

ORDINANCE NO. 16-3

An Ordinance Amending Chapters 11 & 17 of the Roy City zoning ordinance by establishing Section 1111 – Supplementary Regulations Allowing for the Keeping of Chickens (Hens) and Rabbits in the Single-Family Residential Zones and Amending Section 1701 – Table of Uses

WHEREAS, the Roy City Council finds that it is advisable and beneficial to add to Chapter 11, Section 111 - Supplementary Regulations Allowing for the Keeping of Chickens (Hens) and Rabbits in the Single-Family Residential Zones; as well as amending Table 17-1 to include a “USE” of Limited Domestic Livestock and Fowl; and

WHEREAS, the Roy City Council finds that additional regulation of the Keeping of Chickens (Hens) and Rabbits will be of benefit and use in enhancing and increasing long-term viability of development within the Single-Family Residential areas which is important to the City; and

WHEREAS, the Roy City Planning Commission held several public meetings to discuss the issue and held a public hearing as required by law and has favorably recommended an amendment to the City Council; and

WHEREAS, the Roy City Council has received and reviewed the recommendation of the Planning Commission, finding it to be consistent with the goals and policies of the Roy City Zoning Ordinance and General Plan, and has reviewed and considered the same in a public meeting and also holding a public hearing.

NOW, THEREFORE, Be it hereby ordained by the City Council of Roy City, Utah, that Chapter 11, Section 1111 and Table 17-1 read as follows:

Add

Section 1111 — Supplementary Regulations Allowing for the Keeping of Chickens (Hens) and Rabbits in the Single-Family Residential Zones

The purpose of this section is to provide supplementary regulations for the keeping of Chickens/Rabbits in the single family zoning districts of the city. It shall be unlawful to keep Chickens/Rabbits in the R-1-6, R-1-7, R-1-8, R-1-10 and R-1-15 zones except as provided in this section.

- A. Allowance- All single-family residential properties in the R-1-6, R-1-7, R-1-8, R-1-10 and R-1-15 zones that have a minimum of 8,000 square feet on their property, shall be allowed to have up to six (6) Chickens (excluding roosters and crowing hens), or six (6) rabbits, or a combination of Chickens or Rabbits not to exceed six (6). This would exclude dependent young.
- B. Permit required- A city permit is required for the keeping of any animal or animals under this section. Permits may only be issued to the property owner of record.
 - a) Fee. The permit fee shall be set forth in the adopted Fee Schedule of the City.
 - b) Renewal. All permits issued under this section are subject to annual inspection and renewal.
 - c) Inspection. Inspections related to a permit issued under this section must be permitted as deemed necessary by the City.
 - d) Revocation. A permit may be revoked by the City for any violation of this section at any time.
 - e) Transfer of Permits. Permits under this section are issued to property owners of specific lots and may not be transferred or assigned to other persons or properties when ownership or residency changes.
 - f) Notice to Adjacent Neighbors. Upon receiving an application under this section, the Zoning Administrator shall cause notice of the application to be sent by mail to all owners of property

- immediately adjacent to the subject property.
- g) Site Plan. An application for a permit under this section must be accompanied by a site plan indicating the lot, the primary residence, and the proposed placement of the structures in compliance with the requirements of this section.
 - h) Zoning Administrator. The Zoning Administrator or his or her designee shall be responsible for the review of applications, issuance or denial of permits, inspections, renewals, investigation of complaints, and revocation of permits when necessary.
- 3) Regulations for the keeping of Chickens and Rabbits –
- a) Chickens: The issuance of a permit for the keeping of non-crowing, egg-laying Hens under this section shall be predicated upon compliance with the following.
 - a. Roosters. Roosters and crowing hens of all kinds are prohibited
 - b. Personal Use Only. The keeping of hens is intended only for pleasure or family food production (eggs/meat). No sale of any kind is permitted.
 - c. Enclosure Standards. All animals must be contained within an enclosure at all times. Such an enclosure shall be entirely within the rear yard. No enclosures will be permitted in the front or side yards.
 - b) Rabbits: The issuance of a permit for the keeping of Rabbits under this section shall be predicated upon compliance with the following.
 - a. Personal Use Only. The keeping of rabbits is intended only for pleasure or family food production (meat). No sale of any kind is permitted.
 - b. Enclosure Standards. All animals must be contained within an enclosure at all times. Such an enclosure shall be entirely with the rear yard. No enclosures will be permitted in the front or side yards.

