing rooster and there is a limit to what you can have. There is only supposed to be a limit of 3 animals per household.

John McCarthy

Mayor

2025-01-07 10:00 AM

John McCarthy

2025-01-07 10:00 AM

John McCarthy

John McCarthy
Mayor

John McCarthy, Mayor, 2025-01-07 10:00 AM

The City of Bedford is subject to the Backyard Chickens Ordinance. The Ordinance states that all backyard chickens must be kept in a secure enclosure that is fully enclosed and covered with a roof. The Ordinance also states that all backyard chickens must be kept in a secure enclosure that is fully enclosed and covered with a roof. The Ordinance also states that all backyard chickens must be kept in a secure enclosure that is fully enclosed and covered with a roof.

The Ordinance also states that all backyard chickens must be kept in a secure enclosure that is fully enclosed and covered with a roof. The Ordinance also states that all backyard chickens must be kept in a secure enclosure that is fully enclosed and covered with a roof. The Ordinance also states that all backyard chickens must be kept in a secure enclosure that is fully enclosed and covered with a roof.

The Ordinance also states that all backyard chickens must be kept in a secure enclosure that is fully enclosed and covered with a roof. The Ordinance also states that all backyard chickens must be kept in a secure enclosure that is fully enclosed and covered with a roof.

John McCarthy

ORDINANCE NO. 293

AN ORDINANCE, AMENDING AND RE-ENACTING CHAPTER XI, ARTICLES 1, 2, AND 3 –ANIMALS AND FOWL OF THE CITY CODE OF THE CITY OF BELFIELD, NORTH DAKOTA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELFIELD, NORTH DAKOTA, PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF BELFIELD, AS FOLLOWS:

**CHAPTER XI.
ANIMALS AND FOWL**

ARTICLE 1.

GENERAL REGULATIONS

11.0101 DEFINITION:

1. **"ANIMAL" or "ANIMALS"**. The word "animal" or "animals" shall mean any horse, cattle, jackass, sheep, goat, swine, rats, mice, guinea pigs, rabbits, dogs, cats or other animals or rodents.
2. **"AT LARGE"**. The words "at large" shall mean not under the control of a person. The animal shall be attached to a leash held by a person, or attached to a leash which is securely fastened, or kept within a fenced area from which it cannot readily escape, or within a trailer or vehicle. The animal shall be controlled in such a manner so that it may not come in contact with persons using the public streets and sidewalks.
3. **"CAT"**. The word "cat" shall be any member of the feline family, either male or female.
4. **"DOG"**. The word "dog" shall be any animal of the canine family, both male and female.
5. **"FOWL"**. The word "fowl" shall mean chickens, ducks, geese, turkeys, pigeons or other domestic fowl.
6. **"OWNER"**. The word "owner" means any person owning, keeping or harboring a dog, cat, animal or fowl, wherever the context requires the different usages.
7. **"VICIOUS DOG"**. The words "vicious dog" shall mean a dog which without provocation bites, attempts to bite, or threatens bodily injury to any person or other animals while the person is not at the time trespassing on the property of the dog's owner or doing damage or injury to the person or property of the owner; or

in a vicious or terrorizing manner approaches any person in apparent attitude of attack upon a street, sidewalk, or any public ground or place; or has propensity, tendency, or disposition to attack, unprovoked, causing injury or otherwise threatening the safety of humans, or domestic animals.

8. "DANGEROUS ANIMAL". The words "dangerous animal" shall mean any animal which without provocation, bites, attempts to bite, or threatens bodily injury to any person or other animals while the person or other animal is not at the time trespassing on the property of the animal's owner or doing damage or injury to the person or property of the owner; or in a vicious or terrorizing manner approaches any person in apparent attitude of attack upon a street, sidewalk, or any public ground or place; or has a known propensity, tendency, or disposition to attack, unprovoked, causing injury or otherwise threatening the safety of humans, or domestic animals..

11.0102 CRUELTY: No person shall cruelly treat any animal in the City in any way; any person who inhumanely beats, under feeds, overloads or abandons any animal shall be deemed guilty of a violation of this Section.

11.0103 DANGEROUS ANIMALS: It shall be unlawful to permit any dangerous animal or vicious animal of any kind to run at large within the City.

11.0104 NOISES: It shall be unlawful to harbor or keep any animals which disturb the peace by loud noises at any time of the day or night.

11.0105 STRAYS: It shall be unlawful to permit any cattle, horses, sheep, swine, goats or poultry to run at large in the City; any such animal running at large in any public place in the City shall be impounded. It shall further be unlawful to picket or tie any such animal in any of the streets of the City for the purpose of grazing or feeding.

11.0106 KILLING DANGEROUS ANIMALS: Members of the Police Department or any other person in the City are authorized to kill any dangerous animal of any kind when it is necessary for the protection of any person or property.

11.0107 DISEASED ANIMALS: No domestic animal afflicted with a contagious or infectious disease shall be allowed to run at large or to be exposed in public places whereby the health of man or beast may be affected; nor shall such diseased animal be shipped or removed from the premises of the owner thereof except under the supervision of the Chief of Police or the Health Officer.

It is hereby made the duty of the Health Officer or Chief of Police to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication and spread of the contagion or infection except in cases where the State Veterinarian is empowered to act.

11.0108 HOUSING: No person shall cause or allow any stable or any place where any animal may be kept to become unclean or unwholesome; and it shall be unlawful to keep any live swine, pigs, or jackasses within the corporate limits of the City.

ARTICLE 2.

DOGS AND CATS

11.0201 LICENSE REQUIRED: No dog or cat shall be permitted to be or remain in the City without being licensed as hereinafter provided if over one (1) month of age. No license or renewal licenses shall be issued for a dog or cat over six (6) months of age unless it has been inoculated against rabies.

11.0202 LICENSE FEE: All dogs and cats kept in the City shall be registered as to sex, breed, name and address of the owner and name of dog or cat. At the time of such registration such owner shall obtain a license for such dog or cat and shall pay a fee for each male dog or cat and a fee for each female dog or cat; which fees shall be set forth in the annual City of Belfield Fee Schedule. It shall be the duty of said owner to cause such license tag to be securely attached around the animal's neck and kept there at all times during the license period.

11.0203 DANGEROUS DOGS: No vicious, dangerous, ferocious dog or dog sick with or liable to communicate hydrophobia or other contagious or infectious disease shall be permitted to run at large in the City.

11.0204 NUISANCE - WHEN:

Any animal within the city limits is a public nuisance when:

- (a) It frequently frightens, annoys, barks at or chases any person or vehicle;
- (b) It is a female in heat and not continually confined indoors by its owner;
- (c) It is more than 6 months old and does not have a current vaccination or inoculation against rabies.
- (d) It is not wearing a collar bearing a City Animal license tag and rabies vaccination tag verifying up to date vaccination.
- (e) By loud and frequent, excessive or continuous barking, yelping, crying or howling it annoys any person;
- (f) It damages any property not the property of its owner;
- (g) It runs at large upon any right of way, public property, or upon the private premises of any person other than the owner or the keeper of the animal.

permit animal waste to accumulate on his/her property.

ARTICLE 3.

PENALTIES

11.0301 PENALTIES AND ENFORCEMENT::

- (a) Any person, firm, association of persons, or corporations, violating any provision of this chapter shall be guilty of an infraction and subject to a maximum fine of Five Hundred Dollars (\$500.00), unless specifically designated a misdemeanor in which case a fine of One Thousand Dollars (\$1000.00) or thirty (30) days in jail, or both may be imposed. Each day a violation shall continue shall constitute a separate offense.
- (b) The Animal Control Officer, the Health Officer, or any member of the Police Department are authorized to act upon, issue citations, and enforce all provisions of this Chapter.
- (c) Pursuant to the authority of Chapter 1, Article 5 Section 1.0501 (6) the City Council has the authority to appoint an Animal Control Officer and approve a contract for such services, the terms of which are to be reviewed annually.

Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Severability. In the event any section of this Ordinance is held invalid by a court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

Effective Date This Ordinance shall be in full force and effect from and after publication.

Leo Schneider, Mayor

ATTEST:

Cindy Ewoniuk, Auditor

First Reading:

Second Reading:

Final Passage:



Application for Permit to Keep Chickens Application fee of \$10.00

A. Read and Initial

____ I have read and I understand the conditions under which I may keep chickens. I agree to abide by the conditions outlined in chapter 12 of the Fargo Municipal Code, which are highlighted below:

1. No more than four Chickens may be kept at a time.
2. No person may keep any rooster.
3. No person may slaughter or breed any chickens within city limits.
4. Every person who owns, controls, keeps, maintains, or harbors chickens must keep them confined at all times in a chicken coop and chicken run, and may not allow the chickens to run at large unless under the direct supervision of a responsible person.
5. Chicken coop. A secure structure for housing chickens, made of wood or other similar materials, which provides shelter from the elements must be provided for the chickens.
 - a. Chicken coops must either be:
 - i. Elevated with a clear open space of at least twenty-four inches between the ground surface and framing/floor of the coop; or,
 - ii. The coop floor, foundation and footings must be constructed using rodent resistant construction.
 - b. Chicken coops are not allowed to be located in any part of a home or attached garage.
 - c. Chicken coops must be a minimum of four-square feet per chicken in size, may not exceed ten square feet per chicken in size and may not exceed six feet in total height from adjacent ground level.
 - d. Chicken coops may be part of a detached garage or shed so long as there is a physical separation between the coop and run and the space used for non-chicken keeping purposes.
6. Chicken run. An enclosed outside yard for keeping chickens.
 - a. Chicken runs may be enclosed with wood or woven wire materials or a combination thereof.

