

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Linda Copley

FROM: Rhonda Boyd, P.L., P.S. *R. Boyd*
Senior Engineer

DATE: 12/15/10

RE: East Erie Street Right of Way Acquisition

Engineering is requesting council time to ask for authorization to acquire Right of Way for the widening and improvement of East Erie Street. The property, owned by The Kent State University Foundation, is located on the south side of East Erie Street from Depeyster to Haymaker Parkway. The property take is 20 feet wide and approximately 251 feet long, containing 5070 S.F., and is valued at \$81,120.00.

Right of way parcel to be acquired:

Parcel 14-WDV is located at 206 E. Erie Street and is being taken from parcel 17-024-40-00-025.000. It is approximately 20 feet by 140 feet, containing 2080 S.F, and is valued at \$44,800.00.

Parcel 15-WDV is located at 218 E. Erie Street and is being taken from parcel 17-024-40-00-025.001. It is approximately 20 feet by 60 feet, containing 1200 S.F, and is valued at \$19,200.00.

Parcel 16-WDV is located at 218 E. Erie Street and is being taken from parcel 17-024-40-00-025.002. It is approximately 20 feet by 51 feet, containing 1070 S.F, and is valued at \$17,120.00.

This right of way will enable the construction of improvements to Erie Street, and the intersections at Depeyster and Haymaker, which includes new asphalt pavement, concrete curbs, sidewalk, drive aprons, on street parking improvements, storm sewer, new hydrants, landscaping, lighting and a traffic signal.

c: Jim Bowling, City Engineer
Jim Silver, Law Director
Sandy Lance, Law Department
File

EXHIBIT A

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RX 251 WDV

Rev. 05/09

Ver. Date 08-31-2010

PJD N/A

**PARCEL 14-WDV
KENT CENTRAL GATEWAY ACQUISITION PLANS
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF KENT
PORTAGE COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Kent, County of Portage, State of Ohio, known as being a part of the Connecticut Western Reserve Range 9 West, Township 3 North, and being a part of Original Franklin Township Lot Number 24 and being a 0.064 of an acre parcel out of an original 0.380 of an acre parcel of land described in a deed to Kent State University Foundation, Inc. as recorded in Instrument Number 200918180 of the Portage County Deed Records, said parcel of land lying on the plat of KENT CENTRAL GATEWAY ACQUISITION PLANS made by Bramhall Engineering & Surveying Company, Inc., being more particularly described as follows:

Commencing at a 1/2-inch iron pin found in a monument box at a point of tangency in the centerline of State Route 59 (a.k.a Haymaker Parkway)(width varies), said point being at centerline Station 106+32.47 of said survey;

Thence North 50 degrees 21 minutes 29 seconds East, along the centerline of said State Route 59, a distance of 5.32 feet to a point, said point being at centerline Station 106+37.80 of said survey;

Thence North 39 degrees 38 minutes 31 seconds West, perpendicular to the centerline of said State Route 59, a distance of 87.72 feet to a point being 87.72 feet left of centerline Station 106+37.80 of said State Route 59;

Thence North 45 degrees 22 minutes 37 seconds West, a distance of 14.11 feet to a point in the southerly right-of-way line of Erie Street (width varies) being 101.76 feet left of centerline State Route 59 Station 106+36.39;

EXHIBIT A

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Thence South 89 degrees 30 minutes 08 seconds West, a distance of 106.00 feet to a point being 168.46 feet left of centerline State Route 59 Station 105+52.78 on the southerly right-of-way line of said Erie Street and the **True Place of Beginning** of land herein described;

Course 1: Thence South 00 degrees 15 minutes 21 seconds East, a distance of 20.00 feet to a 5/8-inch iron rebar with cap stamped "BRAMHALL 8073" set being 152.88 feet left of centerline State Route 59 Station 105+39.77;

Course 2: Thence South 89 degrees 30 minutes 08 seconds West, a distance of 140.00 feet to a 5/8-inch iron rebar with cap stamped "BRAMHALL 8073" set being 237.77 feet left of centerline State Route 59 Station 104+18.88 on the easterly right-of-way line of Depeyster Street (66 feet wide);

Course 3: Thence North 00 degrees 15 minutes 21 seconds West, along the easterly line of said Depeyster Street, a distance of 20.00 feet to a point being 253.90 feet left of centerline State Route 59 Station 104+32.45;

Course 4: Thence North 89 degrees 30 minutes 08 seconds East, a distance of 140.00 feet to a point being 168.46 feet left of centerline State Route 59 Station 105+52.78 and the **True Place of Beginning**.

Containing within said bounds 0.064 of an acre, be the same more or less, but subject to all legal highways and easements of record as surveyed by Michael C. Bramhall for Bramhall Engineering & Surveying Company, Inc. in June of 2010. All bearings are intended to describe angles only. The basis of bearings used was a portion of the centerline of State Route 59 (a.k.a Haymaker Parkway)(width varies), which was assumed to be North 50 degrees 21 minutes 29 seconds East.

The above described parcel of land is a Permanent Take on a portion of Portage County Auditor's Tax ID Number: 17-024-40-00-025.000.



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Rev. 05/09

Ver. Date 08-31-2010

PID N/A

**PARCEL 16-WDV
KENT CENTRAL GATEWAY ACQUISITION PLANS
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
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IN THE NAME AND FOR THE USE OF THE
CITY OF KENT
PORTAGE COUNTY, OHIO**

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[Surveyor's description of the premises follows]

Situated in the City of Kent, County of Portage, State of Ohio, known as being a part of the Connecticut Western Reserve Range 9 West, Township 3 North, and being a part of Original Franklin Township Lot Number 24 and being a 0.028 of an acre parcel out of an original 0.170 of an acre parcel of land described in a deed to Kent State University Foundation, Inc. as recorded in Instrument Number 201013018 of the Portage County Deed Records, said parcel of land lying on the plat of KENT CENTRAL GATEWAY ACQUISITION PLANS made by Bramhall Engineering & Surveying Company, Inc., being more particularly described as follows:

Commencing at a 1/2-inch iron pin found in a monument box at a point of tangency in the centerline of State Route 59 (a.k.a Haymaker Parkway)(width varies), said point being at centerline Station 106+32.47 of said survey;

Thence North 50 degrees 21 minutes 29 seconds East, along the centerline of said State Route 59, a distance of 5.32 feet to a point, said point being at centerline Station 106+37.80 of said survey;

Thence North 39 degrees 38 minutes 31 seconds West, perpendicular to the centerline of said State Route 59, a distance of 87.72 feet to a point being 87.72 feet left of centerline Station 106+37.80 of said State Route 59;

Thence North 45 degrees 22 minutes 37 seconds West, a distance of 14.11 feet to a point in the southerly right-of-way line of Erie Street (width varies) being 101.76 feet left of centerline State Route 59 Station 106+36.39;

EXHIBIT A

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Thence South 89 degrees 30 minutes 08 seconds West, a distance of 46.00 feet to a point being 130.78 feet left of centerline State Route 59 Station 106+00.54 on the southerly right-of-way line of said Erie Street and the **True Place of Beginning** of land herein described;

Course 1: Thence South 00 degrees 15 minutes 21 seconds East, a distance of 20.00 feet to a 5/8-inch iron rebar with cap stamped "BRAMHALL 8073" set being 115.30 feet left of centerline State Route 59 Station 105+87.72;

Course 2: Thence South 89 degrees 30 minutes 08 seconds West a distance of 60.00 feet to a 5/8-inch iron rebar with cap stamped "BRAMHALL 8073" set being 152.88 feet left of centerline State Route 59 Station 105+39.77;

Course 3: Thence North 00 degrees 15 minutes 21 seconds West, a distance of 20.00 feet to a point being 168.46 feet left of centerline State Route 59 Station 105+52.78 in the southerly right-of-way of said Erie Street;

Course 4: Thence North 89 degrees 30 minutes 08 seconds East, along the southerly right-of-way line of said Erie Street, a distance of 60.00 feet to a point being 130.78 feet left of centerline State Route 59 Station 106+00.54 and the **True Place of Beginning**.

Containing within said bounds 0.028 of an acre, be the same more or less, but subject to all legal highways and easements of record as surveyed by Michael C. Bramhall for Bramhall Engineering & Surveying Company, Inc. in June of 2010. All bearings are intended to describe angles only. The basis of bearings used was a portion of the centerline of State Route 59 (a.k.a. Haymaker Parkway)(width varies), which was assumed to be North 50 degrees 21 minutes 29 seconds East.

The above described parcel of land is a Permanent Take on a portion of Portage County Auditor's Tax ID Number: 17-024-40-00-025.001.

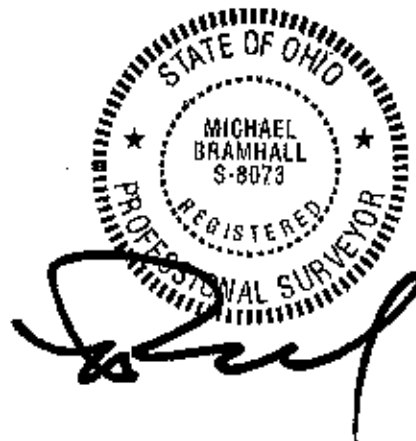


EXHIBIT A

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RX 251 WDV

Rev. 05/09

Ver. Date 08-31-2010

PID N/A

**PARCEL 17-WDV
KENT CENTRAL GATEWAY ACQUISITION PLANS
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[Surveyor's description of the premises follows]

Situated in the City of Kent, County of Portage, State of Ohio, known as being a part of the Connecticut Western Reserve Range 9 West, Township 3 North, and being a part of Original Franklin Township Lot Number 24 and being a 0.024 of an acre parcel out of an original 0.099 of an acre parcel of land described in a deed to Kent State University Foundation, Inc. as recorded in Instrument Number 201013018 of the Portage County Deed Records, said parcel of land lying on the plat of KENT CENTRAL GATEWAY ACQUISITION PLANS made by Bramhall Engineering & Surveying Company, Inc., being more particularly described as follows:

Commencing at a 1/2-inch iron pin found in a monument box at a point of tangency in the centerline of State Route 59 (a.k.a Haymaker Parkway)(width varies), said point being at centerline Station 106+32.47 of said survey;

Thence North 50 degrees 21 minutes 29 seconds East, along the centerline of said State Route 59, a distance of 5.32 feet to a point, said point being at centerline Station 106+37.80 of said survey;

Thence North 39 degrees 38 minutes 31 seconds West, perpendicular to the centerline of said State Route 59, a distance of 87.72 feet to a point being 88.18 feet left of centerline Station 106+37.80 of said State Route 59 and the **True Place of Beginning** of land herein described;

Course 1: Thence South 00 degrees 15 minutes 21 seconds East, a distance of 10.00 feet to a 5/8-inch iron rebar with cap stamped "BRAMHALL 8073" set being 79.99 feet left of centerline State Route 59 Station 106+31.45;

