

CHAPTER 6.08 - FOWL, POULTRY – ANIMALS

Sections:

- 6.08.010 Keeping Prohibited.
- 6.08.020 Exceptions.
- 6.08.030 Animals--Owner Guilty of a Misdemeanor When.

6.08.010 Keeping Prohibited.

It is unlawful for any person to keep fowl; swine (to include "pot-bellied pigs"); rabbits (for commercial purposes); snakes or lizards deemed to be dangerous to humans within the corporate limits of the city. Livestock in the form of sheep, goats, llamas, cattle and/or horses may be kept in numbers and on parcels of land deemed adequate for the purpose and if approved by the governing body. Section 6.08.010 shall not be construed to prohibit the keeping of small (less than three feet in length) snakes which are deemed to be harmless to humans; small (less than one-and-one-half feet in length) lizards which are deemed to be harmless to humans; caged rodents; exotic caged birds such as parakeets, parrots, doves, finches and the like. Residents keeping more than three of any combination of these types of animals shall obtain approval for said keeping from the governing body.

6.08.020 Exceptions.

Section 1. EXCEPTION TO PROHIBITION TO KEEP FOWL IN THE CITY:

Within any of the residential zoning districts of the City, which are located in the City limits, it shall be unlawful to use the land for the keeping of any poultry or livestock, **except chickens** (hens only) may be kept in the back yard of a residence.

No more than eight(8) chickens may be kept within in the City boundaries without the approval City Council. Any persons desiring to keep chickens on real property inside the City limits, regardless of the ownership of the real property where such chickens shall be kept or the ownership of the chickens themselves, must first file an application with a fee, which is set by the City Council, with the City Clerk. A description of the pen or cage and the sanitation considerations shall also be included. Community activities such as fairs, rodeos, practice event and similar functions are also excluded when held at the Butte County Fairgrounds or the recognized rodeo area. No such chicken shall create any noise, smell or other circumstance, which disturbs the tranquility and peace of any person outside of the owners' premises, such as at nighttime, during school or church functions, near hospitals or rest homes and under similar circumstances.

Section 2. COOP, PEN OR CAGE RESTRICTIONS:

Pens, cages, coops, henhouses or other structures shall be for all chickens kept within the city and shall be designed to provide safe and healthy living conditions for the chickens while minimizing the adverse impacts to city residents. All cages, pens, coops, henhouses or other structures shall be enclosed on all sides and have a roof and doors. All access doors must be able to shut and secured at night. Windows and vents must be covered with a predator proof and bird proof wire containing less than one-inch openings. No such pen, cage, coop, or henhouse or other such structure shall be located closer than ten(10') feet the nearest property line. Such structures shall be places inly between the main foundation

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line of the main building or home and the rear property boundary, otherwise known as the backyard and shall not be located in the front of a home or building facing a public city street.

NOTWITHSTANDING the forgoing, the keeping of not more than eight (8) domestic chickens are permitted within the rear of the yard of single family dwelling in a residential zone provided the following requirements are observed: (1) Eggs produced by such hens shall not be sold for pecuniary gain or profit. (2) Such hens shall not be slaughtered on the premises or raised for slaughter or pecuniary gain or profit. In the case of a corner lot where the building fronts on a side street, the rear yard may be established from the rear of the house to the side property line.

Section 3. FEE REQUIREMENT:

The fee for a permit to keep chickens shall be set by the City Council by resolution. The fee may be waived by the Council when the keeping chickens is for educational purposes such as 4-H, FFA, or other similar purposes. The educational nature of the keeping fowl must be described in the letter requesting the permit.

Section 4. DISPOSAL OF DEAD FOWL AND MANURE:

It is unlawful for any person to permit to allow and such animals to trespass in the property of another, ally or public play grounds of the city. If a chicken dies you must dispose of its carcass within 10 hours. They cannot be disposed in the city trash can. They cannot be buried within the closely inhabited portion of the city. No slaughtering within the city limits. Provisions must be made for the storage and removal of the chickens manure.

Section 5. ENFORCEMENT:

The City has the discretion to revoke the permit and remove all chickens kept if any of the provisions of this Ordinance has been violated. By obtaining a permit to keep fowl , or by a property owner consenting to a permit being obtained, the person(s) or entities issued a permit or the owner of such property having consented to the occupants of the property to obtain a permit on the premises where the chickens are being kept agrees and consents to random inspections by the City or law enforcement of the places and structures chickens are being kept.

A first offense of any provision of this ordinance shall constitute an infraction and violators shall be subject to a fine of fifty dollars (\$50.00). Any subsequent offences within a one-year period shall constitute a misdemeanor and violators may be punished by a fine not exceeding \$300.00 or jail not exceeding 180 days, or both.

Section 6. SEVERABILITY:

If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby.

(Ord. 2016-B §§1-6, 2016)

6.08.030 Animals--Owner Guilty of a Misdemeanor When.

Any person who keeps any animal in conflict with chapter 6.08 shall be guilty of a misdemeanor.