7. Chicken coops and Chicken runs.

- a. May not be located within the front yard and are subject to a Section 6. Item B. foot setback from any adjacent premises.
- b. Attached fenced-in chicken runs must have a minimum of ten square feet per chicken, including the chicken coop and may not exceed twenty square feet per chicken and fencing may not exceed six feet in total height from adjacent ground level.

8. Chicken coops will be inspected.

- a. Upon completion of the permit application. Please call 701.241.8284 to schedule an appointment for an inspection.

B. Include a scaled diagram that indicates the location of any chicken coop and chicken run, and the approximate size and distance from adjoining structures and property lines.

C. Please provide the following information and signatures.

Owner Name: _____

Owner Address: _____

City: _____ State: _____ Zip: _____

Primary Phone: _____

Owner Email Address: _____

Applicant Signature: _____

Date: _____

****Office Use****

Approved: _____

Total Due: \$10.00

Authorized Signature: _____

Date Paid: _____

License Expiration Date: _____

Return via mail or email: City of Fargo Auditor's Office at PO Box 2471, Fargo ND 58108
MVanyo@FargoND.gov For questions, please call 701.241.1304.

Permit for housing chickens

Backyard Chicken Keeping Permit

Residents must apply for a Chicken Keeping Permit before housing chickens on residential property. Read through all guidelines to get to permit application link. Please review all guidelines and requirements, found in City Ordinance 1221, before completing the permit. An annual permit fee of \$25 is required.

Chicken Keeping is regulated by The City of West Fargo Code Enforcement.

1. An annual permit is required before a chicken coop or run can be installed on residential property. Residents must renew annual and are subject to inspections by the City of West Fargo or Public Health Officials. Residents will be reminded and must complete a renewal form between Dec. 1-31 each year.
2. The permit application must include a scaled diagram

conditions described in Ordinance 1221 may result in suspension or revocation of permit.

3. A property with three or more residential dwelling commercial, mixed use, and industrial properties are prohibited from keeping chickens.

Section 6. Item B.

Conditions for Chicken Coops & Runs:

1. No more than six chickens may be kept by a single permit holder.
2. Roosters are prohibited.
3. Chickens must be confined at all times in a coop and run, and may not be allowed to run at large. Chickens must be secured in a coop from sunset to sunrise each day.
4. **Both** Coops and Runs must follow these conditions:
 - o Must not be located within the front yard
 - o Must be setback a minimum of three feet from any adjacent structures
 - o Must be setback a minimum of ten feet from all property lines
 - o Must not be located on any public easements
 - o Must be a minimum of four feet per chicken and may not exceed ten square feet per chicken
 - o Coop and run must not exceed seven feet in total height from adjacent ground level
 - o May be a commercially purchased chicken coop that substantially conforms with the requirements of this ordinance
 - o Fencing for coops and runs may not exceed six feet feet in total height from adjacent ground level
 - o Coops and runs must not be located in any part of a dwelling or garage
 - o Feed must be kept within the coop and run and must kept in metal predator proof containers
 - o Manure must be removed frequently and use a quality bedding material is recommended. Manure with which is not properly disposed or and/or causes odor issues will result in revocation of the permit
 - o Coops and runs should be located within a yard enclosed by a solid opaque face or wall, or shall otherwise be screened from view of adjacent properties. Fences, walls, or screening used for the purpose shall measure a minimum of five feet in height

and not more than four inches from the ground or other surface.

Section 6. Item B.

5. Coops must follow these conditions:

- Must be either elevated with a clear open space of at least sixteen inches between the ground surface and grading/floor of the coop
- May be a commercially purchased chicken coop that substantially conforms with the requirements of the ordinance
- The coop floor, foundation, and footings must be constructed using rodent resistant construction

6. Runs must follow these conditions:

- Must not exceed ten square feet per chicken
- Fencing must not exceed six feet in total height from adjacent ground level
- May be enclosed with wood, woven wire material, or a combination thereof

7. A person who owns, controls, keeps, maintains, or harbors chickens must not allow the premises where the chickens are kept to be unhealthy, unsanitary, or in a noxious condition. Noxious odors must not be carried to adjacent properties.

8. Any coop or run authorized by permit may be inspected at any reasonable time by an animal control officer, law enforcement officer, public health official, or other agent of the City.

9. The City may refuse to grant or renew a permit to keep or maintain chickens for failure to comply with the provisions of this ordinance.

10. A permit may be revoked or suspended for any violation of this ordinance.

11. A person who owns, controls, keeps, maintains, or harbors chickens without obtaining or maintaining a current permit, or after a permit has been revoked is guilty of an infraction as provided under Section 1-0211

[Click Here for Permit Application.](#)

Public Input

The City of West Fargo conducted a survey to gather feedback on housing chickens within City limits in 2023.

- Considerations
- Interest in Housing Chickens
- Permit Fee
- WF Resident

Question 1 responses go along the columns from left to right
 Question 2 responses go along the rows, from top to bottom. If no answers are displaying, click the + box to expand to the answers.

Section 6. Item B.

Question Response Patterns						
Question	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Total
<input checked="" type="checkbox"/> Interest in Housing Chickens	462	92	64	201	648	1,467
Strongly Disagree	421	65	24	19	26	555
Disagree	13	22	18	38	19	110
Neutral	9	2	18	88	96	213
Agree	7	2	53		118	180
Strongly Agree	12	1	4	3	389	409
Total	462	92	64	201	648	1,467

Microsoft Power BI

< 1 of 2 >



Full screen view of survey results

Contact Us

Code Enforcement

Physical Address

800 Fourth Ave. E.
 Suite 1
 West Fargo, ND 58078

Phone: (701) 515-5517

Fax: (701) 515-5001

Emergency Phone: 911

Government Websites by **CivicPlus®**

**Application for the Keeping of Chickens
(R-1 and R-2 Zones)**

Applicant Name: _____

Address: _____

Phone: _____

Email Address: _____

Application Requirements:

_____ Scales diagram indicating the location of chicken coop and/or chicken run the size and distance from adjoining structures and property lines.

_____ Number (limit 6) _____ and species of chickens _____
NO ROOSTERS ALLOWED

_____ Written consent/approval of keeping chickens on your premises from all property owners within 300 feet of the boundary of the proposed use or proof of mailing certified notices to all property owners is required.
(Please Attach)

_____ \$10.00 fee received (one year license to be renewed by March 1)

Please do not get your chickens until all of your license requirements have been met and your license has been approved.

I will at all times keep the chickens in accordance with this ordinance and all the conditions prescribed by the Adams County Sheriff. I understand failure to obey such conditions will constitute a violation of the provisions of this section and grounds for cancellation of the permit. If I will no longer be keeping chickens on my premise, an chicken coops or runs constructed or maintained shall be immediately removed from said premises after the expiration of the permit or shall be removed within 30 days upon ceasing to use the chicken coop and/or chicken run for the keeping of chickens. If my premises are subject to private restrictions and/or covenants that prohibit the keeping of chickens, any permit issued to me for the keeping of chickens will be void.

This permit may be revoked or suspended for violation of Ordinance # _____ following written notice. The applicant may appeal the revocation or suspension of the permit by requesting in writing before the city council within seven days of the notice of relocation or suspension.

Signature of Applicant _____

License Dates (thru February) 202_____

Hettinger City Approval _____

Hettinger
Application for the Keeping of Chickens
(R-1 and R-2 Zones)

Applicant Name: _____
Address: _____
Phone: _____
Email Address: _____

Application Requirements:

Scale diagram indicating the location of chicken coop and/or chicken run
the size and distance from adjoining structures and property lines.

Number (limit 6) _____ and species of chickens
NO ROOSTERS ALLOWED

Written consent/approval of adjoining chicken on your premises from all property owners
within 300 feet of the boundary of the proposed site or proof of mailing certified notices to
all property owners is required.
(Please Attach)

\$10.00 fee required for year license to be renewed by March 1.

Please do not eat your chickens until all of your license requirements have been met and your
license has been approved.

I will at all times keep the chickens in accord with this ordinance and all the conditions prescribed by the
Adams County Sheriff. Understanding failure to obey such conditions will constitute a violation of the provisions of
this section and grounds for cancellation of the permit. If I will no longer be keeping chickens on my premises, or
chicken coops or runs constructed or in process I shall be immediately removed from my premises and premises adjacent
thereof. The permit or shall be removed within 30 days upon ceasing to use the chicken coop and/or chicken
run for the keeping of chickens. If my premises are subject to private restrictions and/or covenants that prohibit
the keeping of chickens, any permit issued to me for the keeping of chickens will be void.

This permit may be revoked or suspended for violation of Ordinance R _____ following written notice. The
applicant may appeal the revocation or suspension of the permit by resolution in writing before the city council
within seven days of the notice of revocation or suspension.

Signature of Applicant _____
License Date: (thru February) 202 _____
Hettinger City Approval _____

City of Hettinger
Adjacent Property Owner Consent Form
For Backyard Chickens

Applicant Name: _____

Address where chickens will be kept _____

No permit for the keeping of chickens shall be issued by the city to any person unless **all** property owners within three hundred (300) feet of the boundary of the proposed use provide their consent for the permit in writing.