EXHIBIT A

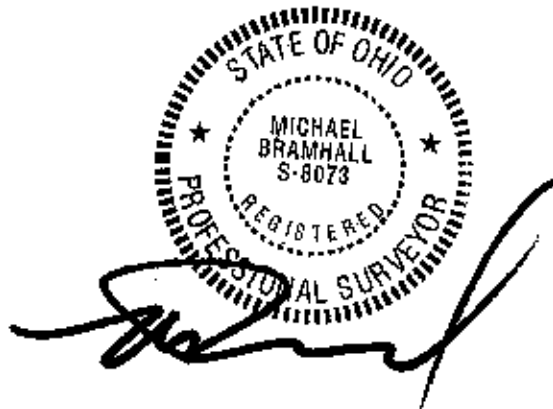
RX 251 WDV

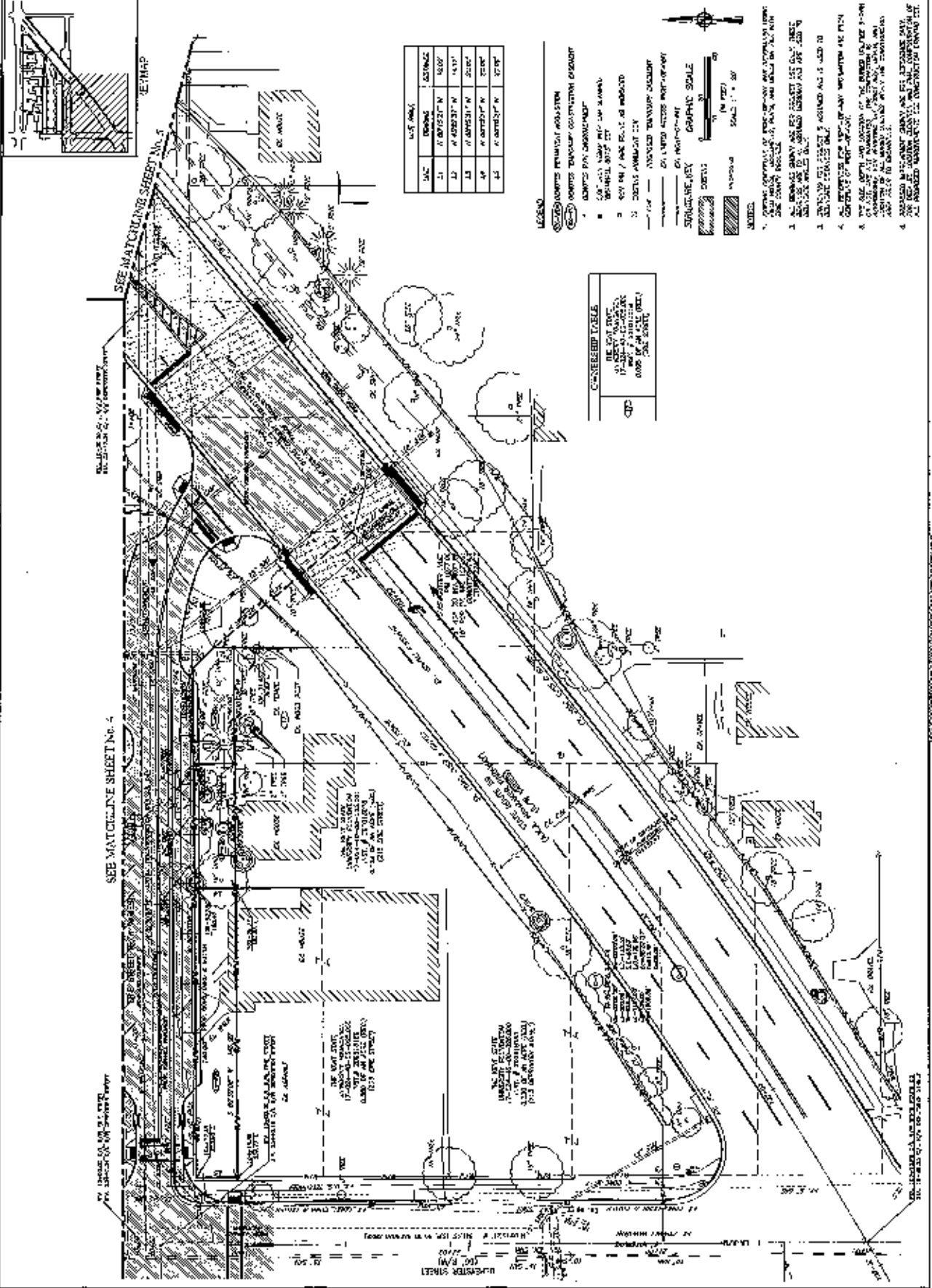
Rev. 05/09

- Course 2:** Thence South 89 degrees 30 minutes 08 seconds West, a distance of 56.00 feet to a 5/8-inch iron rebar with cap stamped "BRAMHALL 8073" set being 115.30 feet left of centerline State Route 59 Station 105+87.72;
- Course 3:** Thence North 00 degrees 15 minutes 21 seconds West, a distance of 20.00 feet to a point in the southerly right-of-way line of Eric Street (width varies) being 130.78 feet left of centerline State Route 59 Station 106+00.54;
- Course 4:** Thence North 89 degrees 30 minutes 08 seconds East, along the southerly right-of-way line of said Eric Street, a distance of 46.00 feet to a point being 101.76 feet left of centerline State Route 59 Station 106+36.39 on the southerly right-of-way line of said Eric Street;
- Course 5:** Thence South 45 degrees 22 minutes 37 seconds East, a distance of 14.11 feet to a point in the southerly right-of-way line of Eric Street (width varies) being 87.72 feet left of centerline State Route 59 Station 106+37.80 and the **True Place of Beginning**.

Containing within said bounds 0.024 of an acre, be the same more or less, but subject to all legal highways and easements of record as surveyed by Michael C. Bramhall for Bramhall Engineering & Surveying Company, Inc. in June of 2010. All bearings are intended to describe angles only. The basis of bearings used was a portion of the centerline of State Route 59 (a.k.a Haymaker Parkway)(width varies), which was assumed to be North 50 degrees 21 minutes 29 seconds East.

The above described parcel of land is a Permanent Take on a portion of Portage County Auditor's Tax ID Number: 17-024-40-00-025.002.





NO.	DATE	DESCRIPTION
1	10/15/11	PRELIMINARY RECORDING
2	11/15/11	REVISIONS
3	12/15/11	REVISIONS
4	01/15/12	REVISIONS
5	02/15/12	REVISIONS
6	03/15/12	REVISIONS
7	04/15/12	REVISIONS
8	05/15/12	REVISIONS
9	06/15/12	REVISIONS
10	07/15/12	REVISIONS
11	08/15/12	REVISIONS
12	09/15/12	REVISIONS
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96	09/15/19	REVISIONS
97	10/15/19	REVISIONS
98	11/15/19	REVISIONS
99	12/15/19	REVISIONS
100	01/15/20	REVISIONS

- LEGEND**
- EXISTING UTILITIES
 - PROPOSED UTILITIES
 - PROPOSED CONSTRUCTION
 - PROPOSED IMPROVEMENTS
 - PROPOSED LANDSCAPE
 - PROPOSED PAVEMENT
 - PROPOSED CURBS
 - PROPOSED SIDEWALKS
 - PROPOSED DRIVEWAYS
 - PROPOSED STAIRS
 - PROPOSED RAMP
 - PROPOSED SIGNAGE
 - PROPOSED LIGHTING
 - PROPOSED FENCE
 - PROPOSED WALL
 - PROPOSED GATE
 - PROPOSED DOOR
 - PROPOSED WINDOW
 - PROPOSED ROOF
 - PROPOSED FLOOR
 - PROPOSED CEILING
 - PROPOSED WALL
 - PROPOSED DOOR
 - PROPOSED WINDOW
 - PROPOSED ROOF
 - PROPOSED FLOOR
 - PROPOSED CEILING
- CONCRETE TABLE**
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| 1 | CONCRETE | 4" THICK |
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| 3 | CONCRETE | 8" THICK |
| 4 | CONCRETE | 10" THICK |
| 5 | CONCRETE | 12" THICK |
| 6 | CONCRETE | 14" THICK |
| 7 | CONCRETE | 16" THICK |
| 8 | CONCRETE | 18" THICK |
| 9 | CONCRETE | 20" THICK |
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| 30 | CONCRETE | 62" THICK |
| 31 | CONCRETE | 64" THICK |
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| 36 | CONCRETE | 74" THICK |
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| 43 | CONCRETE | 88" THICK |
| 44 | CONCRETE | 90" THICK |
| 45 | CONCRETE | 92" THICK |
| 46 | CONCRETE | 94" THICK |
| 47 | CONCRETE | 96" THICK |
| 48 | CONCRETE | 98" THICK |
| 49 | CONCRETE | 100" THICK |



CITY OF KENT, OHIO

HUMAN RESOURCES DEPARTMENT

To: Dave Ruller, City Manager
From: Liz Zorc, Human Resources Manager
Subject: Pharmacy Discount Cards
Date: December 20, 2010

ely

You asked me to look into the National League of Cities Discount Prescription Card program, and some other types of discount cards coming unsolicited to people in the mail. I'll start with the National League of Cities.

The National League of Cities touts their program as a way for cities to offer "residents a free prescription discount card that provides average savings of 20% off the retail price of prescription medication." The program is administered by CVS Caremark, an experienced discount card provider since 1992. The City must agree to market the program using NLC approved methods and materials, promote the program in the local media, provide city-wide distribution points, and provide a link to the co-branded web site www.caremark.com/nlc from the City's web site. The City must also identify a staff person to serve as the principal program contact with NLC and CVS Caremark.

The City of Kent used to belong to the National League of Cities, but as we have been doing everything possible over the years to cut costs, the \$1,500 annual fee to belong to that organization was one of the items we cut. So if Council decides they would like to pursue this, the first thing we would have to do is come up with the \$1,500 annual membership fee.

I noticed that Ravenna offers this program and I called them to see how they felt it was going there. The person I spoke with said that in a little over a year they have given out somewhere around 75 cards, and she was not aware of any complaints.

Health Benefits Network Pharmacy Discount Card is being sent unsolicited to people with a letter and card enclosed claiming that users "Get up to 75% off when you use this valuable FREE card at your favorite pharmacy!" I checked this out on line and they have a spot for you to complete a form to get your card in the mail for just \$4.95 for processing and handling. On the same form it says \$6.95 for shipping and handling to receive the card. Some on line chat voiced suspicion about this company, citing that they don't have the recipient's full name on the letter, "a sign that they are working from a secondary source." Several comments indicated suspicion about personal information being sold or unprotected. If you receive one of those cards in the mail, you should take it to your pharmacy and ask them if it's legit.

Medicare has a discount drug program. All Medicare beneficiaries, except those who already receive outpatient drugs through Medicaid, can enroll in the discount card program. Medicare has a list of approved card sponsors on their web site. The card providers may charge an annual enrollment fee of up to \$30.

I've attached some documentation on these three options. Also, you have also probably noticed the very low cost generic prescription drugs being advertised by most of the chain pharmacies. The cost is often much less than the cost of their co-pay, and provides relief for those who are able to use generic drugs.

Join the NLC Prescription Discount Card Program

Over One Million Dollars in savings to residents during the first year of the program.

As a member of National League of Cities (NLC) you can offer your residents a **FREE** prescription discount card that provides average savings of 20% off the retail price of prescription medication. Now residents who are without health insurance or a traditional pharmacy benefit plan, or have prescriptions not covered by insurance have a solution to obtain medications at a discount.

There is **no cost to your city** to provide this program to city residents and it is very likely that you may save those residents more on the cost of prescriptions over the course of one year than the city's dues to NLC.

The city will be provided with approved marketing materials and tools to promote and launch the program. City residents can easily print an ID card and use program tools via a program web site. Printed ID cards and display materials (customized with the city name and logo) will be provided to give the city residents easy access to the program. Program materials are available in English and Spanish.

One benefit of membership in the National League of Cities is that you can save your residents money at no cost to the city!

**Sign up today!
Complete the
form inside.**



National League of Cities

Prescription

on the table

*It's all about
meeting the
needs of
residents!*

**SAVE your
residents an
average of
20% off the
retail price of
prescription
medication
at no cost
to the city**

*Savings for
your residents
at no cost
to the city!*

Simple implementation process for the city and easy to access for the resident†

The city works with a CVS Caremark representative to launch the prescription discount card program which takes approximately eight weeks from receipt of the completed 'Ready to get started' form (attached).

Following the launch in your city, your residents will have:

- Average savings of 20%
- Easy access, nine out of 10 pharmacies participate in the program, more than 60,000 pharmacies nationwide
- No enrollment fees
- No membership fees
- No limit on how many times the card can be used
- No age requirements
- No income requirements
- ALL family members are covered
- Pet medications that are also used to treat a human condition are covered

To obtain more information about the program, please contact Marc Shapiro at NLC (shapiro@nlc.org) or visit www.nlc.org/prescriptioncard; additional program information can also be obtained at www.caremark.com/nlc. Cities may also sign up for the program by completing the form attached or on NLC's website www.nlc.org/prescriptioncard.

The National League of Cities (NLC) Prescription Discount Card program is administered by CVS Caremark, an experienced prescription discount card provider who has administered these programs since 1992. Your city must be a member in good standing of NLC to sponsor the program.

† All communications must be reviewed and approved by NLC and CVS Caremark unless the city is using communications supplied by CVS Caremark.

The NLC Prescription Discount Card Program

SAVE

Your residents
an average of
**20% off the retail
price of prescription
medication at no
cost to the city**

Be a member
of the
**National League
of Cities**

Sign up for the
FREE
NLC prescription
discount card
program

Your residents
present the
discount card at a
local participating
pharmacy

Frequently Asked Questions

How much will residents save by using the discount card?

While savings on each prescription may vary, the NLC Prescription Discount Card Program saves an average of 20 percent off of the pharmacy's regular retail prices. The savings are validated monthly and annually.

What if a pharmacy's price on particular prescription drugs is lower than the discount card price?

The program uses a "lower-of" pricing schedule so that residents are never disadvantaged by using the discount card. On occasion, a participating pharmacy may have a lower price on particular prescription drugs. If that occurs, residents will always pay the lowest price.

Who pays the cost of the discount?

Pharmacies in the national discount network agree to absorb the cost of the discount. The benefit to the pharmacy of participating in the program is that it creates customer loyalty and increases store traffic.

Does NLC or CVS Caremark share the personal information of residents using the discount card?

CVS Caremark does not give or share personally identifiable health information to manufacturers or direct marketers. CVS Caremark is fully compliant with all federal and state privacy and security regulations pertaining to the protection of protected health information and has a robust compliance program which monitors and enforces policy compliance. NLC neither receives nor shares personal information of residents.

Does NLC or any participating city receive revenue from the program?

Neither NLC nor any participating city receives revenue for sponsoring the discount card program.

Does the program provide a competitive advantage to CVS Pharmacies?

All major pharmacy chains and most local independent pharmacies, nearly 60,000 pharmacies nationwide, participate in the discount card network. Residents are not encouraged or incentivized to use CVS pharmacies over any other chain or independent pharmacy.

Can the discount card be used with other prescription insurance benefits?

The program is not insurance; it is a prescription discount program. The card cannot be used to supplement insurance benefits. The card can be used for prescriptions not covered by an insurance plan.



National League of Cities

Program operated by CVS Caremark.

This is NOT Insurance. Discounts are only available at any participating pharmacy.

106-900391, 10 10.09

The NLC Prescription Discount Card Program

SAVE

Your residents
 an average of
**20% off the retail
 price of prescription
 medication with no
 cost to the city.**

Be a member
 of the
**National League
 of Cities**

Sign up for the
FREE
 NLC prescription
 discount card
 program

Your residents
 access the
 program at a
 local pharmacy

Do you want to learn more about the program?

