

ORDINANCE NO. 14-10

ROLL CALL

VOTING	YES	NO
MAYOR G. WAYNE ANDERSEN <i>(votes only in case of tie)</i>		
ROD DART <i>Council member</i>	X	
RICHARD M. DAVIS <i>Council member</i>	X	
STEVE LEIFSON <i>Council member</i>	absent	
JENS P. NIELSON <i>Council member</i>	X	
KEIR A. SCUBES <i>Council member</i>	X	

I MOVE this ordinance be adopted: Councilman Dart
I SECOND the foregoing motion: Councilman Nielson

ORDINANCE No. 14-10

AN ORDINANCE AMENDING THE RIGHT TO KEEP CHICKENS

WHEREAS, Spanish Fork City has adopted an ordinance allowing chickens, with certain restrictions, to be kept in residential zones; and

WHEREAS, the ordinance does not require permits to keep chickens in residential zones; and

WHEREAS, since the ordinance was enacted, the animal control officer has dealt with chickens on a frequent basis and feels that requiring a permit would lessen the issues and violations concerning chickens; and

WHEREAS, experience with the ordinance further indicates that regulations concerning enclosures should be clarified in order to treat chickens similar to other domestic animals and better protect chickens from their predators, including domestic dogs and cats; and

WHEREAS, experience with the ordinance further indicates that the required coops are similar to other structures used to house domestic animals and should be treated similarly;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

I.

Spanish Fork City Municipal Code §6.20.020(D) is hereby amended, a new subsection (E) is hereby created, and subsections (E) and (F) are renumbered as subsection (F) and (G) as follows:

6.20.020. Coops and Enclosures Required.

To keep chickens, an enclosure, including a coop, is required, in accordance with the regulations established in this section.

(A) [unchanged]

(B) [unchanged]

(C) [unchanged]

(D) The coop shall be structurally sound and located in a rear yard at least twenty-five feet from any neighboring residential structures and at least six feet from the primary residential structure on the property. The coop shall meet the minimum setback requirements for accessory structures within the zoning district. The coop and enclosure shall be hidden from the public view through the use of opaque fencing materials or vegetative screening. Because a corner lot technically does not include a rear yard, the owner of a corner lot may choose one of the "side" yards to function as a rear yard for the purposes of keeping chickens and locating the coop.

(E) The rear yard of the residence may act as the enclosure if it is fully fenced by a sight obstructing fence at least six feet in height and anchored on the bottom to prevent chickens from getting out or potential predators from getting in through or under the fence. If the rear yard is not used as an enclosure, the enclosure must be attached to the

coop, which may act as one side of the enclosure, and shall be constructed on the other sides and top with mesh wire or other similar materials and in such a manner that the chickens cannot get out, nor potential predators get in. Such an enclosure shall contain a minimum of three square feet per bird.

(F) Former subsection E.

(G) Former subsection F.

II.

Spanish Fork City Municipal Code §6.20.035 is hereby created as follows:

6.20.035. Permit Required.

A permit to keep chickens in residential zones pursuant to the terms of this ordinance is required. A person desiring to have chickens shall obtain a permit for the location where the chickens are to be kept. Permits may be obtained from the animal control officer. A permit application shall be accompanied by a drawing showing where, at the desired location, chickens will be kept. The price of the permit shall be established by resolution of the City Council, or in the annual budget.

III.

The initial cost of a permit to keep chickens, until changed by action of the City Council, is fifteen dollars (\$15.00) per year.

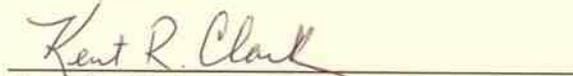
IV.

This Ordinance shall take effect 20 days after passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH, this 20th day of July, 2010.


G. WAYNE ANDERSEN, Mayor

Attest:


Kent R. Clark, City Recorder