Chicken Coop and Run Specifications

All chicken coops and chicken runs must be located within the rear yard subject to a twenty (20) foot setback from any adjacent premises and be at least six (6) feet from any residential structure or dwelling or any other structures or dwellings on any adjacent premises. All chicken coops must be a minimum of four (4) square feet per chicken in size. All new chicken coops must be a minimum of four (4) square feet per chicken in size, must not exceed ten (10) square feet per chicken in size, and must not exceed eight (8) feet in total height. Attached fenced-in chicken runs must not exceed twenty-four (24) square feet and fencing must not exceed six (6) feet in total height. Chicken runs may be enclosed with wood and/or woven wire materials, and may allow chickens contact with the ground. Chicken feed must be kept in metal predator proof containers. Chicken manure may be placed in yard compost piles.

Instructions to Adjacent Property Owners

Your neighbor is applying for a permit to keep chickens in their backyard. A maximum of six chickens may be kept under this permit. If you are property owners within 300 feet of the boundary of the proposed use, your consent to this permit is required for issuance. Do not sign this form if you are **NOT** giving consent to the issuance of a permit.

Should you decide to object to the applicant's permit application, any objections must be received by the Hettinger City Auditor within 10 days of the mailing date of said notice and failure to provide written objections to the Hettinger City Auditor within 10 days of the mailing of said notice will authorize the Hettinger City Council to issue a permit for the keeping of chickens to the applicant at their premises.

If you have concerns about this application, please call the Hettinger City Auditor immediately at 701-567-4363 to express your concerns.

ORDINANCE NO. 2025-01

AN ORDINANCE AMENDING SECTION 11.0301 OF THE CITY CODE OF THE CITY OF HETTINGER, NORTH DAKOTA, RELATING TO KEEPING OF CHICKENS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HETTINGER, NORTH DAKOTA, AS FOLLOWS:

Section 1: Section 11.0301 entitled “Keeping of Chickens” is hereby amended as follows:

11.0301 – Keeping of Chickens

(1) Chickens permitted. It is unlawful for any person to own, control, keep, maintain or harbor chickens on any premises within the City unless issued a permit to do so as provided in this section. No permit shall be issued for the keeping or harboring of more than six (6) female chickens or hens on any premises. The keeping or harboring of male chickens or roosters is prohibited.

(2) Definitions. For the purpose of this paragraph section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“CHICKEN” means a female chicken or hen.

“AT LARGE” means a chicken out of its chicken run, off the premises or not under the custody and control of the owner.

“CHICKEN COOP” means a structure for housing chickens made of wood or other similar materials that provides shelter from the elements.

“CHICKEN RUN” means an enclosed outside yard for keeping chickens.

“PERSON” means the resident, property owner, custodian, or keeper of any chicken.

“PREMISES/_PROPOSED USE” means any platted lot or group of contiguous lots, parcels, or tracts of land and is located within the city.

(3) Permit. No person shall maintain a chicken coop and/or chicken run unless granted a permit by the Hettinger City Council. The Hettinger City Council is authorized to issue a maximum of ten (10) permits annually for the keeping of chickens. The permit shall be subject to all the terms and conditions of this section and any additional conditions deemed necessary by the Hettinger City Council to protect the public health, safety and welfare. The necessary permit application may be obtained from the City Auditor’s office. Included with the completed application must be a scaled diagram that indicates the location of any chicken coop and /or chicken run, and the approximate size and distance from the adjoining structures and property lines, the number and species of chickens to be maintained at the premises, and a statement that the applicant/permittee will at all time keep the chickens in accordance with this ordinance and all the conditions prescribed by the Hettinger City Council, or modification thereof, and failure to obey such conditions will constitute a violation of the provisions of this section and grounds for cancellation of the permit. The applicant shall include written consents/approval– from all property owners owning real property within 300 feet of the boundary of the property listed in the permit application. If proof of written consent/approval from all affected Owners is not submitted along with the application, the applicant shall provide proof of the certified mailing to all property owners within 300 feet of the boundary of the proposed use that do not provide their consent or approval. Certified mailing(s) shall advise the property owner(s) the applicant is applying for a permit from the City of Hettinger for the keeping of chickens on their premises. The Certified mailing shall further notify the property owners that they may object to the applicant’s permit application, provided that any objection must be received by the Hettinger City Auditor within 10 days of the mailing date of said notice and failure to provide written objections to the Hettinger

City Auditor within 10 days of the mailing of said notice will authorize the Hettinger City Council to issue a permit for the keeping of chickens to the applicant at their premises. receipt of a permit application, Hettinger City Council shall determine If the application is complete and contains the required consents/approvals and/or proof of the certified mailing of the required notices. If the application is complete and includes written consents/approval from all property owners within 300 feet of the boundary of the proposed use, the Hettinger City Council shall issue a permit for the keeping of chickens to the applicant- at the next City Council meeting upon receipt of the completed application, unless the Hettinger City Council receives a written objection from a property owner objecting to the applicant's application for the keeping of chickens, in which case no permit shall be issued. No permit shall be issued for an incomplete application or for the keeping of chickens on any rental premises. A permit for the keeping of chickens may be revoked or suspended by the Adams County Sheriff for any violation of this section following written notice. The applicant/permittee may appeal the revocation or suspension of their permit by requesting in writing a hearing before the city council within seven (7) days of the notice of revocation or suspension. The request for hearing must be either postmarked or received in the city Auditor's Office within seven (7) days of the date of the notice. The city council shall hold a hearing on the applicant/permittee's request for hearing within thirty (30) days of request for hearing. An annual fee will be set by resolution.

(4) Confinement. Every person who owns, controls, keeps, maintains, or harbors chickens must keep them confined at all times in a chicken coop and chicken run and may not allow the chickens to run at large. Any chicken coop and chicken run shall be at least six (6) feet from any residential structure or any other structures on any adjacent premises.

(5) Chicken Coops and Chicken Runs.

(a) All Chicken coops and chicken runs must be located within the rear yard subject to a twenty (20) foot setback from any adjacent premises and be a least six (6) feet from any residential structure or dwelling or any other structures or dwellings on any adjacent premises. All chicken coops must be a minimum of four (4) square feet per chicken in size. All new chicken coops must be a minimum of four (4) square feet per chicken in size, must not exceed ten (10) square feet per chicken in size, and must not exceed eight (8) feet in total height. Attached fenced-in chicken runs must not exceed twenty-four (24) square feet and fencing must not exceed six (6) feet in total height. Chicken runs may be enclosed with wood and/or woven wire material and may allow chickens contact with the ground. Chicken feed must be kept in metal predator proof containers. Chicken manure may be placed in yard compost piles.

(b) All new chicken coops must either be:

- (i) Elevated with a clear open space of at least twenty-four (24) inches between the ground surface and framing/floor of the coop; or,
- (ii) The coop floor, foundation and footings must be constructed using rodent resistant construction.

(c) Chicken coops are not allowed to be located in any part of a home and /or attached garage.

(d) Chickens must be secured in a chicken coop from sunset to sunrise each day.

(6) Conditions and Inspections. No person who owns, controls, keeps, maintains, or harbors chickens shall permit the premises, whether the chickens 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 chicken coop or chicken run authorized by permit under this section may be inspected at any reasonable time by the Adams County Sheriff, Law Enforcement Officer or other agent of the City. A person who has been issued a permit shall submit it for examination upon demand by the Adams County Sheriff, Law Enforcement Officer, or other agent of the City. Slaughter and breeding of chickens on any premises within the City is prohibited.

(7) Private Restrictions and Covenants on Property. Notwithstanding the issuance of a permit by the City, private restrictions and/or covenants on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by-laws, covenant declarations and deed restrictions. A permit issued to a person whose premises are subject to private restrictions and/or covenants that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

(8) Refusal to Grant or Renew Permit. The Hettinger City Council may refuse to grant or renew a permit to keep or maintain chickens for failure to comply with the provisions of this section, submitting an inaccurate or incomplete application, if the conditions of the permit are not met, if a nuisance condition is created, or if the public health and safety would be unreasonably endangered by the granting or renewing of such permit.

(9) Removal of chicken coop and chicken run. Any chicken coop or chicken run constructed or maintained on any premises shall be immediately removed from said premises after the expiration of the permit or shall be removed within thirty (30) days upon ceasing to use the chicken coop and/or chicken run for the keeping of chickens.

(10) Agricultural District. This ordinance does not apply to premises located in an agricultural district as that area is defined in the zoning ordinance.

(11) The keeping of chickens is allowed, with the appropriate permit, in lower density residential areas (R-1 and R-2). In high density & mixed residential use districts (R-3) and commercial districts (C) permit applications will be considered on a case-by-case basis if and only if the entirety of the block where the permit is being requested resembles an R-1 or R-2 district.

~~(11)~~ (12) Prohibited. The keeping of chickens, male or female is prohibited in ~~High-Density and Mixed Residential Uses District (R-3)~~ Mobile Home (MH 1-2) districts, ~~and all Commercial and Industrial Districts~~, and Commercial districts where any portion of the block is used for commercial purposes as those areas are defined in the zoning ordinance.

~~(12)~~ (13) Violations a Misdemeanor. Any person who owns, controls, keeps, maintains, or harbors chickens in the City of Hettinger without obtaining or maintaining a current permit or after a permit has been suspended or revoked by Council action shall be guilty of a Class B misdemeanor.

Section 2: Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 6. Item B.

Section 3: Severability. In the event any section of this Ordinance is held invalid by a court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

Section 4: Effective Date. This Ordinance shall be in full force and effect from and after final passage.