Please join NLC and CVS Caremark staff on one of the
 following conference calls:

April 28, 2010 and May 4th, 2010 at 1:00 pm Eastern Time

Conference call number 888-276-8685 (participant code 7569904)

Or contact Marc Shapiro at NLC (shapiro@nlc.org) or visit www.nlc.org



New cities are implementing the program everyday! Join the growing list of participating cities...

Alabama

Adamsville
 Auburn
 Bessemer
 Birmingham
 Brantley
 Brent
 Brewton
 Calera
 Center Point
 Clanton
 Cullman
 Daphne
 Decatur
 Demopolis
 Evergreen
 Fairfield
 Fairhope
 Gulf Shores
 Helena
 Homewood
 Hueytown
 Irondale
 Madison
 Midfield
 Oak Grove
 Opelika
 Pellham
 Pell City

Prattville
 Rainbow City
 Roanoke
 Saraland
 Springville
 Sylacauga
 Tuskegee
 Wetumpka
 Winfield

Arizona

Avondale
 Buckeye
 Casa Grande
 Cedarville
 Coolidge
 Fountain Hills
 Goodyear
 Lake Havasu City
 Litchfield Park
 Maricopa
 Mesa
 Oro Valley
 Peoria
 Sahuarita
 Show Low
 Tucson
 Queen Creek

Arkansas

Fort Smith
 Helena - West Helena
 Hot Springs
 Norphlet
 North Little Rock
 Pea Ridge
 Texarkana
 Wrightsville

California

Artesia
 Azusa
 Baldwin Park
 Bellflower
 Brawley
 Campbell
 Canyon Lake
 Cathedral City
 Claremont
 Culver City
 Duarte
 Fontana
 Fresno
 Galt
 Grand Terrace
 Hercules
 Lynwood
 Monrovia
 Mountain View

Murrieta
 Ontario
 Parlier
 Pleasanton
 Pomona
 Rancho Cordova
 Rialto
 Riverside
 Rosemead
 San Gabriel
 San Jose
 Signal Hill
 South El Monte
 South Pasadena
 Sunnyvale
 West Hollywood

Colorado

Aurora
 Blanca

Broomfield
 Colorado Springs
 Commerce City
 Durango
 Elizabeth
 Frisco
 Greenwood Village
 Lakewood
 Leadville
 Littleton
 Monte Vista
 Northglenn
 Poncha Springs
 Superior
 Thornton
 Trinidad
 Westminster
 Wheat Ridge

Additional cities listed on reverse.



National League of Cities

Connecticut

Avon
 Bloomfield
 Bridgeport
 Groton
 Hartford
 New Haven
 New London

Delaware

Camden
 Lewes
 Milford
 Wilmington

Florida

Belle Glade
 Belle Isle
 Coral Gables
 Dania Beach
 Eatonville
 Gulfport
 Hallandale Beach
 Lauderdale Lakes
 Miami Gardens
 No. Miami Beach
 North Port
 Ocala
 Orlando
 Palm Bay
 Palm Coast
 Palmetto Bay
 Pembroke Pines
 Riviera Beach
 Seminole
 South Bay
 South Miami
 Tamarac
 Valparaiso
 Venice
 West Palm Beach
 Wilton Manors
 Winter Garden
 Winter Haven

Georgia

College Park
 Columbus
 Lovejoy
 Norcross
 Rincon
 Riverdale
 Savannah
 Union City
 Waycross

Idaho

Caldwell
 Nampa
 Rexburg

Illinois

Chicago
 Evanston
 Evergreen Park
 Franklin Park
 Hillside
 Hoffman Estates
 Kankakee
 Normal

North Chicago
 Rochelle
 Schaumburg
 Westchester

Indiana

Bluffton

Iowa

Charles City
 Des Moines
 Urbandale
 West Des Moines

Kansas

Andover
 Arkansas City
 Atchison
 Douglass
 Lansing
 Larned
 Leavenworth
 Merriam
 Mission
 Olathe
 Ottawa
 Prairie Village
 Tonganoxie

Kentucky

Covington
 Edgewood
 Madisonville
 Richmond

Louisiana

Crowley
 Dequincy
 Lake Charles
 Mandeville
 Maringouin
 Plaquemine
 Port Allen
 White Castle

Maine

Augusta
 Grand Isle
 Saint Agatha

Maryland

Bel Air
 Bladensburg
 Boonsboro
 Capitol Heights
 Charlestown
 Chesapeake City
 College Park
 Gaithersburg
 Greenbelt
 Hurlock
 Laurel
 North Brentwood
 Seat Pleasant

Massachusetts

Arlington
 Medford
 Somerville

Michigan

Ann Arbor
 Burton

Detroit
 Farmington Hills
 Fenton
 Ferndale
 Grand Blanc
 Grosse Pointe Woods

Minnesota

Inkster
 Monroe
 Saline
 Southfield
 Troy
 Wayne

Mississippi

Albert Lea
 Blaine
 Brooklyn Center
 Coon Rapids
 Moorhead
 Robbinsdale

Missouri

Greenwood
 Grenada
 Hattiesburg
 Laurel
 Yazoo

Missouri

Belton
 Berkeley
 Gladstone
 Grandview
 Liberty
 Saint Charles
 Saint Peters

Montana

Kalispell

Nebraska

North Platte

Nevada

Boulder City

New Jersey

Englewood

New Mexico

Artesia
 Espanola
 Eunice
 Red River
 Taos Ski Valley

Texas

Tijeras

New York

Buffalo
 Canandaigua
 Charlotte
 Durham
 Gastonia
 Greenville
 Hendersonville
 Jacksonville
 Kernersville
 Lenoir
 Louisville
 Lumberton
 Marlon
 Monroe

Mount Olive
 New Bern
 Madison

Oxford
 Rocky Mount
 Sanford
 Shelby
 Tryon
 Winston-Salem

North Dakota

Beach

Ohio

Akron
 Bedford
 Bedford Heights
 Broadview Heights
 Brunswick
 Carlisle
 Centerville
 Clayton
 Columbus
 Fairfield
 Gahanna
 Huber Heights
 Kettering
 Lakewood
 Lyndhurst
 Maple Heights
 Moraine
 New Lebanon
 Oakwood
 Oberlin
 Olmsted Falls
 Oxford
 Ravenna
 Riverside
 Steubenville
 Trotwood
 Walton Hills
 Warrensville Heights
 West Carrollton
 Youngstown

Oklahoma

Ardmore

Broken Arrow

Claremore

Edmond

Guyton

The Village

Oregon

Cottage Grove

Tigard

Tualatin

Pennsylvania

Allentown

Carlisle

Easton

Middletown

State College

West Chester
 Wilkes-Barre
 York

South Carolina

Camden
 Charleston
 Columbia
 Cottageville
 Florence
 Lexington

Tennessee

Athens
 Benton
 Covington
 Columbia
 Dresden
 East Ridge
 Martin
 Memphis
 Millington
 Morristown
 Murfreesboro
 Oak Ridge

Texas

Beaumont
 Decatur
 Deer Park
 Forest Hill
 Garland
 Jasper
 Kingsville
 Midlothian
 Moulton
 Orange
 Plano
 Port Arthur
 San Antonio
 San Marcos
 Vernon

Utah

South Ogden City

Virginia

Bristol
 Martinsville

Washington

Auburn
 Puyallup
 Marysville
 Union Gap

Wisconsin

Milwaukee

West Virginia

Clarksburg
 Lewisburg
 Parkersburg

Wyoming

Gillette
 Jackson
 Laramie
 Rawlins

Program operated by CVS Caremark.

This is NOT insurance. Discounts are only available at any participating pharmacy.

NLC Prescription Discount Card Program

A program for NLC member cities to help residents cope with the high cost of prescription drugs. Now it is possible for you to offer savings on prescription drugs to your residents who are without health insurance, a traditional pharmacy benefit plan, or have prescriptions not covered by insurance.

The NLC Prescription Discount Card program, in collaboration with CVS Caremark, can save an average of 20% off the full retail cost of prescription medication.

There is no cost to your city to co-sponsor the program with NLC. CVS Caremark will provide you with personalized (with your city seal/logo) prescription discount ID cards as well as press releases, public service announcements, toll-free Customer Care, etc.

Your residents will see an immediate benefit!

- Easy Access.** Your residents may save an average of 20% at more than 59,000 participating pharmacies across the country, including many pharmacies in your city.

- No Fees and No Limits.** Your residents, including all family members, may use the discount card anytime their prescription is not covered by insurance. There are no fees, no restrictions and no limits on how often the card may be used

The NLC Prescription Discount Card program is a member service of the National League of Cities. Your city must be a member of NLC in order to sponsor the program and offer the discount card to your residents. (Check here to see if your city is a member.)

There is no cost for member cities to participate in the program, but interested cities must:

- Promote the program to the local media with mutually approved communications: Pre launch press release, launch press release and PSAs.

- Promote the program through various city venues or communications to the residents using the standard communication vehicles the city currently uses. All communications must be reviewed and approved by NLC and CVS Caremark unless the city is using supplied communications.

- Provide city wide ID card distribution points to distribute the template ID card that will be printed with the relevant city's seal. Stands will be provided to display the cards.

- Provide a link to the co-branded web site www.caremark.com/nlc from the city web site, as this site contains the program information and useful tools for city residents, including online enrollment with the ability to print an ID card and use it immediately.

•Identify a person on the city staff to serve as the principal program contact with NLC and CVS Caremark

Additional Program Information and Information for Residents

For more program information including frequently asked questions, participating pharmacies, and useful tools for city residents, including online enrollment with the ability to print an ID card and use it immediately, click:

This is not insurance. Discounts are only available at participating pharmacies. By using this card, participants agree to pay the entire prescription cost less any applicable discount. Savings may vary by drug and pharmacy.

The NLC Prescription Discount Card program is administered by CVS Caremark, an experienced discount card provider who has administered similar programs since 1992.

For questions about city sponsorship of the NLC Prescription Discount Card program, please contact Marc Shapiro, Program Director, Enterprise Programs, NLC, (202) 626-3019 or shapiro@nlc.org.



Health
Benefits
Network

Get up to 75% off when you use this valuable
FREE card at your favorite pharmacy!

GOOD NEWS – YOU’VE BEEN ACCEPTED!

PHARMACY DISCOUNT CARD

SAVE UP TO 75% ON 54,000 DRUGS AT OVER 65,000 PHARMACIES

TAKE THIS CARD TO YOUR PHARMACIST TO SAVE ON YOUR PRESCRIPTION DRUGS

Member ID# 21001100

Prescription Plan 00000

PCN 00000
GROUP 94555



NO PRE-APPROVAL NEEDED. THIS IS NOT INSURANCE. SEE BACK FOR DETAILS.



011295 70900

This FREE card saves
the average family \$300.00.
Why not put it in your wallet right now?

You and your family are eligible for an
ABSOLUTELY FREE Prescription Benefit program.
Never pay “no coverage” prices for prescriptions again.

Here is your new pharmacy savings card, just for the Wilson family.

It is pre-activated and ready for you to use immediately. It entitles you – and every member of your family – to discounts on virtually EVERY MEDICINE SOLD at virtually EVERY DRUG STORE in the United States.

With this card your family can save up to up 75% off on all your prescriptions (an average of \$300.00 per card user), regardless of your medical history.

There is no fee for this card – you will never be charged for it.

Bring this card to your favorite pharmacy and save up to 75% off on more than 54,000 prescription drugs. Participating pharmacies include CVS, Walmart, RiteAid, Albertsons, Brooks, Safeway, Kmart, Medicine Shoppe, Target, Costco, Publix, Duane Reade, Winn-Dixie, Sam's Club, ShopKo, Super D, and thousands more independent pharmacies! More than 64,000 nationwide!

There are – no claim forms – no deductibles – no limitations or maximums – no pre-existing conditions – no carve-outs. No fine type – no hassles, no kidding. Just savings on your medicine.

No one can be rejected because of medical history. No U.S. resident is excluded from this program for any reason.

Sincerely,

Jocelyn Wittier | Plan Administrator

P.S. If you prefer others to have your savings, all we ask is that you give this valuable card to a friend.

P.P.S. Health Benefits Network believes strongly that all American families – like yours – deserve pharmacy discount coverage. This is why we provide our cards at NO COST WHATSOEVER.

Get up to 75% off on the medications you use everyday!

✓ Costco
✓ CVS Pharmacy
✓ Duane Reade

✓ Rite Aid
✓ Kmart
✓ Sam's Club

✓ Target
✓ Walmart
✓ Safeway



65,000+ pharmacies nationwide

Available to all US residents

Get your pharmacy savings card that you can use instantly and start saving up to 75% on hundreds of prescription drugs.

Here are answers to some common questions you might have:

Where is this card accepted?

This card is accepted at more than 90,000 pharmacies around the United States. To find the one nearest you click [HERE](#), or call our toll free number 1-877-91-Pharma.

Can I use this card with my current insurance?

Generally yes, this card will cover prescriptions not covered by your insurance that you usually pay out-of-pocket. . .

How much of a discount can I expect?

Discounts vary and range up to 75% depending on the type of prescription, brand name, generic name and the location of the specific pharmacy.

Do I need to activate my card?

Your card is pre-activated – you can use it immediately.

Are there any pre-existing condition or quantity cap restrictions?

There are no restrictions on the use of this card due to pre-existing conditions, and there are no quantity cap restrictions.