TABLE II-I – GENERAL STANDARDS

		Chickens	Rabbits
1.	Enclosures (Coop/Hutch)	All animals kept under this section shall be housed within a covered, predator proof and well ventilated coop. Must provide a minimum of two (2) square feet per animal, with a maximum of twelve (12) square feet of floor area per chicken to allow for free movement inside the coop. No coop or hutch may exceed seven (7) feet in height. Enclosures shall have solid walls on all sides, except for opening for access, must have a solid roof, and built to prevent intrusion, including burrowing of all types of rodents, vermin, and predatory animals.	All animals kept under this section shall be housed within a covered, predator proof and well ventilated hutch. The hutch must have a ½" X ½" OR ½" X 1" galvanized wire mesh bottom to allow droppings to fall through. Enclosures need to protect the animals from the sun, wind, rain and extreme hot & cold temperatures. Must provide a minimum of two & one quarter (2.25) square feet per animal with a maximum of nine (9) square feet. Do not put Rabbits together after they are 3 months of age.
	(Runs)	Required, attached to the Coop with a, maximum size of 150 square-feet	Rabbits are not allowed to be out of their enclosures.
2.	Location	All structures provided under this section shall be located a minimum of twenty-five (25) feet from any dwelling on an adjacent lot, six (6) feet from any property line and six (6) feet from any dwelling on the same lot.	
3.	Maintenance	All Enclosures shall be cleaned and maintained as necessary to prevent detectable odor at the property line. All enclosures must be maintained in good repair.	
4.	Fencing	Chickens are not allowed to roam. There must be a six (6) foot fence surrounding the rear yard.	Rabbits are not allowed to roam. There must be a six (6) foot fence surrounding the rear yard.
5.	Feed	Feed for animals kept under this section must be stored and dispensed in rodent proof, predator-proof containers.	
6.	Wastewater	Wastewater from the use of the animals or related to the maintenance of the structure shall be retained or disposed of entirely on the property.	
7.	Disposal of Animals	Disposal of Animals should be taken care of in a general sanitary manner.	

Section 1701 – Table of Uses

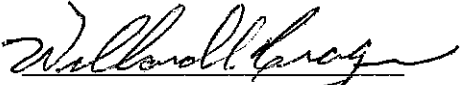
Table 17-1

USE	RE-20	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
Limited Domestic Livestock and Fowl. Allowing the keeping of Chickens (Hens), Rabbits and Bees. Refer to Sections 1111 and 1112 for Regulations for the keeping of these animals.	X	P	P	P	P	P	X	X	X	X

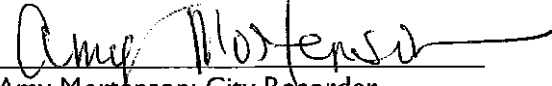
This Ordinance has been approved by the following vote of the Roy City Council:

	AYE	NAY	ABSTAIN
Councilman Becraft	<u> X </u>	<u> </u>	<u> </u>
Councilman Dandoy	<u> X </u>	<u> </u>	<u> </u>
Councilman Hilton	<u> X </u>	<u> </u>	<u> </u>
Councilman Tafoya	<u> </u>	<u> X </u>	<u> </u>
Councilman Yeoman	<u> X </u>	<u> </u>	<u> </u>

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this 7th day of June, 2016.


 Willard S. Cragg; Mayor

Attested and Recorded:


 Amy Mortenson; City Recorder