CITY OF HETTINGER

James Lindquist, Mayor

ATTEST:

Krista Faller, City Auditor

First Reading: _____

Second Reading: _____

Final Passage: _____

PLEASE READ INSTRUCTIONS THOROUGHLY!

Please return the following items to the City Administrator, 102 3rd Avenue SE, Jamestown, ND 58401:

1. Completed Application.
2. Permit fee of \$60.00 - Check should be made payable to the City of Jamestown.

Optional Items Suggested:

1. Photos or maps of property location to be approved.
2. Written confirmation from neighbors within 150' of property location stating they have no objections to the request.
3. See City of Jamestown Municipal Code Chapter 6 – Animals & Fowl.
 - a) Section 6-7. – Keeping of domestic animals; permit.
(Ordinance No. 1390)
 - b) Section 6-8. – Keeping of fowl; enclosure required.
(Ordinance No. 1063)

TELEPHONE 701-252-5900
FAX 701-252-5903

APPLICATION FOR AN ANIMAL PERMIT

PERMIT FEE: \$60.00

NAME OF APPLICANT: _____

RESIDENCE ADDRESS: _____

_____ **CITY** _____ **STATE** _____ **ZIP** _____

HOME PHONE NO. _____ **CELL PHONE NO.** _____

TYPE OF ANIMAL OR FOWL REQUESTED _____

PROPERTY ADDRESS WHERE ANIMAL OR FOWL WILL BE KEPT OR MAINTAINED _____

DATE

SIGNATURE OF APPLICANT

Sec. 6-1. - Definitions.

Section 6. Item B.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Accessory building. A subordinate building which is located on the same lot as the main building and the use of which is clearly incidental to the use of the main building.

Animal. Every living animal except the human race, both domestic and wild.

Animal at large. Any animal off the premises of the owner or its custodian and not restrained by an unbreakable chain or leash and not under the restraint of a person capable of controlling the animal.

Animal control officer. Any person authorized by the designated authority to enforce the provisions of this chapter.

Animal shelter. Any facility operated by a humane society for the care and sheltering of animals, and any facility operated by a municipal agency or its authorized agents for the purpose of impounding animals under the authority of city ordinances for care, confinement, return to owner, adoption or euthanasia.

Commercial kennel. Any place, except veterinarian clinics, where more than two (2) dogs or cats over three (3) months of age are kept and where the business of selling, boarding, breeding, training, and grooming dogs or cats is conducted.

Cruelty or torture. Includes every act, omission or neglect whereby unnecessary or unjustifiable pain, suffering, or death shall be caused or permitted.

Designated authority. The chief of police or such person or persons delegated by same.

Domestic animal. An animal domesticated by humans as to live and breed in a tame condition.

Foster home. A temporary shelter for the care and sheltering of animals kept and maintained by members of the humane society.

Fowl. Any domesticated or wild bird.

Guard dog. Any dog trained or used to protect persons or property by attacking or threatening to attack any person found within the area patrolled by the dog.

Impound. To seize and hold in legal custody.

Owner. Any person or persons, firm or association or corporation owning, keeping, or harboring an animal, rodent, or fowl.

Pet or companion animal. Any domesticated animal or fowl kept for pleasure rather than utility; an animal or fowl of a species that has been bred and raised to live in or about the habitation of humans and is dependent on people for food and shelter.

as pets.

Professional trainer. any person who trains animals for remuneration.

Section 6. Item B.

Public property. Any property open for public use or travel.

Restraint. Any animal secured by an unbreakable chain or leash, under the control of a responsible person and obedient to that person's commands.

Rodent. Any rabbit, mouse, hamster, guinea pig, or other rodent.

Veterinary hospital. Any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis, treatment of disease, and injuries of animals.

Vicious or dangerous animal. "Vicious animal" means any animal which shall bite or in any other manner attack or attempt to attack any person or other animal within the city. Any animal known to have bitten any person or other animal without provocation is hereby defined as a "vicious animal," but the term "vicious animal" shall not be limited to only those animals who are known to have bitten any person or animal if the owner or anyone has knowledge of the animal's vicious behavior in the past.

Wild animal. Any living member of the animal kingdom, including those born or raised in captivity, except the following: domestic dogs (excluding hybrids with wolves, coyotes, or jackals), domestic cats (excluding hybrids with ocelots or margays), farm animals, rodents, and captive-bred species of common cage birds.

Zoological park or facility. Any facility operated by a person, partnership, corporation, or government agency, other than a pet shop or kennel, displaying or exhibiting one (1) or more species of nondomesticated animals.

(Ord. No. 1063, 7-6-93)

Sec. 6-2. - Unlicensed animals and fowl prohibited.

It shall be unlawful and is declared a nuisance for any person to keep or maintain any animals or fowl within the city limits except as permitted by license or permit pursuant to this chapter, subject, however, to the zoning regulations of the city.

(Ord. No. 1063, 7-6-93)

Cross reference— Zoning regulations, App. C.

Sec. 6-3. - Cruelty to animals.

- (a) No person shall inhumanly, unnecessarily or cruelly beat, injure, neglect, or deprive an animal of necessary food, water, and shelter or otherwise abuse any animal.
- (b) No person or owner of an animal shall abandon such animal.
- (c)

No person shall leave an animal unattended in a motor vehicle in a manner as to, or under circumstances which, endangers its health or safety. As provided in N.D.C.C. § 36-21.1-06, any police officer may use reasonable means to enter a motor vehicle and to remove an animal that has been left in the vehicle in violation of this section.

- (d) No person shall administer or expose any known poisonous substance or noxious drug, whether mixed with meat or other food or not, which may be eaten by any animal or fowl excepting:
 - (1) Rats, mice, and insects.
 - (2) The administering or exposure of any known poisonous substance or noxious drug by any veterinarian duly licensed in the State of North Dakota.
 - (3) By authorization and written permit of the city council.
- (e) Any operator of a vehicle that strikes a domestic animal shall stop at once and render assistance as may be necessary and shall immediately report such injury or death to the animal owner. In the event the owner cannot be located, such operator shall at once report the incident to the police department.
- (f) No person shall cause, instigate, or permit any dogfight, cockfight, bullfight, or other combat between animals or between animals and humans.
- (g) Trapping of animals:
 - (1) No person shall enter upon land not owned by him, whether privately-owned or publicly-owned, for the purpose of trapping animals without first obtaining the permission of the owner or tenant of the land. For purposes of this section, the term "land" includes land submerged by the James and Pipestem Rivers, which land to the center of the river is owned by the respective adjacent landowners.
 - (2) No person shall operate an animal trap which is so designed or constructed that it might injure a human being who inadvertently comes upon it without conspicuously posting and thereafter maintaining a suitable notice reasonably designed and located so as to alert a person of common intelligence and understanding as to the presence of the trap and the dangers presented thereby.
 - (3) If a person establishes a trap in such a place that there is a substantial likelihood that the trap will capture a domesticated animal then the trap employed must be a commercially manufactured live catch trap which allows for the uninjured release of the animal. The trap must be so located as far as practical to protect the captured animals from the elements. The trapper shall not allow a captured animal to remain therein an unreasonable period of time. The trapper shall turn over to the animal control officer any domesticated animal and obtain permission from the animal control officer to dispose of any animal captured.
 - (4) Prior to setting any animal trap, notification of intent must be given to the animal control

Sec. 6-5. - Animals running at large; exception.

- (a) It shall be unlawful for the owner or custodian of any domestic animal to allow it to run at large on any public property or on private property without the written consent of the owner or possessor of the private property.
- (b) This section shall not prohibit the running of animals being trained and under the control of a licensed professional animal trainer and on property where written consent has been granted by the property owner and can be shown to any officer upon request.

(Ord. No. 1063, 7-6-93)

Sec. 6-6. - Keeping of certain rodents regulated.

No person shall keep any rabbit, hamster, guinea pig, or other rodent on any premises used for residential purposes except in a cage so constructed that it may be completely and easily cleaned and free from any objectionable odors and that the rodents therein are completely enclosed and protected from small children and animals on the outside. Such rodents shall at all times be kept within the dwelling or an accessory building.

(Ord. No. 1063, 7-6-93)

Sec. 6-7. - Keeping of domestic animals; permit.

It shall be unlawful for any person to keep or pasture any domestic animal within the city unless the city council has authorized a permit, to be issued by the city auditor's office, for the keeping and pasturing of domestic animals in the city.

- (a) The city council may authorize a permit and any conditions or factors on such permit as the city council shall deem appropriate, including but not limited to, an expiration date of the permit. If an expiration date is included in the permit, at least sixty (60) days prior to the expiration of the permit, the person may request the city council renew the permit.
- (b) Any permit issued may be terminated by the city council, for any reason related to the growth or development of the city, upon sixty (60) days' notice to the permit holder.
- (c) The permit fee shall be established by resolution of the city council.
- (d) The health officer or any other council designated person may inspect the location of pasturing and keeping of such animals and may make recommendations to the city council as to whether or not a permit which has been issued shall be revoked or renewed. Any permit shall be conditioned upon the right of such inspector to go onto the permitted premises to perform such inspections.

(Ord. No. 1063, 7-6-93; Ord. No. 1390, 5-6-13)

Section 6. Item B.

Sec. 6-8. - Keeping of fowl; enclosure required.

The keeping of any fowl which causes annoyance, disturbance, or offense to persons residing in the neighborhood, either by reason of loud sounds or noises or the failure of the owner to maintain all structures, pens or coops wherein any fowl is kept in a clean and sanitary condition devoid of rodents and vermin and free from all objectionable odors, is hereby prohibited.