Can this card be used as a Medicare Part D supplement?

Although this discount can be used as a Medicare Part D supplement by covering drugs once participants reach the "donut hole," drugs purchased with this discount program will not count toward your Medicare deductible.

Sign up and start saving right away!

Please complete the form below to get your card in the mail!

Shipping information

First Name:

Last Name:

Address:

City: State: Please select

Zip-code:

Email:

Phone:

Payment information

Credit Card: Visa WISA

Card Number:

Exp. Date: 11 - November 2011

CVV2: [What's This?](#)

Yes, send me my pharmacy discount card for just \$6.95, including shipping and handling.



SUBMIT

A list of Medicare-approved card sponsors is below.

General Drug Discount Card Applicant	Special Endorsement	Service Area
Aetna Health Management, LLC		National
Caremark Advantage, Inc.		National
Catalyst Rx		National
Medco Health Solutions, Inc.		National
PBM Plus, Inc.	Long Term Care Pharmacies	National
PharmaCare Management Services, Inc.		National
Pharmacy Care Alliance, Inc.		National
Scrip Solutions, LLC		National
SXC Health Solutions, Inc.		National
United Healthcare Insurance Co.		National
WellPoint Pharmacy Management		National
Express Scripts, Inc.		National
Argus Health Systems, Inc.		National and CA
Computer Sciences Corporation	Long Term Care Pharmacies I/T/U Pharmacies*	National and OH
WHP Health Initiatives, Inc.	Territories	National U.S. Territories
AdvancePCS Health, L.P.	Territories	National IA, IL, MN, MO, NY, SC, SD, TN, TX U.S. Territories
First Health Services Corporation		AK, AZ, GA, IA, KY, ME, MI, MN, MO, NV, NJ, NC, NH, NY, OH, OR, PA, TN, TX, VA
Blue Cross and Blue Shield of Alabama		AL
Sierra Health and Life Insurance Company, Inc.		CA, CO, LA, NV, TX
Blue Cross and Blue Shield of Florida, Inc.		FL
Prime Therapeutics, Inc.		IL, KS, MN, NE, NM, ND, OK, TX, WY
Horizon Healthcare Services, Inc.		NJ

UPMC Health Plan		PA
Independence Blue Cross, Inc.		PA, DE, NJ
Long Term Care Pharmacy Alliance, LLC	Long Term Care Pharmacies only	National

* I/T/U pharmacy means a pharmacy operated by the Indian Health Service, an Indian tribe, or tribal organization, or an urban Indian organization.

Note: Several drug card applicants submitted more than one application, but are represented on the list only once. A total of twenty-eight applicants are approved.

Medicare Health Plan Card Sponsor	Presence in State *
AmeriHealth HMO, Inc.	NJ
Anthem Health Plans of Kentucky, Inc. (2 plans)	KY
Av-Med Health Plan, Inc	FL
Blue Cross & Blue Shield-Massachusetts	MA
California Physicians' Service d/b/a Blue Shield of California	CA
CarePlus Health Plans, Inc.	FL
Chinese Community Health Plan	CA
Community Care HMO, Inc.	OK
Community Insurance Company (2 plans)	OH
Elder Health Maryland HMO, Inc.	MD
Elder Health of PA, Inc.	PA
Group Health Incorporated	NY
Group Health Plan, Inc.	MN
Hawaii Medical Service Association	HI
Health Net Life Insurance Company	AZ
Health Net Life Insurance Company	OR, WA
Health Net of Arizona, Inc.	AZ
Health Net of Connecticut	CT
Health Net of NY	NY
Health Net of CA	CA
Health Options, Inc.	FL
Health Plan of Nevada (2 plans)	NV
Health Plan of the Upper Ohio Valley	OH, WV
HealthPartners	MN
Highmark, Inc.	PA
HIP of Greater New York	NY
Hometown Health Plan	OH
Humana Health Plan of Texas, Inc.	TX
Humana Health Plan, Inc.	AZ
Humana Health Plan, Inc.	IL
Humana Health Plan, Inc.	KS, MO
Humana Insurance Company	FL
Humana Insurance Company	IL
	AZ, FL, IA, IL, KS,

Humana Insurance Company	MN, MO, ND, SD, TX, WI
Humana Medical Plan, Inc.	FL
Independence Blue Cross	PA
Independent Health Association	NY
Inter Valley Health Plan, Inc.	CA
Kaiser Foundation Health Plan, Inc.	CA
Keystone Health Plan East, Inc.	PA
Keystone Health Plan West, Inc.	PA
Lovelace Health Plan, Inc.	NM
MMM Healthcare, Inc.	PR
Neighborhood Health Partnership, Inc.	FL
-PacifiCare of Arizona, Inc.-----	AZ
PacifiCare of California d/b/a Secure Horizons	CA
PacifiCare of Colorado, Inc. (2 plans)	CO
PacifiCare of Nevada, Inc.	NV
PacifiCare of Oklahoma, Inc.	OK
PacifiCare of Oregon, Inc.	OR
PacifiCare of Texas, Inc.	TX
PacifiCare of Washington, Inc.	WA
Partners National Health Plans of NC, Inc.	NC
Preferred Care Partners Inc.	FL
Quality Health Plans, Inc.	FL
Rocky Mountain Health Plans	CO
SCAN Health Plan	CA
SelectCare of Texas, L.L.C.	TX
SummaCare Inc.	OH
Tenet Choices, Inc. (2 plans)	LA
UCare Minnesota	MN
UHP Healthcare	CA
United Health Plans of New England, Inc.	RI
United Healthcare Insurance Company	IA, NE
United Healthcare of Alabama, Inc.	AL
United Healthcare of Florida, Inc. (2 plans)	FL
United Healthcare of New York, Inc.	NY
United Healthcare of North Carolina	NC
United Healthcare of Ohio, Inc.	OH
United Healthcare of the Midlands, Inc.	IA, NE
United Healthcare of the Midwest, Inc.	IL, MO
United Healthcare of Wisconsin, Inc.	WI
University of Pittsburgh Medical Center	PA
UPMC Health Benefits, Inc.	PA
Welborn Health Plan	IN
Well Care HMO, Inc.	FL
WellCare of New York, Inc.	NY
Western Health Advantage	CA



Paul
Jim

September 23, 2010

Health & Safety Committee
Kent City Council
217 E. Summit Street
Kent, Ohio 44240

RE: MODIFICATION OF CODIFIED ORDINANCES TO ALLOW HEN- RAISING

Dear Council Members:

We are writing to request a place on the agenda at the next Health & Safety Committee meeting to discuss the attached proposed changes to the City of Kent codified ordinance to allow hen raising in Kent. The Board of Health passed a motion at their August 10th meeting to endorse the proposal. Please find enclosed the minutes from this meeting, the proposed ordinance, and a petition of support from 50+ Kent residents. These petition signatures were collected in one visit to the Haymaker Farmer's Market. CLUCKent plans to continue to collect petition signatures and will provide updated lists as they become available. Also included are sample ordinances, and articles and information we have collected on the topic.

As you are probably aware, communities across the nation are revisiting ordinances to allow the raising of hens within municipal boundaries. While many cities have never made hen-raising illegal, Kent effectively did so several years ago when it required two acres as a minimum for "farm animals". We are proposing some simple modifications to one section of the code to make it permissible. Hen-raising has been shown to be compatible with city life, even on the smallest lots comparable to the smallest lots of Kent. Indeed, hen-raising, (no roosters allowed!) is far less disruptive to neighborhoods than dogs and cats.

Historically, hens have been raised in Kent with very few complaints, and indeed are already being raised here. Simple, common sense regulations are all that are needed to assure that it is done in a neighborly fashion.

Thank you in advance for your consideration of this matter. We look forward to attending your next available meeting.

Sincerely,

Bethany Snyder
CLUCKent

APPENDIX 1

EXISTING ORDINANCE

CHAPTER 505 Animals and Fowl

- 505.01 Dogs, cats and other animals running at large.
- 505.02 Impounding and disposition; records.
- 505.03 Annual registration of dogs; tags required.
- 505.04 Abandoning animals; presumption of animal owner, keeper or harbinger.
- 505.05 Killing or injuring animals.
- 505.06 Poisoning animals.
- 505.07 Cruelty to animals.
- 505.08 Nuisance conditions prohibited.
- 505.09 Barking or howling dogs.
- 505.10 Animal bites; reports and quarantine.
- 505.11 Hunting prohibited; Excepted areas

- 505.12 Coloring rabbits or baby poultry; sale or display of poultry.
- 505.13 Immunization of dogs and cats required; method.
- 505.14 Dogs or cats temporarily in this jurisdiction.
- 505.15 Certificates and tags.
- 505.16 Rules and regulations for Health Board.
- 505.17 Keeping dangerous animals; permit; fee.
- 505.18 Dangerous dogs.
- 505.19 Farm Animals/Livestock
- 505.20 Farm Animals/Livestock Permits
- 505.21 Animals prohibited from Special Events
- 505.99 Penalty.

CROSS REFERENCES

- See sectional histories for similar State law
- Owner or keeper liable for damages - see Ohio R.C. 951.10
- Dog registration - see Ohio R.C. 955.01
- Discharging firearms prohibited - see GEN. OFF. 549.12

505.19. FARM ANIMALS/LIVESTOCK

As used in this chapter:

- (a) Definitions.
 - (1) "Chickens" and "fowl" include chickens, duck, geese and any other similar type of fowl.
 - (2) "Domestic farm animals" includes sheep, goats, cattle, swine, and any other similar type of animal.
 - (3) "Livestock" means horses, ponies, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids, swine and any animals normally found in the wild state which are being kept for exhibition purposes or as private pets. Not included are animals identified as "Dangerous Animals" as defined in Codified Ordinance 505.17.
- (b) Permit Necessary

No person shall keep or harbor domestic farm animals or livestock, chickens or fowl within the City without having first obtained a permit from the Director of Public Safety. Such permit shall contain the name, age, breed, description and any special markings peculiar to such animals.
- (c) Agricultural Exemption:

Those property owners who have a minimum of two acres and are engaged in commonly approved agricultural practices are exempt from the permit requirements as stated above.

APPENDIX 2

PROPOSED CHANGES

PROPOSED CHANGES TO KENT CODIFIED ORDINANCE SECTION 505.19

To allow limited raising of hens for the purpose of providing low cost healthy food. These changes would make hen raising a permissive activity with guidelines but no licensure. Nuisance guidelines are included so that neighbors can complain if hen raisers are not in compliance with ordinance. The health, safety and welfare of the citizens of Kent are improved, maintained and protected by these recommended changes.

505.19. FARM ANIMALS/LIVESTOCK (With Proposed Changes noted: Text added in bold, strike outs for text removed).

As used in this chapter:

(a) Definitions.

- (1) "Chickens" and "fowl" include chickens, duck, geese and any other similar type of fowl. **"Hens" refer to female chickens only.**
- (2) "Domestic farm animals" includes sheep, goats, cattle, swine, and any other similar type of animal.
- (3) "Livestock" means horses, ponies, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids, swine and any animals normally found in the wild state which are being kept for exhibition purposes or as private pets. Not included are animals identified as "Dangerous Animals" as defined in Codified Ordinance 505.17.

(b) Permit Necessary

No person shall keep or harbor domestic farm animals or livestock, ~~chickens or fowl~~ within the City without having first obtained a permit from the Director of Public Safety. Such permit shall contain the name, age, breed, description and any special markings peculiar to such animals.

(c) Agricultural Exemption:

Those property owners who have a minimum of two acres and are engaged in commonly approved agricultural practices are exempt from the permit requirements as stated above.

Add the following section.¹

(d) Hens:

The keeping of hens shall be permitted on all city lots following these guidelines:

- (1) Number and type of chickens allowed.
 - (a) The maximum number of chickens allowed is six (6) per tract of land regardless of how many dwelling units are on the tract.

¹ Based on Columbia, Missouri Codified ordinance (See Appendix)

- (b) Only hens are allowed. There is no restriction on chicken species.
- (2) Noncommercial use only.
It shall be unlawful to engage in chicken breeding or fertilizer production for commercial purposes.
- (3) Enclosures.
 - (a) Chickens must be kept in an enclosure or fenced area at all times. Chickens shall be secured within a henhouse or chicken tractor during non-daylight hours.
 - (b) Enclosures must be kept in a clean, dry, neat and sanitary condition at all times.
 - (c) Henhouses, chicken tractors and chicken pens must provide adequate ventilation and adequate sun and shade and must be impermeable to rodents, wild birds and predators, including dogs and cats.
 - (d) Henhouses and chicken tractors.
 - (1) Henhouses and chicken tractors shall be designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to other residents in the neighborhood.
 - a. A henhouse or chicken tractor shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and latched at night. Opening windows and vents must be covered with predator and bird proof wire with openings not greater than one inch square.
 - b. The materials used in making a henhouse or chicken tractor shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal, or similar materials is prohibited. Henhouses and chicken tractors shall be well maintained.
 - (2) Henhouses, chicken tractors and chicken pens shall only be located to the rear of the dwelling or other main structure and may be located in the rear yard required by Part 11, Kent Codified Ordinances. (corner lots have rear yard opposite the front door)
 - (3) Henhouses, chicken tractors and chicken pens must be located at least twenty-five (25) feet from any adjacent residential dwelling, church, school or place of business.
 - (e) Any enclosed chicken pen shall consist of sturdy wire or wooden fencing. The pen must be covered with wire, aviary netting, or solid roofing.
- (4) Odor and noise impacts.
 - (a) Odors from chickens, chicken manure or other chicken related substances shall not be Perceptible at the property boundaries.
 - (b) Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity.
- (5) Predators, rodents, insects and parasites.
The chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by an animal control officer.

