

ORDINANCE NO. 24-08

AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, ALLOWING AND REGULATING THE KEEPING OF CHICKENS IN THE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

SECTION I - RECITALS

WHEREAS, the City of SOUTH OGDEN City ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, in conformance with Utah Code ("UC") §10-3-717, the governing body of the city may exercise all administrative powers by resolution; and,

WHEREAS, in conformance with UC §10-3-702, the governing body of the city may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by State law or any other provision of law; and,

WHEREAS, in conformance with the provisions of UCA §10-9a-501 the governing body of the city may enact a zoning ordinance establishing regulations for land use and development within the city; and,

WHEREAS, the City Council requested that the Planning Commission review and recommend a policy on whether or not to allow the keeping of chickens in South Ogden City; and,

WHEREAS, the Planning Commission heard the opinions of the residents of South Ogden City, studied the issues, and have now forwarded a positive recommendation to allow the keeping of chickens in the City; and

WHEREAS, the Planning Commission has also provided regulations for the keeping of chickens in the City; and,

WHEREAS, the City Council, in order to further the recommendation of the Planning Commission, now wishes to pass an ordinance to allow and regulate the keeping of chickens in South Ogden City;

NOW THEREFORE, BE IT ORDAINED by the City Council of South Ogden City that the City Code be amended.

SECTION II – CITY CODE AMENDED

Upon the adoption of this Ordinance, the various titles set out in “Attachment A”, are amended and adopted.

Be It Also Ordained, that the Foregoing Recitals are Incorporated Herein.

SECTION III - PRIOR ORDINANCES AND RESOLUTIONS:

The body and substance of any prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

SECTION IV - REPEALER OF CONFLICTING ENACTMENTS:

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part repealed.

SECTION V - SAVINGS CLAUSE:

If any provision of this Ordinance shall be held or deemed or shall be invalid, inoperative or unenforceable such reason shall not render any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Ordinance being deemed the separate independent and severable act of the City Council of South Ogden City.

SECTION VI - DATE OF EFFECT

This Ordinance shall be effective on the 20th day of August, 2024, and after publication or posting as required by law.

DATED this 20th day of August, 2024

SOUTH OGDEN CITY, a municipal corporation

by: _____
Russell Porter, Mayor

Attested and recorded

Leesa Kapetanov, MMC
City Recorder

ATTACHMENT "A"

ORDINANCE NO. 24-08

An Ordinance Of South Ogden City, Utah, Allowing And Regulating The Keeping Of Chickens In The City; And Establishing An Effective Date.

20 Aug 24

4-1-2: Specific Nuisances

A. Animals Prohibited In The City: It shall be unlawful for any person to keep in the city:

1. Fowl, including ~~chickens~~, turkeys, ducks, geese, or pigeons;

~~1.~~a. Exception: Chickens are allowed in accordance with 10-14-24 of this code.

2. Hogs or pigs;
3. Goats;
4. Sheep;
5. Horses; and
6. Cows.

10-14-6: Animals And Fowl

No area in the city is zoned for the keeping of farm animals or fowl. This includes, but is not limited to, ~~chickens~~, turkeys, ducks, geese, pigeons, hogs, pigs, goats, sheep, horses, and cows.

Exception: Chickens are allowed in accordance with 10-14-24 of this code.

Cats and dogs are allowed, but are restricted to two (2) dogs and/or three (3) cats per residence. Refer to subsection 5-1-13G of this code. (Ord. 17-23, 11-21-2017, eff. 11-21-2017; amd. Ord. 20-18, 7-7-2020)

10-14-24: Keeping Chickens in Residential Neighborhoods

The purpose of this section is to provide reasonable regulations for keeping chickens in residential areas of the city. Chickens (hens only, no roosters) may be kept on a lot of a single-family residence for the sole purpose of producing eggs according to the requirements that follow:

A. Lot Size: The maximum number of hens permitted is a function of the total residential lot size as indicated in the following chart:

<u>Lot Size</u>	<u>Maximum Number of Chickens</u>
<u>4,000 to 6,000 square feet</u>	<u>Two (2)</u>
<u>6,001 – 10,000 square feet</u>	<u>Four (4)</u>
<u>10,0001– 12,000 square feet</u>	<u>Six (6)</u>
<u>12,000+ square feet</u>	<u>Eight (8)</u>

B. Coops and Runs: Chickens are required to be kept in a coop and when outside of the coop they shall be confined to a run. The coop shall be a completely enclosed structure for housing, containing, and protecting the hens. The run shall be attached to the coop structure and enclosed on all sides including the top, allowing the hens to move around outside the chicken coop. Residential chickens are not permitted to roam freely outside of the coop or run.

1. The combined coop and run structure shall have a minimum floor size of four (4) square feet per chicken, shall not exceed a footprint of one hundred twenty (120) square feet, and shall not exceed an exterior height greater than seven feet (7'). The structure must be enclosed on all sides and secured with a rodent-proof ceiling and floor. The coop and run shall have adequate ventilation with access to light and air on more than one side.

2. Neither the coop nor run shall be constructed of scrap or dilapidated materials nor use tarps or other non-rigid materials for shading or roofing. Exterior finish materials for the coop shall be typical residential exterior materials except that openings may be covered in wire mesh or netting rather than glass.

3. Chicken coops are only permitted in fenced rear yards or fenced corner lot side yards. Coops shall be located a minimum of five (5) feet from all property lines, ten (10) feet from dwellings on the property, and twenty-five (25) feet from dwellings on adjacent lots.

C. Chicken feed shall be kept secure from rodents and other wildlife. Feed containers shall be made of rodent-and predator-proof materials. Spillage and leftover feed must be removed daily. Coops and runs are required to be kept clean and maintained to promote chicken health, mitigate odor, and limit the presence of rodents, insects, vermin, pests, and diseases.

D. The keeping of hens is solely for egg production for use at the applicant's residence. Chickens shall not be slaughtered on-site or used for meat. Eggs and/or fertilizer that are produced by the hens are not permitted to be sold.

E. Dead hens and rotting eggs must be removed within 24 hours. Chicken manure must be placed in compost containers or in airtight containers for off-site disposal. No open-air storage of manure or other by-products is permitted on the property.

F. Residents wanting to keep hens must apply for and receive an approved permit.