Fowl shall be kept in an enclosure not less than one hundred (100) feet at its nearest point from any residence and so constructed as to prevent such fowl from wandering or flying from the enclosure.

(Ord. No. 1063, 7-6-93)

Sec. 6-10. - Animal waste.

The owner or custodian of an animal shall be responsible for the removal of any waste deposited by said animal on all public and private property.

(Ord. No. 1063, 7-6-93)

Sec. 6-11. - Enforcement.

- (a) The provisions of this chapter shall be enforced by those persons or agencies designated by municipal authority.
- (b) It shall be a violation of this chapter to interfere with the animal control officer or police officers in the performance of their duties.

(Ord. No. 1063, 7-6-93)

Sec. 6-12. - Penalties.

- (a) Any person or entity violating any provision of sections 6-3 and 6-11 shall be guilty of a Class B misdemeanor. Any other violation within article I is an infraction. If any violation continues, each day's violation shall be a separate violation.
- (b) If any person is found guilty of violating any provisions of section 6-3, their permit to own, keep, harbor, or have custody of animals shall automatically be revoked and no new permit may be issued.

(Ord. No. 1063, 7-6-93)

The keeper of any fowl which causes annoyance, disturbance, or offense to persons residing in the neighborhood, either by reason of loud sounds or noise or the failure of the owner to maintain all structures, pens or coops within any fowl is kept in a clean and sanitary condition devoid of rodents and vermin and free from all objectionable odors, is hereby prohibited.

(Ord. No. 1063, 3-6-93)

Sec. 6-10 - Animal waste.

The owner or custodian of an animal shall be responsible for the removal of any waste deposited by said animal on all public and private property.

(Ord. No. 1063, 3-6-93)

Sec. 6-11 - Enforcement.

(a) The provisions of this chapter shall be enforced by those persons or agencies designated by municipal authority.

(b) It shall be a violation of this chapter to interfere with the animal control officer or police officers in the performance of their duties.

(Ord. No. 1063, 3-6-93)

Sec. 6-12 - Penalties.

(a) Any person or entity violating any provision of sections 6-3 and 6-7 shall be guilty of a Class B misdemeanor. Any other violation within articles 6-3 and 6-7 shall be a violation, and any violation committed each day's violation shall be a separate violation.

(b) If any person is found guilty of violating any provisions of section 6-7, their permit to own, keep, harbor, or have custody of animals shall automatically be revoked and no new permit may be issued.

(Ord. No. 1063, 3-6-93)



June McCarty <june.m.mccarty@gmail.com>

Backyard Chickens Ordinance Questions

Matt Oase <cityofkilldeer@killdeer.com>

Fri, Mar 28, 2025 at 1:42 PM

To: June McCarty <june.m.mccarty@gmail.com>

Hi June: We are currently in the process of updating our city code/land development code with regards to chickens. I can certainly pass along what we come up with on our side, as we currently have a committee in place to work on the details with subsequent follow-ups/potential approvals with the Planning & Zoning Board and the City Commission. We should have more concrete information regarding the rules and regulations within the next month/two months, with the likely scenario that we have an ordinance/code passed allowing chickens at all city residences, with the number currently unknown. If you wish, I can pass your contact/question off to those in city limits who own chickens (currently non-compliant with the current code as they house chickens but have the experience in such) as well.

Thanks!

Matt Oase

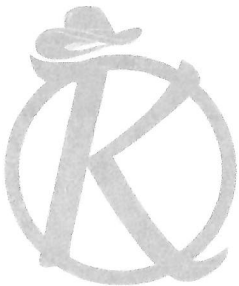
Killdeer City Administrator/Auditor

PO Box 270

Killdeer, ND 58640-0270

701-764-5295

cityofkilldeer@killdeer.com



[Quoted text hidden]

Background: Chicago Outfitters Outfitting

Chicago Outfitters is a leading manufacturer of outdoor gear. The company has a long history of innovation and quality. It is currently facing a new challenge in the market.

The company's current strategy is to focus on high-quality products and excellent customer service. However, the market is becoming increasingly competitive. The company needs to find ways to differentiate itself and maintain its market position.

The company is considering several options to address this challenge. These options include expanding into new markets, investing in research and development, and improving operational efficiency.

Each option has its own set of risks and benefits. The company needs to carefully evaluate these options and choose the one that best aligns with its long-term goals and values.

The company's management team is currently reviewing these options and will make a final decision in the next few weeks. The company is confident that it will find a way to continue to lead the market in outdoor gear.

PERMIT FOR BACKYARD CHICKENS

APPLICATION INFORMATION:

- 1. Address: _____
- 2. Name of Property Owner: _____
 Mailing Address (if different than property address): _____
 Phone (Cell): _____ (Office): _____
 Email Address: _____
- 3. Name of Applicant (if different than owner): _____
 Mailing Address: _____
 Phone (Cell): _____ (Office): _____

Additional Submittals

- Property owner and applicant, if different than the property owner, signed understanding of the requirements and responsibilities outlined in this section.
- Site plan illustrating:
 - Property lines and distance to proposed coop and run
 - Neighboring residence(s) location and distance to proposed coop and run
 - Type and style of back and side yard fence
- Construction drawings including at least one of the following:
 - Materials used in the construction of the coop and run
 - Diagram and illustration if provided in a prefabricated kit
- Fee (non-refundable)
 - New Application - \$100
 - Renewal Application - \$50

Please Note: Late renewal applications not accepted. Late renewal applications shall be treated the same as new applications, including fee and submittal requirements.

Property Owner: _____ Date: _____

<u>Admin use only</u>
Receipt Number: _____

10/10/2011

Parcel No. _____

64 (9-2010)

Section 6. Item B.

PERMIT FOR BACKYARD CHICKENS

APPLICATION INFORMATION:

1. Address: _____

2. Name of Property Owner: _____
 Mailing Address (if different than property address): _____

Phone (Cell): _____ (Office): _____

Email Address: _____

3. Name of Applicant (if different than owner): _____
 Mailing Address: _____
 Phone (Cell): _____ (Office): _____

Additional Submittals:

- * Property owner and applicant, if different than the property owner, signed understanding of the requirements and responsibilities outlined in this section.
- * Site plan illustrating:
 - a. Property lines and distance to proposed coop and run.
 - b. Neighboring residential location and distance to proposed coop and run.
 - c. Type and style of fence and side yard fence.
- * Construction drawings including at least one of the following:
 - a. Materials used in the construction of the coop and run.
 - b. Diagram and description provided in a previous and known.
- * Fee (non-refundable):
 - a. New Application - \$100
 - b. Renewal Application - \$50

Please Note: Late renewal applications not accepted. Late renewal applications shall be treated the same as new applications, including fee and submittal requirements.

Property Owner: _____ Date: _____

Admin use only

Receipt Number: _____

Acknowledgement of Understanding of Requirements and Responsibilities

Read the following portion of the Mandan Municipal Code governing chickens. These regulations must be followed or the property owner(s) may be cited for a violation by code enforcement.

Sec. 105-1-16 - Chickens

- (a) Purpose. It is the purpose of this section to regulate the keeping of chickens at an individual or household scale to promote the health, safety, and general welfare of the citizens of the city. This section in no way applies to commercial production and processing of poultry as regulated in Section 105-3.
- (b) Permit required. A renewable permit issued by the city planner or his/her designee shall be required prior to conducting any keeping of chickens at an individual or household scale. The permit shall be good for one calendar year as measured from the date of issuance and is tied to both the applicant and the land. Permits shall be non-transferrable.
- (c) Revocation. A permit may be revoked by the city planner or his/her designee for failure to comply with the requirements outlined in this section or any other local or state regulation governing keeping or cruelty to animals. Any person whose permit is revoked shall, within ten business days thereafter, humanely dispose of all chickens being owned, kept or harbored by such person, and no part of the application fee shall be refunded.
- (d) Appeal. The permittee may appeal the revocation or refusal of renewal of the permit by timely request for a hearing before the Board of City Commissioners. The request for hearing must be received by the city planner or his/her designee within ten business days following the date of the notice of revocation or refusal of renewal. The Board of City Commissioners shall hold a hearing on the permittee's request for hearing and shall render a final decision on the matter after said hearing.
- (e) Multiple Property Limitation. An applicant owning multiple properties abutting or in close proximity is limited to a single permit. The planner or his/her designee shall make the determination of what is considered "close proximity."
- (f) Application. An application for a permit shall include:
 1. General form established by staff to capture applicant, property owner, and property information, including necessary signatures.
 2. Property owner and applicant, if different than the property owner, signed understanding of the requirements and responsibilities outlined in this section.

Acknowledgment of Understanding of Requirements and Responsibilities

Read the following portion of the Standard Model (and City Ordinance) regarding the form. This form must be filled out by the applicant and signed by the applicant for a permit to be issued.

Sec. 185-1-14 - Duties

(a) Purpose: It is the purpose of this section to regulate the kind of devices that are used in residential areas to protect the health, safety and general welfare of the citizens of the city. The applicant in any way engaged in commercial, industrial and mining of public or residential in Section 185-2.

(b) Permit required: A permit shall be required by the applicant or another person shall be required prior to conducting any work or activity on a residential lot. The permit shall be good for one year from the date of issuance and shall be valid for the applicant and all other persons who are engaged in the work.

(c) Revocation: A permit may be revoked by the city or a third party if the permit holder fails to comply with the conditions of the permit or if the permit holder fails to maintain the permit in good standing or if the permit holder fails to pay the required fees. Any person whose permit is revoked shall, within ten business days thereafter, remove all structures, equipment, materials and other items from the lot and the permit holder shall be liable for the cost of removal.