- (6) Feed and water.
Chickens shall be provided with access to feed and clean water at all times. The feed and water shall be unavailable to rodents, wild birds and predators.
(Ord. No. 20549, § 1, 2-1-10)
- (7) Waste storage and removal.
The chicken owner must provide for the storage and removal of chicken manure. All other manure not used for composting or fertilizing shall be removed. The henhouse, chicken tractor, chicken pen and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.
- (8) Chickens at large.
No dog or cat which kills a chicken will, for that reason alone, be considered a dangerous or aggressive animal.
- (9) Unlawful acts.
(a) It shall be unlawful for any person to keep chickens in violation of any provision of this article.
(b) It shall be unlawful for any owner, renter or leaseholder of property to allow chickens to be kept on the property in violation of the provisions of this article.
- (10) Registration Required.²
The Director of Public Health or their designee shall issue a hen-raising registration upon satisfaction that the above guidelines can be met. A one-time \$15 (fifteen dollar) registration fee will be collected.
- (11) Nuisances.
Any violation of this article that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is a nuisance and may be abated under the general nuisance abatement provisions of chapter 5 section 21.14 (EDITORIAL NOTE: may need to include animal nuisances in definition section 521.13)
- (11). Continuing violations.
Each day that a violation of this article continues is a separate offense.

² Columbia Missouri does not require a **registration**, but Kent City Staff has recommended that a **registration** be issued. We have indicated that it is a one time permit. Some communities require that they be renewed.

APPENDIX 3

Minutes from the Kent Board of Health meeting August 10, 2010.

Kent City Health Department
325 S. Depeyster Street
Kent, Ohio 44240
HEALTH BOARD MINUTES
August 10, 2010

Members Present

Doug Wagener
Susan Roxburgh
Jack Amrhein
John Gwinn
Pam Freeman

Member Absent

Chris Woolverton

Others Present

John Ferlito
Bethany Snyder

President John Gwinn called the Health Board meeting of August 10, 2010 to order.

The minutes from the July 2010 meeting were distributed and reviewed by the Health Board members prior to the meeting.

Motion: A motion was made by Pam Freeman and seconded by Doug Wagener to approve the July 2010 minutes. No objections. The motion passed.

Open Comments:

Bethany Snyder introduced herself as a member of the Citizens League for Urban Chickens (CLUC Kent). Ms. Snyder stated that she attended the meeting so that she could answer any questions or concerns the Health Board may have regarding the information their group has provided. They are requesting the Health Board endorse their request for changing the City Codified Ordinances to allow hen raising in the City of Kent. Ms. Snyder stated currently there is a restriction that you must have at least two (2) acres of property for hen raising. Their group would like that stipulation removed and allow for no more than six (6) hens on any tract of land.

Doug Wagener stated that he had read through the information that CLUC Kent provided and stated that a lot of communities have adopted other similarly structured ordinances regarding this subject.

Ms. Snyder stated that Cleveland had changed their law to allow backyard chickens in 2008. The City of Akron and the City of Medina also allows backyard chickens.

Susan Roxburgh stated that she had discussed this issue recently and is in favor of endorsing this change to the City Codified Ordinances.

John Ferlito stated that Chris Woolverton could not attend the meeting but asked that he pass his concern onto the Board Members. His number one concern is Avian Flu and home flocks of hens being infected by migratory birds. Bethany responded by stating that the Avian Flu that humans can contract has not been found in North America yet,

and it is generally spread through the feces of migratory waterfowl. Backyard hens will be in coops most of the time and it is her group's opinion that there will be a very remote possibility of backyard hens being infected. There is an environmental research group called World Watch Institute out of Washington, where an expert on the industrial farm animal production was quoted in an article in News Week Magazine stating: "if the Avian Flu is seen in North America it will most likely be seen first in factory farm poultry than in backyard chickens."

Jack Amrhein asked the Board members if there has been any mention of or requests regarding this issue by anyone in the last couple of years? John Gwinn stated that approximately a year ago, Rick Hawksley had written him a substantial letter indicating that there were groups and individuals who had interest in this subject and asked that the Board consider endorsing it.

John Ferlito stated that his biggest concern would be with odor complaints. Bethany stated that the ordinance changes that her group is proposing addresses odor and noise issues, placement of enclosures, waste removal and storage etc. as well as other standards that would need to be met.

Pam Freeman asked if there are provisions proposed somewhere that would limit the placement of enclosures to a specific area of the yard and Bethany responded no. Pam stated that she has no problem with hen raising but leaving the placement of enclosures open to allow them in the front yards is her major concern and Jack Amrhein agreed that a restriction should be added. The stated 25 feet from a residential dwelling leaves it open.

John Gwinn asked if the hens would be used for egg production or also for poultry production? He did not see anything mentioned regarding this. Bethany stated that it would be primarily for egg production but there are no restrictions indicated, so they can do both.

John Ferlito stated that he would recommend that if this proposal is passed by City Council and the codified ordinances are changed, it is important that inspections, permitting and registration for coops & coop placements etc. for hen raising should be done by or with the Health Department and they should not be confused with the 2 acre permitting for farm animals and livestock that Public Safety currently issues permits for.

Bethany stated that they would really like to take this information to City Council with an endorsement by the Health Board saying that the Board is agreeable to the proposed modifications to the Codified Ordinances.

A space requirement per hen needs to be specified and henhouse construction should be based on those requirements.

Pam Freeman stated just as a point of clarification, that our definition in the current ordinance refers to female chickens and fowl which includes geese and ducks, so while Cluc Kent is hen raising there is a possibility that changing the wording in the proposed modification would open it up to a female goose/geese and they are very loud. It would be

a good idea to consider that fact, and if you are talking chickens it should be just chickens and remove the word fowl. Bethany stated that she could do that. She can remove the reference to fowl in her proposal.

John Gwinn and Susan Roxburgh agreed that the permit fee, length of time and process should be looked at more closely.

The Health Board returned to normal business:

Statistical Report for July 2010:

Reviewed by Board Members, Animal Bite inspections should be corrected from 0 to 5.

Expenditures and Encumbrances for July 2010:

VENDOR	ITEM DESCRIPTION	AMOUNT
Ohio Div. of Real Estate	Burial permit fee transmittal for June 2010	\$95.00
Treasurer, State of Ohio	Child abuse and family violence prevention transmittal fees for June 2010	\$1,156.71
Treasurer, State of Ohio	RFE license transmittal fees for June 2010	\$28.00
Treasurer, State of Ohio	Sanitarian Registration renewal for John Bradshaw	\$74.00
Fisher Scientific	Replacement digester assembly	\$1,866.98
Treasurer, State of Ohio	Quarterly Vital Stats Tech fee transmittal for April, May & June 2010	\$6,543.00
NSI	Lab standards for E. Coli	\$120.00
	TOTAL	\$9,883.69

<u>Travel & Reimbursements</u>		
		\$0.00
		\$0.00

Motion: A motion was made by Doug Wagener and seconded by Susan Roxburgh to approve the Expenditures and Encumbrances for the month of July 2010. The motion passed.

Commissioner's Report

During the Swimming Pool Survey it was recommended that Health Board Resolution 2006-1 be amended and the local swimming pool fees and State pool fees be listed separately in the resolution and Bathing Areas be removed since no longer applicable. Enclosed is Draft Health Board Resolution 2010-1 to amend Health Board Resolution

2006-1 for your review and Third and final reading.

Bethany Snyder, Laurel Hurst & Rick Hawksley have requested an endorsement from Kent Board of Health to change the City Codified Ordinance to allow the raising of Hens (chickens). See the enclosed information. Bethany Snyder will be attending the meeting.

I have enclosed the joint National Guard and local Portage County Public Safety Agencies, press release regarding the full-scale disaster exercise at Camp Ravenna on August 6 to August 8, 2010.

Old Business

Health Board Resolution 2010-1 was amended. This resolution is to revise local fees and state fees so that they are listed separately and the term "Bathing Areas" be removed from resolution since they no longer applicable.

Motion: A motion to approve the Resolution Amendment and the third reading of Resolution 2010-1 was made by John Gwinn and seconded by Pam Freeman. Motion was approved by roll call; Freeman-Aye; Roxburgh-Aye Amrhein-Aye; Wagener-Aye; Gwinn-Aye. Third reading passed.

John Gwinn mentioned 2 issues with the Farmers Market. Signs indicating vendors name, and location are still missing for many vendors. This needs to be enforced. The other issue is the number of people bringing their dogs to the market. They are walking through the area with their dogs, which is overcrowding walkways. John also stated that there was an incident he witnessed where two dogs were barking and growling at each other on the walkway; this could have gotten out of hand quickly. The organizer of the farmers market should be invited to attend the meeting.

Susan Roxburgh discussed the Community Health Needs Assessment. She stated that she e-mailed a link to all the Board Members regarding an Assessment site. John Ferlito stated two days after Susan's e-mail; Portage County sent him a questionnaire for the same Health Assessment. John forwarded the questionnaire to All City employees to complete on line and send in, the forms were also distributed to Doctor's offices and clinics in the area. Board Members are concerned about the Assessment, the time period of the assessment and if those people whose data is most needed will even fill out the questionnaires. Susan stated she would like to know what this questionnaire data is going to be used for and what will be its worth. Doug stated that he had attended a meeting regarding this subject, and what he understood from the discussions was, the Assessment was to help gauge the interest of community partners and gather ideas for locally funded programs and identify project ideas for Key Community Health Problems. Once there are indicators identified, the hope is to find local sponsors and/or funds to support those causes.

New Business

Hen raising proposed changes to City Codified Ordinances.

Motion: A motion was made by Susan Roxburgh and seconded by Doug Wagener to endorse (details have yet to be worked out) the proposal to allow hen rising in the City of Kent. Jack Amrhein, Council representative abstained. All other present board members are in favor of the proposed changes. The motion passed.

Motion: A motion was made by Pam Freeman to enter into Executive Session at 6:45 p.m to discuss the evaluation of the Health Officer. The motion was approved by roll call; Freeman-Aye; Roxburgh-Aye Amrhein-Aye; Wagener-Aye; Gwinn-Aye.

Motion: The Health Board returned from Executive Session at 7:00 pm., after discussions concluded with nothing to report, by roll call: Freeman-Aye; Roxburgh-Aye Amrhein-Aye; Wagener-Aye; Gwinn-Aye.

Motion: A motion was made by Jack Amrhein and seconded by Doug Wagener to adjourn the meeting of August 10, 2010. There was no objection. The meeting was adjourned.

Approved:

John Gwinn, President

John Ferlito, Secretary

APPENDIX **4**

Copy of the petition signatures collected at the Haymaker Farmer's Market on Saturday, September 18, 2010.

We, the undersigned, support the right of citizens to raise flocks of hens within the boundaries of the city of Kent for the purposes of companionship and family food production.

CLUCK

Full Name: Cassy Myers	Address: 1065 Norwood St.	Signature:
E-mail: cmyers@kent.edu	City/State/Zip: Kent, OH 44240	Date: 9/18/10
Full Name:		Signature:
E-mail:		Date:
Full Name: Sarah Koby	Address: 637 Park Ave	Signature:
E-mail: skoby@kent.edu	City/State/Zip: Kent, OH 44240	Date: 7/18/10
Full Name:		Signature:
E-mail:		Date:
Full Name: Kelly Ketch	Address: 747 Gore Ave	Signature:
E-mail:	City/State/Zip: Kent	Date: 9/18/10
Full Name:		Signature:
E-mail:		Date: 9/18/10
Full Name: Kenee Kuchotzke	Address: 243 Highland Ave	Signature:
E-mail: on1st0	City/State/Zip: Kent OH 44240	Date: 9/18/10
Full Name:		Signature:
E-mail:		Date: 09-18-10
Full Name: Sandra Miller	Address: 665 Lohmeyer	Signature:
E-mail:	City/State/Zip: Kent, OH 44240	Date: 09-18-10
Full Name:		Signature:
E-mail:		Date: 9-18-10
Full Name: M. Evelyn Cobnik	Address: 553 Beech Dr	Signature:
E-mail:	City/State/Zip: Kent, Ohio 44240	Date: 9-18-10
Full Name:		Signature:
E-mail:		Date: 9-18-10
Full Name: Jan Hill	Address: 231 Valleyview	Signature:
E-mail: celadonjon@gmail.com	City/State/Zip: Kent, OH 44240	Date: 9-18-10

Thank you for taking time to support the local food movement in our region!

We, the undersigned, support the right of citizens to raise flocks of hens within the boundaries of the city of Kent for the purposes of companionship and family food production.



