

HEN-DEPENDENCE DAY: MISSOURI LAW LETS HOMEOWNERS KEEP CHICKENS, HOA OR NOT

Posted on July 18, 2024 by Zachary R. McMichael



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On July 9, 2024, Governor Parsons signed HB 2062, which overrules homeowners' association ("HOA") restrictions on the ownership or pasturing of chickens. Codified at R.S.Mo. § 442.404.5(1) & (2), this new law becomes effective on August 28, 2024. Here is what the new law states:

5. (1) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting ownership or pasturing of up to six chickens on a lot that is two-tenths of an acre or larger, including prohibitions against a single chicken coop designed to accommodate up to six chickens.

(2) A homeowners' association may adopt reasonable rules, subject to applicable statutes or ordinances, regarding ownership or pasturing of chickens, including a prohibition or restriction on ownership or pasturing of roosters.

The law supersedes common HOA rules against the keeping of livestock in respect to chickens and

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requires an HOA to allow owners to keep up six chickens on lots that are at least two-tenths (.20) of an acre. The law does not overrule local ordinances regarding the keeping of chickens and allows HOAs to adopt reasonable rules regarding the keeping of chickens, such as a prohibition on roosters. Many municipalities in Missouri have ordinances regulating the keeping of chickens, but many of them do not regulate the architectural design of chicken coops. Further, some, such as Wentzville, allow the keeping of up to eight chickens in some circumstances. In municipalities without regulations, and without further action from the HOA, an owner would be allowed to keep an unlimited number of chickens, including roosters.

HOAs with a general prohibition on the keeping of livestock should consider an amendment to its declaration or rules and regulations to regulate the number of chickens, whether roosters are allowed, and how the chickens are kept.

Need guidance on how this affects your HOA? Contact attorney [Zachary R. McMichael](#).

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