(d) Appeal: The permit holder may appeal the revocation of the permit by filing a request for a new permit with the City Council. The request for a new permit shall be received by the City Council within ten business days following the date of the notice of revocation or refusal to renew. The Board of City Commissioners shall hold a hearing on the permit within ten business days following the date of the hearing and shall issue a decision on the matter after said hearing.

(e) Multiple Permits: Multiple permits may be issued for a residential lot. The permit holder shall be liable for the cost of removal of any structures, equipment, materials and other items from the lot.

(f) Application: An application for a permit shall include a General Form established by the City Council to capture required information and other information required by the City Council.

(g) Property Owner: The property owner shall be responsible for the property and shall be liable for the cost of removal of any structures, equipment, materials and other items from the lot.

3. Site plan illustrating:
 - a. Property lines and distance to proposed coop and run
 - b. Neighboring residence(s) location and distance to proposed coop and run
 - c. Type and style of back and side yard fence
 4. Construction drawings including at least one of the following:
 - a. Materials used in the construction of the coop and run
 - b. Diagram and illustration if provided in a prefabricated kit
 5. Fee. A non-refundable application fee as established by the Board of City Commissioners shall be required at the time of application. The Board of City Commissioners may establish a different fee to be applied to new applications and renewal applications.
- (g) Late renewal applications not accepted. Late renewal applications shall be treated the same as new applications, including fee and submittal requirements.
- (h) Definitions. The established definitions are for purposes of this section only. If any conflict exists with other sections of this code the more restrictive shall apply.

Brood means group of chickens, whether or not from the same hatching.

Brooding means the period in the animal's growth when supplemental heat must be provided due to the bird's inability to generate enough body heat.

Chicken means a domesticated fowl more formally known and scientifically classed as *gallus gallus domesticus*.

Coop means a fully enclosable, non-residential structure for housing chickens.

Hen means a female chicken.

Rooster means a male chicken.

Run means a fully enclosed and covered area attached to a coop where the poultry can roam unsupervised.

- (i) Standards
1. No more than four (4) hens shall be permitted on any one lot.
 2. Roosters shall not be permitted. As soon as a rooster is identified it shall be culled from the brood.

2. The following information is provided for the year ended 31/12/2019:

(a) The company has a balance sheet at the end of the year as follows:

(b) The company has a profit and loss account for the year as follows:

(c) The company has a cash flow statement for the year as follows:

(d) The company has a statement of financial position at the end of the year as follows:

(e) The company has a statement of financial position at the beginning of the year as follows:

(f) The company has a statement of financial position at the end of the year as follows:

(g) The company has a statement of financial position at the beginning of the year as follows:

(h) The company has a statement of financial position at the end of the year as follows:

(i) The company has a statement of financial position at the beginning of the year as follows:

(j) The company has a statement of financial position at the end of the year as follows:

(k) The company has a statement of financial position at the beginning of the year as follows:

(l) The company has a statement of financial position at the end of the year as follows:

(m) The company has a statement of financial position at the beginning of the year as follows:

(n) The company has a statement of financial position at the end of the year as follows:

(o) The company has a statement of financial position at the beginning of the year as follows:

(p) The company has a statement of financial position at the end of the year as follows:

(q) The company has a statement of financial position at the beginning of the year as follows:

(r) The company has a statement of financial position at the end of the year as follows:

(s) The company has a statement of financial position at the beginning of the year as follows:

(t) The company has a statement of financial position at the end of the year as follows:

(u) The company has a statement of financial position at the beginning of the year as follows:

(v) The company has a statement of financial position at the end of the year as follows:

(w) The company has a statement of financial position at the beginning of the year as follows:

(x) The company has a statement of financial position at the end of the year as follows:

(y) The company has a statement of financial position at the beginning of the year as follows:

(z) The company has a statement of financial position at the end of the year as follows:

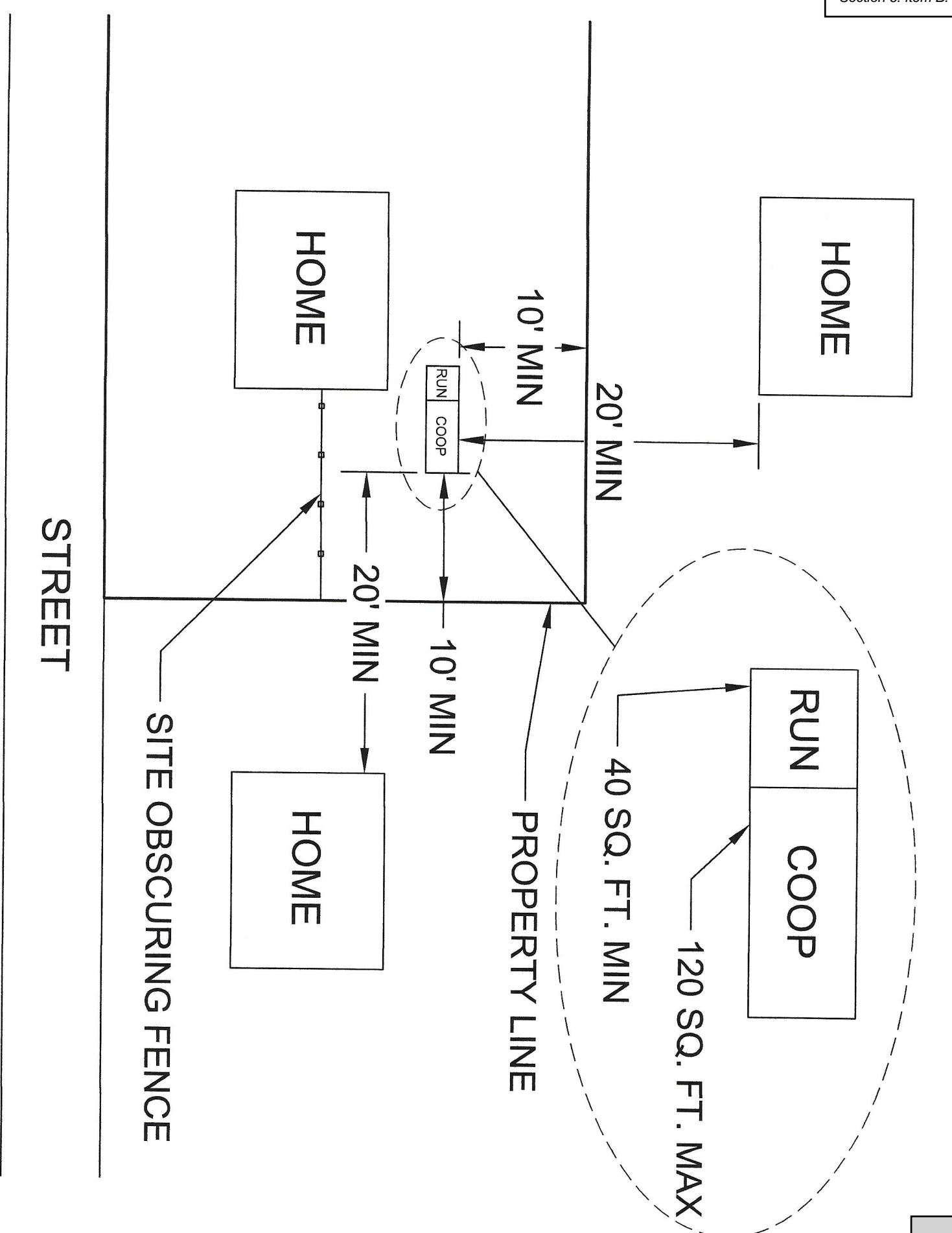
3. The chickens, coop, and run, shall be located in the rear or side yard obscured from view from any street, trail, public park, or other right-of-way.
4. Chickens outside of the coop and run shall be supervised at all times.
5. The coop dimensions shall total less than one-hundred-twenty (120) square feet.
6. Coop height as measured from the average ground elevation to the highest point on the coop shall not exceed eight (8) feet.
7. The coop and run shall be located no closer than ten (10) feet from the property line and no closer than twenty (20) feet from an adjacent property dwelling.
8. The coop shall be constructed in a manner which prevents rodent infiltration.
9. The coop shall be constructed to provide a minimum of four (4) square feet per chicken.
10. The run shall be constructed to provide a minimum of ten (10) square feet per chicken.
11. Chickens shall at no time be located off the property for which they have been permitted.
12. Coops, runs, and manure storage shall be kept 20 feet from streams, tributaries, ditches, storm water management facilities, drop inlets, or other storm drainage areas that would allow fecal matter to enter any city storm drainage system or stream. Dumping chicken manure into the city's storm drainage system is prohibited.
13. Except for chickens properly slaughtered for consumption, dead chickens must be disposed of within 24 hours after death. Legal forms of chicken carcass disposal include burial and off-site incinerate or rendering. All slaughtering of chickens shall be conducted so as not to be visible to the public or adjacent property owners and occupants.
14. All grain and food stored for the use of the chickens shall be kept in a rodent proof container.