Full Name: Jennifer Bruder	Address: 1069 Hellister Dr.	City/State/Zip: Kent OH 44240	Signature: <i>Jennifer Bruder</i>	Date: 9/18/10
E-mail: jbruder@kent.ohio.gov				
Full Name: Chris O'Daniel	Address: 545 Pioneer St.	City/State/Zip: Kent OH 44240	Signature: <i>Chris O'Daniel</i>	Date: 9/18/10
E-mail: clodaniel@kent.ohio.gov				
Full Name: Allison Rotens	Address: 500 Williams Drive	City/State/Zip: Kent OH 44240	Signature: <i>Allison Rotens</i>	Date: 9/18/10
E-mail: [REDACTED]				
Full Name: Lisa Regula Mayer	Address: 1433 Cedar	City/State/Zip: Kent OH 44240	Signature: <i>Lisa Regula Mayer</i>	Date: 9/18/10
E-mail: LRRegula@gmail.com				
Full Name: J. Michael Flala	Address: 325 Highland Ave	City/State/Zip: Kent OH 44240	Signature: <i>J. Michael Flala</i>	Date: 9/18/10
E-mail: jmichflala@gmail.com				
Full Name: Linda Francis	Address: 1325 Siskiwit Road	City/State/Zip: Kent OH 44240	Signature: <i>Linda Francis</i>	Date: 9/18/10
E-mail: lfrancis@kent.ohio.gov				
Full Name: Jodi Hall	Address: 218 Alamy Street	City/State/Zip: Kent OH 44240	Signature: <i>Jodi Hall</i>	Date: 9/18/10
E-mail: [REDACTED]				

Thank you for taking time to support the local food movement in our region!

We, the undersigned, support the right of citizens to raise flocks of hens within the boundaries of the city of Kent for the purposes of companionship and family food production.



Full Name: Lisa Moltzer	Address: 14 E. College Ave	Signature: Lisa Moltzer
E-mail: lisa.moltzer@kent.edu	City/State/Zip: Kent OH 44240	Date: 9/18/10
Full Name: Theresa Kothing	Address: 520 Lomaxmore Dr	Signature: Theresa Kothing
E-mail: tkothing@kent.edu	City/State/Zip: Kent OH 44240	Date: 9/18/10
Full Name: Jessica York	Address: 953 Morris Rd	Signature: Jessica York
E-mail: jayork@kent.edu	City/State/Zip: Kent OH 44240	Date: 9-18-2010
Full Name: Susan Clark	Address: 503 Hursey St	Signature: Susan Clark
E-mail: susan.clark@kent.edu	City/State/Zip: Kent OH 44240	Date: 9-18-2010
Full Name: Heather Kirkpatrick	Address: 1901 Chippewa	Signature: Heather Kirkpatrick
E-mail: h.kirkpatrick@kent.edu	City/State/Zip: Kent OH 44240	Date: 9/18/10
Full Name: Paula Rossi	Address: 615 Tallmadge Ave	Signature: Paula Rossi
E-mail: paula.rossi@kent.edu	City/State/Zip: Kent OH 44240	Date: 09/18/10
Full Name: Patricia Friedrich	Address: [illegible]	Signature: Patricia Friedrich
E-mail: [illegible]	City/State/Zip: [illegible]	Date: [illegible]

Thank you for taking time to support the local food movement in our region!

We, the undersigned, support the right of citizens to raise flocks of hens within the boundaries of the city of Kent for the purposes of companionship and family food production.

CLUSC

Full Name: JOSEPH MICHAEL HUENES	Address: 1065 NICKELWOOD ST.	Signature: Joseph Huenes
E-mail: josephhuenes@gmail.com	City/State/Zip: Kent OH 44240	Date: 9/18/10
Full Name: Barbara Stach	Address: 211 E. 11th St	Signature: Barbara Stach
E-mail: barstach@kent.edu	City/State/Zip: Kent OH 44240	Date: 9/18/10
Full Name: YOUNG, ERIC	Address: 301 Stone Street St	Signature: Eric Young
E-mail: young@kent.edu	City/State/Zip: Kent OH 44240	Date: 9-18-10
Full Name: Sarah Waters	Address: 123 Brady St, Apt. A.	Signature: Sarah Waters
E-mail: Swaters@kent.edu	City/State/Zip: Kent OH 44240	Date: 9-18-10
Full Name: Wanda Spill	Address: 211 E. 11th St	Signature: Wanda Spill
E-mail: wspill@kent.edu	City/State/Zip: Kent OH 44240	Date: 9-18-10
Full Name: Bryan Willmettt	Address: 312 Lake St	Signature: Bryan Willmettt
E-mail: Willmettt2379@kent.edu	City/State/Zip: Kent OH 44240	Date: 9-18-10
Full Name: Willmettt, Bryan	Address: 312 Lake St	Signature: Bryan Willmettt
E-mail: bwillmettt@kent.edu	City/State/Zip: Kent OH 44240	Date: 9-18-10
Full Name: Paul Davee Brown	Address: 1612 S. Lincoln St.	Signature: Paul Davee Brown
E-mail: paul.davee@kent.edu	City/State/Zip: Kent Ohio 44240	Date: 9-18-10
Full Name: Richard Payne	Address: 233 Goumibus St	Signature: Richard Payne
E-mail: rpayne@kent.edu	City/State/Zip: Kent OH 44240	Date: 9/18/2010
Full Name: Korynne Peterson	Address: 447 Park Ave	Signature: Korynne Peterson
E-mail: kpeterson@kent.edu	City/State/Zip: Kent OH 44240	Date: 9/18/10
Full Name: Katie Perkowski	Address: 447 Park Ave	Signature: Katie Perkowski
E-mail: kperkowski@kent.edu	City/State/Zip: Kent OH 44240	Date: 9/18/10

Thank you for taking time to support the local food movement in our region!

APPENDIX 5

THE BENEFITS OF URBAN CHICKENS From urbanchickens.org

There are a variety of reasons to keep chickens in urban environments, and it's not a new fad. People have been keeping chickens in cities for centuries, and here are some of the benefits when you add chickens into your urban lifestyle:

Local source of protein



If you live in an urban environment you can grow your own fresh fruits and vegetables in your backyard. When it comes to supplying your own source of protein however, it's impossible to get your dog to lay breakfast each morning or fit a cow in your backyard. That's why chickens are so wonderful! They are small, easy to care for, and won't take up your entire yard. Chickens provide protein rich eggs, and if you choose to you can also raise them for meat (if slaughtering is legal where you live).

Better Quality

Fresh foods simply taste better! Also, when you raise your own eggs and meat, you know what the animal ate, its living conditions, and how it was treated. No need to worry about food safety, antibiotics, or hormones.



Source of fertilizer

Chicken poop is high in nitrogen and great for your compost pile. Supply your backyard garden with compost made from chicken poop and watch your plants flourish!



Natural pest control

Got cockroaches, tomato horn worms, aphids, grubs, or any other pest you don't want in your yard or garden? Chickens are great at controlling these pests naturally- no need to put nasty chemicals in your yard. And yes- chickens will even eat mice!

It's fun!

Chickens can provide a breath of fresh air in our busy urban lifestyles (as long as you don't step in their poop!). Just like cats and dogs, chickens have personalities and can be great companions. If you can't keep indoor pets, chickens are a wonderful alternative with the added benefit of providing food. Also, your neighbors and friends will come flocking over to your house to take part in all the excitement.

You can be a part of the local food movement!

The local food movement is taking off, and by keeping chickens you can take pride in being a producer and not just a consumer. Help feed your own existence!

APPENDIX 6

The Four Main 'Myths and Facts' on Backyard Hens

<http://knoxvillepermacultureguild.ning.com/group/knoxvillechickens>
created for discussion on their proposed ordinance

Myth #1: Backyard hens will be noisy.

Fact: The ordinance outlaws roosters. Hens make a little 'cluck-cluck' noise when laying an egg. They are also in their coop and fast asleep by sundown.

Myth #2: Backyard hens spread disease.

Fact: The Manager of the Environmental Health Division of the Knox County Health Department and Chair of the Animal Control Board (Ronnie Nease) independently sought the advice of Dr John New of the University of Tennessee's Vet school, who is an expert on human-animal pathogens. Dr New went on record saying that a small number of backyard hens pose absolutely no additional threat to human health.

Dr John New phone number: 974-5570

Ronnie Nease phone number: 215-5200

Myth #3: Legalizing will increase the strain on our law enforcement service.

Fact: Knoxville Urban Hen Coalition sought the experiences of Animal Control Supervisors in other cities where backyard hens have been legal for some time. This is what they said:

Bill Porter, Director of Animal Control, Fort Collins, CO: He says that since legalization of hens, he's received two complaints regarding smell and location of the coop, **and both cases were unfounded**. He said that the ordinance was written well, and because of that, there has been no problems. *Bill Porter Phone Number: 970-226-3647*

Patrick Comfort, Animal Control Supervisor, Madison, WI: He said, "there have been almost zero calls in 8 years to complain about chickens". In his estimation, legalization has been "a very positive experience". He added that he has seen that the ordinance has "opened up neighborhoods" by getting neighbors interacting. "People are looking over the fence and talking about the chickens, asking neighbors if they want some eggs, or if they will watch the chickens". *Patrick Comfort Phone Number: 608-243-0309*

Myth #4: Backyard hens will smell.

Fact: Hens do not smell, feces DO smell. A 4-pound laying hen produces 0.0035 cu ft of manure per day. According to FDA, an average dog generates 0.75 pounds of manure a day that cannot be composted because of the harmful bacteria and parasites (hookworms, roundworms and tapeworms) that can infect humans.

Most people's experience with hens is on a farm or industrial facility where 100's, if not 1,000's, of chickens are confined. The ordinance would limit the number of hens to a small number so that smell will not be an issue.

APPENDIX 7

Missoula Montana code outline

Legalized ... under the following stipulations:

Missoula's chicken ordinance can be found in the municipal codes. Here's the gist of it:

1. No roosters. *Banning roosters eliminates problems with noise – by far the most common complaint.*
2. Maximum of 6 hens. *This reduces smell and high concentrations of manure.*
3. Obtain a \$15 annual permit from the City Treasurer (552-6000). *This is as easy as spending 2 minutes and 15 bucks at the Treasure's Office at 435 Ryman Street.*
4. Predator-proof housing. *We don't want to be a nuisance to our wild neighbors either.*
5. Chicken house must be kept clean and be at least 20 feet from a neighboring dwelling. *This places a buffer zone between any foul smells and noises from your friendly neighbors.*
6. Chickens must be fenced and have access to outdoor enclosure. *This prevents chickens from wandering the streets, digging up your neighbor's flowerbeds, and encourages adequate space for the birds to enjoy life, safe from at large dogs.*
7. Feed must be stored in a rodent- and predator-proof container. *Feed attracts other animals more than the chickens do.*

APPENDIX 8

Chicken Raising Once Again Growing in Popularity

By Amy Eddings on Tuesday, July 6, 2010. New Hampshire Public Radio

A century ago - even just SIXTY years ago -- raising your own chickens wasn't unusual. Now, most of us get our eggs in cartons, and our chicken wings wrapped in plastic. But there are a growing number of people nationwide who are reviving the art of chicken rearing. As part of a collaboration with Northeast stations, WNYC's Amy Eddings reports on backyard chicken farming in an unlikely place.



Two of Greg and Debbie Anderson's chickens. (Amy Eddings)

EDDINGS: Here's something you don't expect to encounter in Brooklyn:

[A chicken can be heard clucking, loudly and angrily.]

The sound may be out of the ordinary for New York City, but the sentiment is not. This chicken is complaining. Greg Anderson translates.

ANDERSON: She's trying to convince one of the other chickens to get up off the eggs so she can sit on them //

EDDINGS: Anderson and his wife, Debbie, share the tasks of raising six hens with other members of their community garden, down the street from their row house in Crown Heights. Every morning, the Andersons feed and water the hens, and they check the coop for their reward: fresh eggs.

ANDERSON: Ah, let's see...well, they're sitting...They ladies! We have two! Two pretty big ones. A white one, and a brown one.

The eggs are warm to the touch. Debbie Anderson says they taste better, and are more satisfying, than supermarket eggs.

DEBBIE ANDERSON: What I get out of it, is a connection to where my food comes from.

EDDINGS: The Andersons are part of a new chicken keeping movement in America, spurred by an interest in local, healthy food. Although the US Department of Agriculture doesn't keep statistics on such small-scale farming, anecdotally, it says there are a growing number of people raising chickens in suburban and urban areas. Most people are keeping the birds for eggs, not meat. There are dozens of chicken-raising websites and online forums.

Many cities' public health and zoning ordinances don't allow chickens. In the Northeast, that's true in Boston, Albany, Providence, and Hartford. Meanwhile, chicken bans were lifted last year in New Haven, Connecticut, and Portland, Maine, due to demand from would-be backyard farmers.

In New York City, roosters are illegal, because of their crowing. But residents can raise as many hens as they want, as long as they don't stink, make too much noise, or attract flies and other pests.

Megan Paska rents an apartment in a three-story row house in the Brooklyn neighborhood of Greenpoint. She was able to convince her landlady to let her keep four hens in an old doghouse out back.

PASKA: I had already been doing gardening and composting. You don't need a whole lot of space for it. We've got a yard. The chicken manure can go in the compost bin and make our garden grow really well. It sort of completed the trifecta.

EDDINGS: Chickens may be newly hip, but they're old school in New York City's black and Hispanic neighborhoods. Karen Washington's community garden in the South Bronx started raising chickens ten years ago, after someone dropped off several chicks.

WASHINGTON: We city folk didn't know anything about raising chickens. So a lot of the members who were from Puerto Rico or the Dominican Republic or down south, they said you know what. I know how to take care of chickens.

