
SALT LAKE CITY COUNCIL MEMORANDUM

Date: October 13, 2009

Subject: Proposed amendments to Salt Lake City 8.08.010, 8.08.060 and 8.08.080, and enacting section 8.08.065, authorizing the keeping of chickens in residential districts subject to certain requirements.

Affected Council Districts: City-wide

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The intent of the proposed amendments to the Salt Lake City Code relating to the keeping of chickens in residential districts (**see attached draft ordinance**) is to allow chickens under less restrictive conditions in the more typical urban lots (size and shape) found throughout Salt Lake City.

KEY ELEMENTS

The following bullet points compare what is currently included in the regulatory standard of the Salt Lake City Code and what is being proposed in this amendment:

1) Number of birds permitted

- Current code - 25 chickens
- Proposed - hen chickens:
 - at least five thousand (5,000) square feet (.11 acres): up to four (4)
 - seven thousand (7,000) square feet (.16 acres): up to six (6)
 - eight thousand (8,000) square feet (.18 acres): up to eight (8)
 - nine thousand (9,000) square feet (.21 acres): up to ten (10)
 - ten thousand (10,000) square feet (.23 acres) or larger: up to twelve (12)

2) Distance Requirements

- Current Code - It is unlawful to house, keep, run or feed any of the above mentioned animals within fifty feet (50') of any structure used for human habitation.
- Proposed Code- The coop shall be located in a rear yard at least twenty five (25) feet from the owner's dwelling and fifty (50) feet from any other dwelling.

3) Regulation of roosters

- Current code - no specific restriction
- Proposed - no roosters permitted

4) Permits and Fees

- Current code - \$5.00 per animal and not to exceed \$40.00 per year.
- Proposed - same

5) Enclosure requirements-

- Current Code-
 - Coops or buildings where fowls are housed shall be whitewashed or sprayed with some standard disinfectant at least three (3) times yearly, once in each of the months of March, July and October.

- All droppings under roosts shall be cleaned out at least once every two (2) weeks.
- All coops, runways and surroundings shall be kept and maintained in a clean and sanitary condition.
- Proposed Code-
 - Current code requirements regarding cleaning and sanitation stay in place.
 - The enclosed area shall include a covered, ventilated, and predator/rodent-resistant chicken coop.
 - The coop shall have a minimum floor area of at least two (2) square feet per chicken.
 - If chickens are not allowed to roam within an enclosed area outside the coop, the coop shall have a minimum floor area of six (6) square feet per chicken.

POLICY ISSUES - ISSUES FOR COUNCIL CONSIDERATION

The following are common regulatory themes found in chicken ordinances around the country, and are items that the Council may wish to consider further or discuss with respect to the proposed Salt Lake City ordinance. Staff has included select examples of other City ordinances, as well as the proposed SLC Code amendment for each policy/regulatory area for Council discussion. *For a complete table of examples of various chicken ordinances in each of these policy areas, refer to the **attached table**.*

- 1) **Number of birds** - This is a difficult issue to address and depends largely on lot size and controlling for nuisances. The examples range from 2 to 6, with the most common number being 4. Chickens are social animals so more than one is recommended. A chicken will usually lay 1 egg a day. Chickens can lay eggs consistently for three years, after which production slows.
 - Seattle, WA- 3 birds
 - Madison, WI - 4 birds
 - Boise, ID - 3 birds
 - *Proposed SLC Ordinance - 4-12, depending on lot size*
- 2) **Regulation of roosters** - The issue with roosters is their crowing which can occur any time of the day. Roosters are not necessary for the production of eggs and they do not lay themselves. As such, many cities have regulations which do not allow for roosters in residential zones.
 - Albuquerque, NM- Allow one rooster per household (subject to nuisance regulations)
 - Madison, WI - No roosters
 - Austin, TX - Unclear
 - *Proposed SLC Ordinance - no roosters*
- 3) **Property line restrictions** - Cities address this issue in a variety of ways including total lot size, backyard size, distance from dwelling, distance from the neighbor's dwelling, and distance from property lines. There does not appear to be any scientifically validated distance that is more favorable than another. The distances required from property lines can range from 10 to 90 feet, and the distance from residences from 20-50 feet. The policy purpose of distance requirements to keep rodents (which may be attracted to the coop) a certain distance away from dwellings.
 - Seattle, WA - 10 feet from the property line.

- Austin, TX - 50 ft from the neighbor's house.
 - Madison, WI - 25 feet from neighbor's house.
 - ***Proposed SLC Ordinance - 25 feet from owner's dwelling and 50 feet from neighboring dwelling***
- 4) **Permits/permit cost** - Requiring a permit for chickens is very similar to licensing requirements for cats and dogs. Fees may be necessary to cover associated costs for regulating the keeping of chickens. *The Council may wish to note that the proposed SLC fee will not cover all expenses relating to the regulation of chickens.*
- Portland, OR- Onetime fee of \$31.00 and an additional fee of \$4.00 if keeping more than 4 chickens.
 - St. Louis, MO - \$40 for 4 or more chickens
 - Madison, WI- \$6.00 year.
 - ***Proposed SLC Ordinance - \$5 per animal***
- 5) **Enclosure required** - Many cities require that chickens be enclosed to alleviate neighbor concerns and protect the chickens from predators. It is restrictive to require confinement of chickens at all times so some cities include regulations that for allow chickens to roam in their own yard. Enclosures can be required to be predator proof and feed containers rodent proof.
- Boise, ID- Enclosure required.
 - Austin, TX- Unclear
 - Portland, OR - Enclosure required
 - ***Proposed SLC Ordinance - outdoor area must be secured, enclosed (meaning a covered, predator-resistant chicken coop).***
- 6) **Nuisance clause** - Many cities did include a nuisance clause which covered any or many nuisances including noise, smell, public health concerns, attracting flies and rodents, and cleanliness of the coop and disposal of manure.
- Seattle, WA- Yes, included a nuisance regulation.
 - Portland, OR - Yes included a nuisance regulation.
 - Madison, WI- Yes, included a nuisance regulation.
 - ***Proposed SLC Ordinance- yes, includes a nuisance regulation.***
- 7) **Slaughtering of chickens** - Some cities included regulations prohibiting the slaughter of chickens specifically or it is found in other sections of their code in regards to slaughtering any animals. A restriction on slaughtering precludes the keeping of chickens for their meat. The Council may wish to discuss ways to educate the public as to how to properly dispose of older urban chickens who are no longer able to lay eggs.
- Key West, FL - Slaughtering not permitted
 - Madison, WI - Slaughtering not permitted
 - Boise, ID- Unclear
 - ***Proposed SLC Ordinance - prohibits slaughtering***