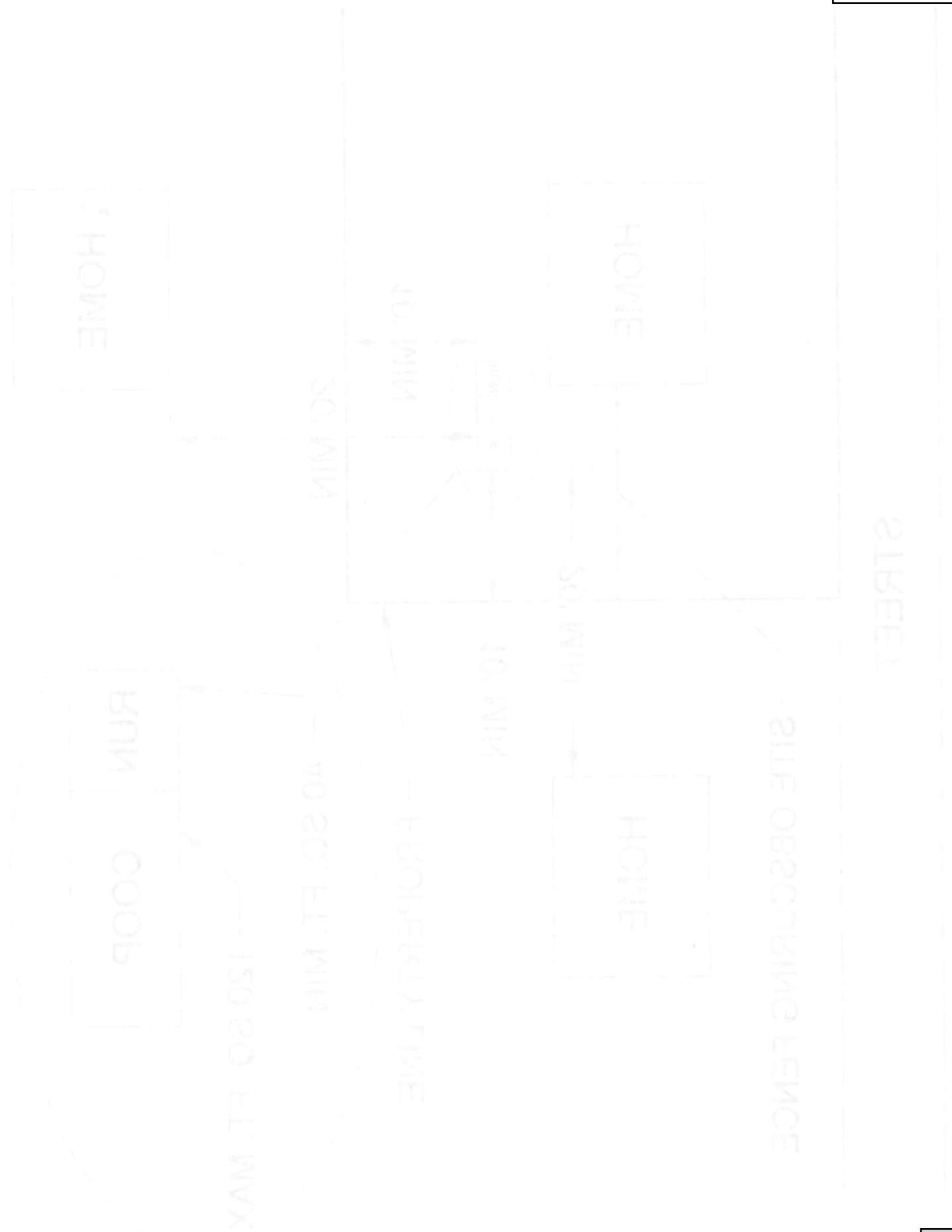
By signing below, you acknowledge that you understand the requirements outlined in Section 105-1-16 related to the keeping of chickens.

PLEASE NOTE: Neighborhood Covenants, Conditions, and Restrictions (CC&Rs) supersede the right provided through this permit. By signing below, you indicate to the best of your knowledge no CC&Rs exist that prohibit backyard chickens on your property. No refund shall be granted for reasons related to CC&Rs and the inability to exercise the right granted through this permit.

Applicant Signature: _____ Date: _____

Property Owner Signature: _____ Date: _____





CITY OF BISMARCK ORDINANCE NO. XXXX

First Reading	_____
Second Reading	_____
Final Passage and Adoption	_____
Publication Date	_____

AN ORDINANCE TO AMEND 14-02-03 (DEFINITIONS), 14-03-06 (INCIDENTAL USES), 14-04-01. (RR RESIDENTIAL DISTRICT), AND 14-04-01.1. (RR5 RESIDENTIAL DISTRICT) OF THE CODE OF ORDINANCES OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE KEEPING OF CHICKENS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. Amend. 14-02-03 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to Definitions, is hereby amended to read as follows:

14-02-03. Definitions. The following definitions represent the meanings of terms as they are used in these regulations:

* * * * *

Chicken: A type domesticated fowl formally known as Gallus gallus domesticus.

Chicken - Hen: A female chicken.

Chicken - Rooster: A male chicken.

Chicken - Coop: a fully enclosed, detached non-residential structure for the purpose of housing chickens.

Chicken - Run: A fully enclosed and covered area attached to a Coop for the purpose of allowing chickens to roam unsupervised outside.

* * * * *

Section 2. Amend. 14-03-06 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to Incidental Uses, is hereby amended to read as follows:

14-03-06. Incidental Uses. Permitted uses and approved special uses shall be deemed to include accessory uses and accessory structures that are customarily incidental to the principal use, subject to the following standards:

1. Accessory Uses and Buildings.

* * * * *

b. One and two-family residential accessory uses and buildings.

* * * * *

2. Customary domestic pets are allowed in accordance with the provisions of Title 3 of the Bismarck Code of Ordinances, but not including horses, poultry or agricultural livestock except as allowed in this Section and Sections 14-04-01, 14-04-01.1 or 14-04-17 of this ordinance. No more than three (3) dogs or cats, four months of age or older are allowed.

* * * * *

5. Backyard Chicken Keeping:

a. Intent: Allow for the keeping of chickens at an individual or household scale while promoting the health, safety and general welfare of the citizens of the city.

b. Permit Required: No person residing within the City shall keep chickens unless granted a permit from the Zoning Administrator. The permit shall be required prior to conducting the keeping of chickens and shall

be good for one calendar year. Upon a one-year period from the date of issuance, the permit may be renewed. The permit is tied to the applicant and the land and is non-transferrable. The permit may be revoked by the Zoning Administrator by written notice or upon request for renewal for failure to comply with the requirements outlined here within or any other local or state regulation. Any person whose permit is revoked shall, within fourteen days thereafter, remove and dispose of all chickens, coops and runs. Application fees for revoked permits shall not be refunded. The permittee may appeal the revocation, suspension or refusal of renewal of the permit by timely request for a hearing before the board of city commissioners. Permit fees shall be set by the board of city commissioners.

c. A permit application shall include the following:

- 1. The applicable fee
- 2. Site plan illustrating:
 - a. Property lines of the entire site.
 - b. Distance to proposed coop and run.
 - c. Distance and size of all on-site structures and distance to neighboring property dwelling.
 - d. Material type, height and style of screening fence, chicken coop and run.
- 3. Photos of the chicken coop and run (permit renewal only).

d. Standards:

- 1. The primary use of the person's property for keeping of backyards chickens must be single-family residential or rural residential.
- 2. For single-family residential properties within the R5-Residential, R10-Residential and RM-Residential zoning districts no more

than four (4) chicken hens may be permitted
For single-family residential properties
within the extra-territorial area, outside of
the corporate limits and zoned RR-Residential
and RR5-Residential no more than ten (10)
chicken hens may be permitted.

3. No male chickens (roosters) may be kept as
backyard chickens. As soon as a rooster is
identified it shall be culled from the brood.

4. Chickens, as permitted under this
subsection, may only be kept and raised for
private uses only.

5. Chickens shall not be permitted outside of
the coop or run.

6. Lot area. Chickens may only be permitted
on lots that conform to the minimum allowable
lot size as set by the zoning district
standards.

7. Chicken feed must be kept in metal
predator and rodent proof containers or
stored inside the home, garage or accessory
structure.

8. Chicken coops shall be constructed to
provide a minimum of four (4) square feet per
chicken, shall not be larger than one-
hundred-twenty (120) square feet and shall be
counted in overall size limitations for
allowable accessory structures. The coop must
be constructed predator and rodent proof
measures and shall be elevated with a clear
open space of at least twenty-four (24)
inches between the ground and the
framing/floor. The coop must be fully
enclosed on all sides and top.

9. Chicken runs shall be constructed to
provide a minimum of ten (10) square feet per
chicken, shall be fully enclosed with either
fencing on all sides and top and said fencing
shall be installed either on a concrete slab
or foundation or with buried fencing to a

depth of twelve inches below the ground. The fencing shall be wooden or wire materials or a combination thereof.

10. Chicken coops, runs, and manure storage shall be kept a minimum of twenty (20) feet from streams, tributaries, ditches, stormwater management facilities, storm drainage areas or stormwater easement that would allow fecal matter to enter any storm drainage system or stream. Dumping of feces or manure in a storm drainage system is prohibited.

11. Within for properties within the R5-Residential, R10-Residential and RM-Residential zoning districts chicken coops and runs:

a. Shall be located within the rear yard and must be obscured from view of any street, trail, public park, neighboring properties and other right-of-way by either placement behind the home and/or with a six (6) foot tall opaque fence.

b. Shall be located no closer than ten (10) feet from any property line and no closer than twenty (20) feet from an adjacent property dwelling.