EDDINGS: Now, Washington is in charge of the garden's eleven hens. She says she used to have 12, but a raccoon ate one....a reminder that caring for livestock isn't totally carefree. Chickens can carry the bad bacteria, Salmonella, and federal health officials suggest common sense precautions, such as handwashing. The US Department of Agriculture has re-energized its informational campaign about bird flu. It's not a major threat to humans, but it can wipe out entire flocks. And backyard farmers must keep their chickens from getting too wet, or too cold. Greg Anderson sat in the coop with a hen under his coat one winter to warm her up. He didn't mind.

ANDERSON: It's great, I love it. I'm a misplaced country boy, and I think I've found my place.

EDDINGS: And intrepid New Yorkers and others across the country have rediscovered a chicken's place in their backyards.



The New Coop de Ville

The craze for urban poultry farming.



by Jessica Bennett November 17, 2008

For Brooklyn real-estate agent Maria Mackin, the obsession started five years ago, on a trip to Pennsylvania Amish country. She, her husband and three children—now 17, 13 and 11—sat down for brunch at a local bed-and-breakfast, and suddenly the chef realized she'd run out of eggs. "She said, 'Oh goodness! I'll have to go out to the garden and get some more,'" Mackin recalls. "She cooked them up and they were delicious." Mackin and her husband, Declan Walsh, looked at each other, and it didn't take long for the idea to register: Could we have chickens too? They finished their brunch and convinced the bed-and-breakfast owner, a Mennonite celery farmer, to sell them four chickens. They packed them in a little nest in the back of their Plymouth Voyager minivan and headed back to Brooklyn.

The family has been raising chickens ever since, in the backyard of their brick townhouse in an urban waterfront neighborhood called Red Hook. Every Easter, Mackin orders a new round of chicks, now from a catalog that ships the newborns in a ventilated box while they are still feeding from their yolks. When they are grown, she offers up their eggs—and occasionally extra chickens, when she decides she's got too many—to friends and neighbors, and sells a portion to a local bistro, which touts the neighborhood poultry on its Web site. She gives the chicken manure—a high-quality fertilizer—to a local community garden in exchange for hay, which she uses to pad the chickens' wire-fenced coop. Occasionally, she kills and cooks up a chicken for dinner—though, she says, her chickens are egg layers and aren't particularly tasty. "We joke and call ourselves the Red Hook Poultry Association," says the former social worker, who at one time housed 27 chicks inside her kitchen—for six weeks. "Sometimes people are like, 'This is really kind of weird!'"

As it turns out, Mackin is hardly an anomaly, in New York or any other urban center. Over the past few years, urban dwellers driven by the local-food movement, in cities from Seattle to Albuquerque, have flocked to the idea of small-scale backyard chicken farming—mostly for eggs, not meat—as a way of taking part in home-grown agriculture. This past year alone, grassroots organizations in Missoula, Mont.; South Portland, Maine; Ann Arbor, Mich.; and Ft. Collins, Colo., have successfully lobbied to overturn city ordinances outlawing backyard poultry farming, defined in these cities as egg farming, not slaughter. Ann Arbor now allows residents to

own up to four chickens (with neighbors' consent), while the other three cities have six-chicken limits, subject to various spacing and nuisance regulations.

That quick growth in popularity has some people worried about noise, odor and public health, particularly in regard to avian flu. A few years back in Salt Lake City—which does not allow for backyard poultry farming—authorities had to impound 47 hens, 34 chicks and 10 eggs from a residential home after neighbors complained about incessant clucking and a wretched stench, along with wandering chickens and feathers scattered throughout the neighborhood. "The smell got to be unbelievable," one neighbor told the local news. Meanwhile, in countries from Thailand to Australia, where bird flu has spread in the past, government officials have threatened to ban free-range chickens for fear they are contributing to outbreaks. (In British Columbia, where officials estimated earlier this year that there are as many as 8,000 chicken flocks, an avian flu outbreak four years forced the slaughter of more than 17 million birds.)

But avian flu has not shown up in wild birds, domestic poultry or people in the United States. And, as the Washington-based Worldwatch Institute (an environmental research group) pointed out in a [report last month](#), experts including the Pew Commission on Industrial Farm Animal Production have said that if we do see it, it'll be more likely to be found in factory-farmed poultry than backyard chickens. As GRAIN, an international sustainable agriculture group, concluded in a 2006 report: "When it comes to bird flu, diverse small-scale poultry farming is the solution, not the problem."

Many urban farmers are taking that motto to heart. In New York, where chickens (but not roosters, whose loud crowing can disturb neighbors) are allowed in limitless quantities, there are at least 30 community gardens raising them for eggs, and a City Chicken Project run by a local nonprofit that aims to educate the community about their benefits. In Madison, Wis., where members of a grass-roots chicken movement, the Chicken Underground, successfully overturned a residential chicken ban four years ago, there are now 81 registered chicken owners, according to the city's animal-services department. "There's definitely a growing movement," says 33-year-old Rob Ludlow, the Bay Area operator of [BackyardChickens.com](#) and the owner of five chickens of his own. "A lot of people really do call it an addiction. Chickens are fun, they have a lot of personality. I think people are starting to see that they're really easy pets—and they actually produce something in return."

Because chickens can be considered both livestock and pet, farming them for eggs—or keeping them as pets—is unregulated in major cities like New York and Los Angeles. But it isn't legal everywhere. According to one recent examination by urban-agriculture expert Jennifer Blicha, just 65 percent of major cities allow chickenkeeping, while 40 percent allow for one or more roosters. (Hens don't need roosters to lay unfertilized eggs.)

Chicken slaughter, meanwhile, tends to fall under a separate (and generally stricter) set of regulations, though they're not always enforced. Most cities that allow chicken farming limit the number to four or six per household, so many urban farmers aren't raising enough chickens to slaughter and sell anyway—though they may cook up a meal or two at home. If they want to slaughter more, there are mobile slaughterhouses in places like Washington state that will do the dirty work for you: USDA-approved refrigerated trucks will pull right up to your doorstep.

Chicken farmers are finding each other on sites like [TheCityChicken.com](#), [UrbanChickens.org](#) and [MadCityChickens.com](#). [BackyardChickens.com](#) logs some 6 million page views each month

and has some 18,000 members in its forum, where community members share colorful stories (giving a chicken CPR), photos (from a California chicken show), even look to each other for comfort. "I am worried that non-BYC people won't understand why a 34-year-old woman would cry over a \$7 chicken," writes a Stockton, N.J., woman, whose chicken was killed by a hawk.

Over at UrbanChickens.org, which launched this year, founder K. T. LaBadie, a master's student in community planning, provides updates on city ordinances, info about local chicken-farming classes and coop tours and has been contacted by activists hoping to overturn chicken bans around the nation. In Albuquerque, where she lives with her husband and four chickens—Gloria, Switters, Buffy and Omelet—residents can keep 15 chickens and one rooster, subject to noise ordinances, as well as slaughter the chickens for food. In July, LaBadie wrote in detail of her first killing: she and her husband hung the bird by its legs, slit its throat, plucked its feathers and put it on ice. Then they slow-cooked it for 20 hours. "It's not pretty, it's kinda messy, and it's a little smelly," she writes. "But it's quite real."

Meanwhile, at MadCityChickens.com, the Web site created by the Madison Chicken Underground, chat-line operator Dennis Harrison-Noonan has turned his chicken love into a mini-business: he's sold 2,000 design kits for his custom-made playhouse chicken coop, which retails for \$35. "It's really not that crazy to think that people are doing this," says Owen Taylor, the urban livestock coordinator at Just Food, which operates the New York Chicken Project. "Most of the world keeps chickens, and they've been doing so for thousands of years."

Historically, he's right. During the first and second world wars, the government even encouraged urban farming by way of backyard "Victory Gardens" in an effort to lessen the pressure on the public food supply. (Until 1859, there were 50,000 hogs living in Manhattan, according to Blecha.) "It's really only been over the last 50 years or so that we've gotten the idea that modernity and success and urban spaces don't involve these productive animals," Blecha says.

There are a host of reasons for the growing trend. "Locavores" hope to avoid the carbon emissions and energy consumption that come with transporting food. Chicken owners and poultry experts say eggs from backyard chickens are tastier and can be more nutritious, with higher levels of supplements like omega-3 fatty acids. Their production cost is cheap: you can buy chickens for as little as a couple of dollars, and three hens will likely average about two eggs a day. You can also use their waste to help revitalize a garden. "There've been recalls on everything from beef to spinach, and I think people want to have peace of mind knowing their food is coming from a very trusted source," says LaBadie. "As gas prices go up, and people realize how food is connected to oil and transportation, they are bound to realize they can get a higher quality product cheaper if they get it locally."

Keeping a chicken is relatively easy, too—assuming you don't get too attached. (That's a talk Mackin says she had with her kids early: these chickens aren't pets.) They'll eat virtually anything—"pork products, string cheese, even Chinese takeout," she laughs—and they feed on bugs and pests that can ruin a garden. They can withstand harsh weather conditions. (In one oft-told tale, a Maine woman lost her chicken in a blizzard and found it, a day later, frozen solid with its feet stuck straight in the air. She thawed it and administered CPR. The chicken made a full recovery.) And much like New Yorkers, not much bothers chickens grown in urban environments. "[Those] raised in a really controlled environment like factory farms are very fragile, both physically and emotionally," says Blecha, who lives in St. Paul, Minn., with her

partner and six chickens. "My chickens, I mow the lawn a foot away from them and they don't even look up from their pecking."

But even urban chickens, who can live more than five years, can die easily: from predators like dogs or possums, catching a cold or sometimes for no apparent reason at all. Once, one of Mackin's chicks got stuck in a glue trap. She drowned it, to put it out of its misery. "That was really sad," she says. (Mackin doesn't name her chickens, for that very reason.)

But the overall experience seems to be positive for everyone. "We have people calling weekly to say, 'This is really cool'," says Patrick Comfort, a spokesman for Madison's animal-services department, where the chicken ban was reversed in 2004. "Chicken people love it, the neighbors don't care, we have no complaints." Minneapolis enthusiast Albert Bourgeois sums up the appeal. "Chickens are really fun pets," he says. His flock is named Chency, Condi, Dragon, Fannie and Freddie. The next one, he says, will be Obama.

APPENDIX 10

COLUMBIA MISSOURI HEN ORDINANCE (USED AS BASIS FOR KENT MODIFICATIONS)

ARTICLE V. CHICKENS

Sec. 5-91. Number and type of chickens allowed.

(a) The maximum number of chickens allowed is six (6) per tract of land regardless of how many dwelling units are on the tract.

(b) Only female chickens are allowed. There is no restriction on chicken species.

(Ord. No. 20549, § 1, 2-1-10)

Sec. 5-92. Noncommercial use only.

It shall be unlawful to engage in chicken breeding or fertilizer production for commercial purposes.

(Ord. No. 20549, § 1, 2-1-10)

Sec. 5-93. Enclosures.

(a) Chickens must be kept in an enclosure or fenced area at all times. Chickens shall be secured within a henhouse or chicken tractor during non-daylight hours.

(b) Enclosures must be kept in a clean, dry, odor-free, neat and sanitary condition at all times.

(c) Henhouses, chicken tractors and chicken pens must provide adequate ventilation and adequate sun and shade and must be impermeable to rodents, wild birds and predators, including dogs and cats.

(d) Henhouses and chicken tractors.

(1) Henhouses and chicken tractors shall be designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to other residents in the neighborhood.

a. A henhouse or chicken tractor shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird proof wire of less than one-inch openings.

b. The materials used in making a henhouse or chicken tractor shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap, waste board, sheet metal, or similar materials is prohibited. Henhouses and chicken tractors shall be well maintained.

(2) Henhouses, chicken tractors and chicken pens shall only be located to the rear of the dwelling or other main structure and may be located in the rear yard required by chapter 29.

(3) Henhouses, chicken tractors and chicken pens must be located at least ten (10) feet from the property line and at least twenty-five (25) feet from any adjacent residential dwelling, church, school or place of business.

(e) Any enclosed chicken pen shall consist of sturdy wire or wooden fencing. The pen must be covered with wire, aviary netting, or solid roofing.

(Ord. No. 20549, § 1, 2-1-10)

Sec. 5-94. Odor and noise impacts.

(a) Odors from chickens, chicken manure or other chicken related substances shall not be perceptible at the property boundaries.

(b) Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity.

(Ord. No. 20549, § 1, 2-1-10)

Sec. 5-95. Predators, rodents, insects and parasites.

The chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by an animal control officer. (Ord. No. 20549, § 1, 2-1-10)

Sec. 5-96. Feed and water.

Chickens shall be provided with access to feed and clean water at all times. The feed and water shall be unavailable to rodents, wild birds and predators. (Ord. No. 20549, § 1, 2-1-10)

Sec. 5-97. Waste storage and removal.

The chicken owner must provide for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than three (3) cubic feet of manure shall be stored. All other manure not used for composting or fertilizing shall be removed. The henhouse, chicken tractor, chicken pen and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

(Ord. No. 20549, § 1, 2-1-10)

Sec. 5-98. Chickens at large.

No dog or cat which kills a chicken will, for that reason alone, be considered a dangerous or aggressive animal.

(Ord. No. 20549, § 1, 2-1-10)

Sec. 5-99. Unlawful acts.

(a) It shall be unlawful for any person to keep chickens in violation of any provision of this article.

(b) It shall be unlawful for any owner, renter or leaseholder of property to allow chickens to be kept on the property in violation of the provisions of this article.