12. Within the extra-territorial area outside of the corporate limits for properties within the RR-Residential and RR5-Residential zoning district chicken coops and runs:

a. Shall be located within the rear yard and must be obscured from view of any street, trail, public park, neighboring properties and other right-of-way by either placement behind the home and/or with a six (6) foot tall opaque fence.

b. Shall be located no closer than fifty feet (50) feet from the rear property line, fifteen (15) feet from side property lines and no closer than one

hundred-fifty (150) feet from an adjacent property dwelling.

Section 6. Item B.

Section 3. Amend. 14-04-01. of the Code of Ordinances of the City of Bismarck, North Dakota, relating to RR Residential District, is hereby amended to read as follows:

14-04-01. RR Residential District. In any RR residential district, the following regulations shall apply:

* * * * *

~~e. Chicken Hens and Coops in areas outside of the corporate limits, provided that the animals are kept for private use only; that no male chickens (roosters) are kept; all hens are kept in a fenced area; all coops and structures meet applicable setbacks and size limitations for allowable accessory structures and are not located less than one hundred and fifty (150) feet of any neighboring residence or structure; and that no more than ten (10) chickens shall be permitted.~~ Backyard Chicken Keeping:

a. Intent: Allow for the keeping of chickens at an individual or household scale while promoting the health, safety and general welfare of the citizens of the city.

b. Standards:

1. The primary use of the person's property for keeping of backyards chickens must be single-family residential.

2. For rural residential zoned properties within the extra-territorial area, outside of the corporate limits, no more than ten (10) chicken hens may be permitted.

3. No male chickens (roosters) may be kept as backyard chickens. As soon as a rooster is identified it shall be culled from the brood.

4. Chickens, as permitted under this subsection, may only be kept and raised for private uses only.

5. Chickens shall not be permitted outside of the coop or run.

6. Lot area. Chickens may only be permitted on lots that conform to the minimum allowable lot size as set by the zoning district standards.

7. Chicken feed must be kept in metal predator and rodent proof containers.

8. Chicken coops shall be constructed to provide a minimum of four (4) square feet per chicken, shall not be larger than one-hundred-twenty (120) square feet and shall be counted in overall size limitations for allowable accessory structures. The coop must be constructed predator and rodent proof measures and shall be elevated with a clear open space of at least twenty-four (24) inches between the ground and the framing/floor. The coop must be fully enclosed on all sides and top.

9. Chicken runs shall be constructed to provide a minimum of ten (10) square feet per chicken, shall be fully enclosed with either fencing on all sides and top and said fencing shall be installed either on a concrete slab or foundation or with buried fencing to a depth of twelve inches below the ground. The fencing shall be wooden or wire materials or a combination thereof.

10. Chicken coops, runs, and manure storage shall be kept a minimum of twenty (20) feet from streams, tributaries, ditches, stormwater management facilities, storm drainage areas or stormwater easement that would allow fecal matter to enter any storm drainage system or stream. Dumping of feces or manure in a storm drainage system is prohibited.

11. Chicken coops and runs:

a. Shall be located within the rear yard and must be obscured from view of any street, trail, public park, neighboring properties and other right-of-way by either placement behind the home and/or with a six (6) foot tall opaque fence.

b. Shall be located no closer than fifty feet (50) feet from the rear property line,

fifteen (15) feet from side property lines
and no closer than one hundred-fifty (150)
feet from an adjacent property dwelling.

Section 6. Item B.

Section 4. Amend. 14-04-01.1 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to RR5 Residential District, is hereby amended to read as follows:

fifteen (15) feet from side property lines
and no closer than one hundred-fifty (150)
feet from an adjacent property dwelling.

Section 5: Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent remaining portions of this ordinance.

Section 6. Effective Date. This ordinance shall take effect after final passage, adoption and publication.

DRAFT

West Fargo Chicken Survey Results

- Question 1**
- Allow Permit for Coop
 - Comfort w/ Neighbors
 - Considerations
 - Interest in Housing Chickens
 - Permit Fee
 - WF Resident

- Question 2**
- Allow Permit for Coop
 - Comfort w/ Neighbors
 - Considerations
 - Interest in Housing Chickens
 - Permit Fee
 - WF Resident

This page allows you to select two questions and see what the relationship is between responses:

Question 1 responses go along the columns from left to right

Question 2 responses go along the rows, from top to bottom. If no answers are displaying, click the + box to expand to the answers

Question Response Patterns

Question	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Total
<input checked="" type="checkbox"/> Interest in Housing Chickens	462	92	64	201	648	1,467
Strongly Disagree	421	65	24	19	26	555
Disagree	13	22	18	38	19	110
Neutral	9	2	18	88	96	213
Agree	7	2		53	118	180
Strongly Agree	12	1	4	3	389	409
Total	462	92	64	201	648	1,467



Licensing & Permits

City of Williston PO Box 1306 Williston, ND 58802

cityauditor@ci.williston.nd.us

FREQUENTLY ASKED QUESTIONS | CHICKEN KEEPER LICENSE

How do I start the process for a Chicken Keeper License?

Contact the Building Department for the Supplemental Statements for Chicken Keeper License form.

Then follow the following steps.

Step 1. You will begin with a site plan illustration showing:

- a. Property lines of the entire site
- b. Distance between proposed coop and run
- c. Distance and size of all on-site structures and distances to neighboring property lines and neighboring dwellings
- d. Material type and height of screening fence, chicken coop and run
- e. Distance from any adjacent streams, tributaries, ditches, stormwater management facilities, storm drainage areas, or stormwater easements

Step 2. Contact Planning and Zoning to verify the size of your lot and zoning.

Step 3. Contact the Building Department to review the site plan for setback requirements and intent of the ordinance for rodent proof construction.

Step 4. Contact your adjacent neighbors (owners of adjoining the subject property along the lot line or separated by an alley or easement) you will need letters from them stating it is acceptable for you to have chickens.

Step 5. If your property is rented you will need a letter of approval from your landlord.

Step 6. Review electrical and heating requirements. The heating element to be utilized inside the chicken coop and description of the conditions expected in the chicken coop. The heating and electrical must adhere to the following.

- a. All electrical shall comply with the City of Williston Fire and Building codes. All electrical work shall be completed by a licensed electrician.
- b. Electrical receptable must have GFI protection.
- c. Extension cords shall not be used as an alternative to permanent wiring.
- d. Light fixtures must have fully enclosed lamps.
- e. Receptables must have dust resistance covers.
- f. All appliances must be listed by a qualified testing laboratory and must be

intended for the installed use in this chapter.

Step 7. You are now ready to build your chicken coop and run.

See the following information from ordinance 1155 below:

- 1) Except as set forth in this section, *chicken* coops and runs, as accessory structures, must comply with the setback requirements set forth herein. Chicken coops and chicken runs may not be located within the front or side yard and are subject to a ten (10) foot setback from any adjacent premises. All *chicken* coops must be a minimum of four (4) square feet per *chicken* in size, may not exceed ten (10) square feet per *chicken* in size. Attached fenced-in *chicken* runs must have a minimum of 10 square feet per *chicken*, including the *chicken* coop and may not exceed 20 square feet per *chicken* and fencing may not exceed six (6) feet in total height from adjacent ground level. *Chicken* runs must be enclosed with wood or woven wire materials or a combination thereof. To the extent the setback provisions of any other ordinance conflict with the setback or other provisions of this section, the setback or other provisions herein shall apply.
- 2) *Chicken* coops must either be:
 - (i) Elevated with a clear open space of at least twenty-four (24) inches between the ground surface and framing/floor of the coop; or,
 - (ii) The coop floor, foundation and footings must be constructed using rodent resistant construction.
- 3) *Chicken* coops are not allowed to be located in any part of a home or garage that is attached to a home. A *chicken* coop may be attached to a detached garage, detached shed or other structure that is not attached to a dwelling or any other structure that includes sleeping, cooking, eating or sanitation facilities, or any combination thereof, and so long as there is a physical separation between the *chicken* coop and run and the space used and occupied for non-*chicken*-keeping-related purposes.
- 4) Chickens must be secured in a *chicken* coop from sunset to sunrise each day, but no later than 10:00pm and no earlier than 6:00am.
- 5) With respect to *chickens* owned or kept pursuant to a permit issued pursuant to this article, the slaughter and breeding of *chickens* on any premises within the city is prohibited.
- 6) Additional provisions:
 - a. *Chicken* feed must be kept in metal predator proof containers.
 - b. Chicken coop must be constructed with weather appropriate materials and electrical.
 - c. *Chicken* manure cannot be placed in yard compost piles.

- d. Straw and other bedding must be stored indoors and used bedding planned for discard must be stored in a metal, non-combustible container. Straw and other bedding must be changed once per month.

Step 8. Once your coop is completed you will need to call and schedule inspections with the following departments.

Building Department: 701-577-8115
Fire Department 701-609-7687

Step 9. Read Ordinance 1155 and agree to the terms of the Ordinance. Acknowledge that by signing your Chicken Keeper Supplemental Statements form.

Step 10. Bring your completed Chicken Keeper Supplemental Statements form and the documentation that is required with it to Sherry Kinsella at City Hall 22 E. Broadway. She will provide you with the much shorter Chicken Keeper License upon completion of that form and \$25 license fee you will be considered an applicant.

- After completing this process your application will go out for approval.
- Then you will be put on the next upcoming City Commission meeting's consent agenda.
- Once that meeting is completed and you are approved you will have your Chicken Keeper License mailed to you at the address on your application.
- Your license is good for one year and will end December 31st of that year with your renewal for the upcoming year coming due November 30th.

Second Reading: 02/13/2024
First Reading: 01/23/2024

Published:

Adopted the 13th day of February, 2024.