(Ord. No. 20549, § 1, 2-1-10)

Sec. 5-100. Nuisances.

Any violation of this article that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is a nuisance and may be abated under the general nuisance abatement provisions of chapter 11.

(Ord. No. 20549, § 1, 2-1-10)

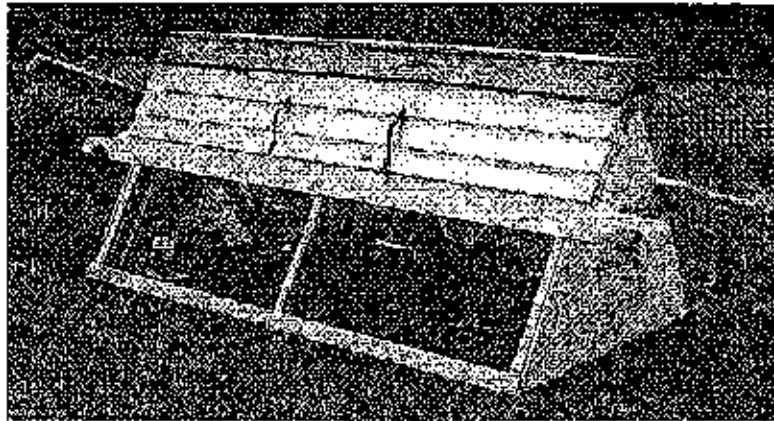
Sec. 5-101. Continuing violations.

Each day that a violation of this article continues is a separate offense.

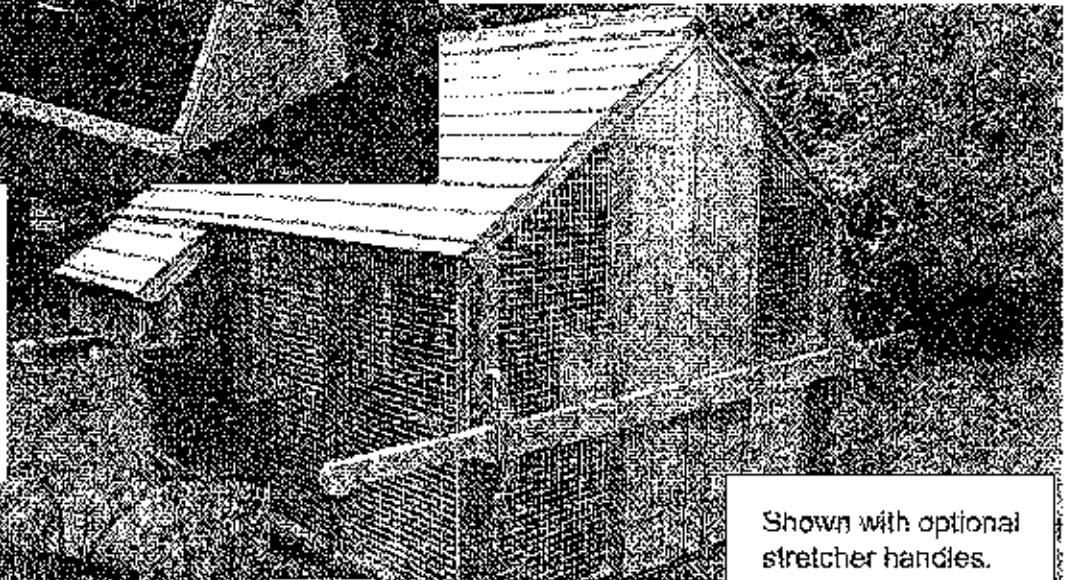
(Ord. No. 20549, § 1, 2-1-10)

APPENDIX 11

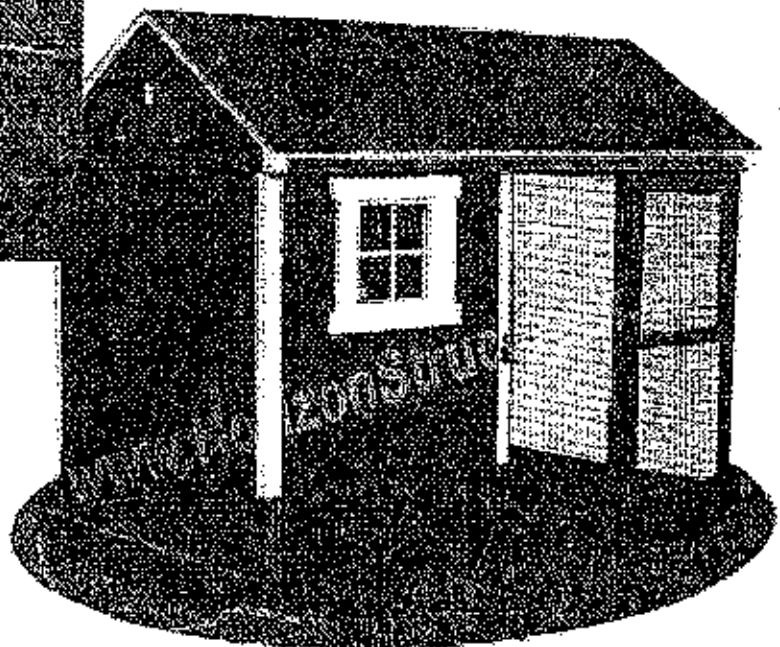
SAMPLE COOP DESIGNS



Catabwa Tractor



Shown with optional stretcher handles.



APPENDIX 12

CHICKEN WASTE

FROM URBAN CHICKEN NETWORK BLOG Thursday, February 5, 2009

what to do with urban chicken poop?

I was having a conversation with someone who's looking to convince their city council to allow urban chickens, and she said one of the council's concerns was the phosphorous runoff from all these incoming urban chickens.

Yes, it would be easy to dismiss these concerns as folly (popycock?), but to do so won't help get urban chicken ordinances passed. While we've got our own two hens in the back yard, I don't want to be measuring and weighing every piece of excrement that drops out their backside (we simply put it all in the compost bin).

So I did a little research to see just how much poop a chicken produces and what effect it has on the environment.

How much poop per chicken?

The [University of Missouri Extension](#) reports six commercial laying hens will generate approx 11 pounds of manure every week (1.5 gallons). The [Fisheries and Aquatics Department](#) cites 40g of excretia per chicken per day (that's 1.4 oz/day or 9oz/week which means six hens would put out 54 ounces in a week or just over 4 pounds).

For the sake of argument, let's go with the Mizzou stats of 11 pounds from six chickens each week. If the average urban chicken flock is 3 hens, we can cut that total in half to 5.5 pounds per week.

This seems to be the perfect amount for composting or including with the regular waste disposal at the curb or what have you (I dare say this quantity is comparable to what a cat owner puts into their trash each week?).

So, thoughts of being over-run by chicken poop seem a bit fantastical.

What about phosphorous run-off?

But let's go back to our six chicken flock and look at the phosphorus run-off concerns (a real concern when considering industrial chicken farming).

According to [PoultryOne.com website](#), the average percentages (per total weight) of chicken manure is as follows: 1.8 nitrogen, 1.5 phosphate, and 0.8 for potash.

So, we've got six chickens producing 2.5 OUNCES of phosphate each week which makes ~8 pounds (2.5 x 52 weeks/ 16 oz per pound) of phosphate PER YEAR. Even if dumped directly into the nearest pond/lake, you're looking at miniscule changes to the phosphorous content of a lake for six birds.

If every household in medium-sized city (20,000 households) owned six birds each, you're still looking at a little over 160,000 pounds of phosphorous spread out across an **entire city**. Compare this to the industrial chicken industry practice of housing 150,000 birds in a single 500-ft long chicken house (that's 200,000 pounds of phosphorous from one chicken house), and you see it's an apples-to-oranges comparison regarding the concentration/disposal of the poop.

No wonder the industrial chicken houses stink to high heaven!

Mind you, all this build up of phosphorous in the urban chicken poop assumes there's no collection/composting/etc **AT ALL** from the backyard chicken coop (which I hope would signal neighbors to call animal control for cruelty charges to the owners). But that's another post entirely.

How much urban chicken poop are you dealing with and what do you do with it? Composting like me? setting it at the curb each week? throwing it under the shrubs? Please share!

Composting Chicken Manure

handout written by Judith Duncan, WSU King County Extension Livestock Advisor
Printed in Seattle Tilth

Chickens Produce Eggs and Manure. Your chicken produces an egg every 24 hours and it is wonderful to have your own home-produced fresh eggs. Your average size hen also produces 1 cubic foot of manure every six months. What are you doing with this? Manure simply can't continue to accumulate in your coop. It stinks, attracts rodents and flies, and the ammonia is not healthy for your chickens to breath.

Benefits of Chicken Manure. Don't despair; manure can be one of the greatest assets for a home gardener! Although chicken manure is too strong to be used raw on your flowers or vegetables, it can be composted and converted to "black gold". If used without composting it could damage roots and possibly kill your plants, however, once it is composted chicken manure is:

- A good soil amendment; chicken manure adds organic matter and increases the water holding capacity and beneficial biota in soil.
- A good fertilizer; chicken manure provides Nitrogen, Phosphorus and Potassium to you plants (more than horse, cow or steer manure).

Composting Chicken Manure. If you are not familiar with composting and need to learn how, contact the Seattle Tilth Garden Hotline at 206-633-0224. Hotline staff will provide you with information about the components of composting: Carbon (*browns* - your coop bedding), Nitrogen (*greens* - your chicken manure), air, moisture, volume, and temperature. Here are some recommendations to get you started using chicken manure in your compost pile:

- **Collect manure and bedding.** Chicken owners normally use bedding such as shavings, sawdust, dry leaves, or straw to provide a dry cushion for chickens and to control odor and

pests. The coop bedding can be collected with the manure and dumped into a composting bin. Some owners prefer to pick manure and soiled bedding out of the coop on a daily basis; others will add new bedding over droppings and collect on a less frequent basis.

- **Carbon to Nitrogen balance.** A combination of 30 parts Carbon to 1 part Nitrogen creates the ideal environment for microbes to break down organic material to produce compost. When combining coop bedding and chicken manure how do you achieve the ideal C: N ratio? Since the different beddings have their own C: N ratio, the proportion of bedding to manure will vary depending on the type of bedding used. To keep things simple most composters follow the general rule of 1 part brown to 2 parts green. However, because chicken manure is so high in Nitrogen you may be more successful using a 1:1 or even a 2:1 mixture.

- **Use a “hot compost” recipe.** By combining the correct ratio of bedding and manure at one time to form a pile, approximately one cubic yard, then adding moisture (material should be about as wet as a well wrung sponge), will produce a hot pile. It is recommended that the compost pile heat to 130-150 degrees F and maintain that temperature for 3 days. Heating is necessary to destroy pathogens but temperatures above 160 degrees F can kill beneficial microorganisms and slow the process. To help you achieve appropriate temperature you can purchase a compost temperature gauge from a local nursery.

- **Repeat the heating process.** Once the center of your compost pile has reached the required temperature for three days it will start to cool. After it cools, pull the center apart and move the core material to the edges and bring the edge material into the center to heat. For 1 cubic yard of material repeat the process of bringing edges into the core at least 3 times.

- **Let it cure.** Monitor the pile and once you are satisfied that the entire contents of your bin has been heated, loosely cover and let cure for 45-60 days before using. It's ready when most material is dark, crumbly and sweet-smelling like soil.

- **Add to garden.** You can add the resulting compost to your vegetable garden or flower bed by spreading it on the surface or by gently working it into existing soil.

- **Composting challenges.** Does your compost pile stink, never decompose, or attract pests? Get advice from the [Seattle Tilth Garden Hotline](#) at 206-633-0224.

Compost Bin. Your bin should be at least 1 cubic yard in size (3x3x3 feet). If possible, we recommend that you use a 2-bin compost system. One bin will be in the hot compost phase and the other will be in the curing phase. You may also need a storage site for the carbon materials you collect. This can be a 3rd bin or it can just be a pile of leaves or bags of shavings stored in a dry area. If you want to add grass clippings or weeds to your bin, you will also need a storage site for this material. The [Seattle Tilth](#) or [WSU](#) websites listed below under **Resources** provide plans for building a backyard compost bin.

Manure Safety Tips. Fresh chicken manure may contain disease organisms that could contaminate root crops (carrots, radishes, beets) and leaves (lettuce, spinach), so DO NOT spread uncomposted manure on the soil in your vegetable garden. The following “Safety Tips” are summarized from the Stewardship Gardening Program provided by Washington State University:

- Apply only aged or composted manure to your soil.
- Always wear gloves when handling livestock manure.
- Thoroughly wash raw vegetables before eating.
- Do not use cat, dog or pig manure in compost piles.
- People who are susceptible to food borne illnesses should avoid eating uncooked vegetables from manured gardens. Those who face risks from food borne illness include pregnant women, very young children, and persons with cancer, kidney failure, liver disease, diabetes or AIDS.

Resources

-- *Composting Livestock Manure, Using Composted Manure Safely in the Garden.* WSU Cooperative Extension. <http://gardening.wsu.edu/stewardship/compost/manure/manure2.htm>.

-- *Strategies for Livestock Manure Management.* WSU Cooperative Extension. King County, Agriculture and Natural Resources. Fact Sheet #539.

Compiled by Judy Duncan, WSU Cooperative Extension, King County Master Gardener and Cooperative Extension Livestock Advisor. Fall, 2005.