
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

Staff Report By: Jennifer Bruno, Gail Meakins

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 - adult hen chickens (defined as 2lbs or greater):
 - ten thousand (10,000) square feet: up to six (6)
 - nine thousand (9,000) square feet: up to five (5)
 - eight thousand (8,000) square feet: up to four (4)
 - seven thousand (7,000) square feet: up to three (3)
 - five thousand (5,000) square feet: up to two (2)

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 - 2-6, 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*

Attachment A

Comparison of Various Chicken Ordinances

City, State	# of Birds Permitted	Roosters Allowed	Permit/Cost	Enclosure Required	Nuisance Clause	Slaughter Permitted	Property Line Restrictions	Other Notes
Albuquerque, NM	15	1 per HH	None	No	Yes	Yes	No	
Austin, TX	unclear	Unclear	Unclear	Unclear	Unclear	Yes	50 ft from neighbors home	
Baltimore, MD	4	Unclear	y	Yes	Yes	Unclear	25 ft from neighbors home	coops must be mobile to prevent waste build-up; minimum 2 sq.ft. per bird
Boise, ID	3	No	Unclear	Yes	Unclear	Unclear	Unclear	
Charlotte, NC	based on lot size	Unclear	\$40/yr	Yes	Yes	Unclear	25 ft from neighbors home	Minimum 4 sq.ft. per bird
Ft. Worth, TX	based on lot size	Unclear	None	Yes	Yes	Unclear	50 ft from neighbors home	12 birds @ less than 1/2 acre; 25 birds @ more than 1/2 acre
Honolulu, HI	2	Unclear	Unclear	Unclear	Unclear	Unclear	Unclear	
Key West, FL	unclear	Yes	None	Yes	Yes	No	No	feed must be stored in rat-proof container
Los Angeles, CA	unclear	only if 100 ft. from neighbors	Unclear	Unclear	Yes	Unclear	20 ft from owners' home 35 ft from neighbors home	
Madison, WI	4	No	\$6/yr	Yes	Yes	No	25 ft from neighbors home	
Memphis, TN	unclear	Unclear	Unclear	Yes	Yes	Yes	Unclear	feed must be stored in rat-proof container
Missoula, MT	6	No	\$15 one time	Yes	Yes	Unclear	20 ft from neighbors home	feed must be stored in rat-proof container
New York, NY	no limit	No	Yes	No	Yes	Unclear	No	
Oakland, CA	unclear	No	Unclear	Unclear	Unclear	Unclear	20 ft from any dwelling	
Portland, OR	3 without permit	Unclear	\$31 one time	Yes	Yes	Unclear	Unclear	
Rogers, AK	4	No	\$5/yr	Yes	Yes	Inside only	25 ft from neighbors home	
San Antonio, TX	depends on property line	Unclear	Unclear	Unclear	Unclear	Unclear	20 ft from any dwelling	5 birds allowed @ 20 ft; 12 birds allowed @ 50 ft; 50 birds @ 150 ft
San Diego, CA	25	Unclear	Unclear	Unclear	Yes	Unclear	50 ft from neighbors home	feed must be stored in rat-proof container
San Francisco, CA	4	Unclear	None	Yes	Yes	Unclear	20 ft from a door or window	
San Jose, CA	depends on property line	only <4 mo. Old	Yes for 6+	Yes	Unclear	Unclear	0-50 ft depending on # of birds	0 birds allowed @ 15 ft; 4 birds allowed @ 20 ft; 25 birds @ 50 ft
Seattle, WA	3	Unclear	Unclear	Unclear	Yes	Unclear	10 ft from property line	1 add'l chicken per 1,000 sq ft of property above minimum
South Portland, ME	6	No	\$25/yr	Yes	Yes	Unclear	Yes	building permit required for coop, on trial period - only 20 permits allowed to be issued
Spokane, WA	1 per 2,000 sq.ft.	Unclear	Unclear	Unclear	Unclear	Unclear	90 ft from property line	Chickens allowed in multi-family zones
St. Louis, MO	4 without permit	Unclear	\$40 for 4+	Unclear	Unclear	Unclear	Unclear	
Topeka, KS	unclear	Unclear	Unclear	Yes	Yes	Unclear	50 ft from neighbors home	

Source: Various; Ft. Collins, Colorado City Council report

1 (LEGISLATIVE COPY)

2 SALT LAKE CITY ORDINANCE

3 No. ____ of 2009

4
5 (Authorizing the Keeping of Chickens in Residential Districts)

6
7 AN ORDINANCE AMENDING SECTIONS 8.08.010, 8.08.060 AND 8.08.080, AND
8 ENACTING SECTION 8.08.065, *SALT LAKE CITY CODE*, TO AUTHORIZE THE KEEPING
9 OF CHICKENS IN RESIDENTIAL DISTRICTS SUBJECT TO CERTAIN REQUIREMENTS.

10 WHEREAS, it is proposed that Sections 8.08.010, 8.08.060, and 8.08.080 of the Salt
11 Lake City Code be amended and that Section 8.08.065 of the Salt Lake City Code be enacted to
12 authorize the keeping of chickens in residential districts, subject to certain requirements, as set
13 forth below;

14 WHEREAS, the City Council of Salt Lake City, Utah, finds the keeping of chickens in
15 residential districts should be authorized, and that adoption of this Ordinance reasonably furthers
16 the health, safety, and general welfare of the citizens of Salt Lake City.

17 NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

18 SECTION 1. **Amending Section 8.08.010.** That Section 8.08.010 of the *Salt Lake City*
19 *Code*, shall be, and hereby is, amended to read as follows:

20 8.08.010: DOMESTIC FOWL AND LIVESTOCK; PERMIT REQUIRED:

21 A. **Except as provided in Subsection B of this section,** ~~It~~ is unlawful for any person to
22 keep within the city any chickens, turkeys, ducks, geese, pigeons or other similar domestic fowl,
23 or more than two (2) rabbits, or other similar animals, without first making application for and
24 obtaining a permit from the office of animal services to do so. The fee for such permit shall be
25 five dollars (\$5.00) per animal, but shall not exceed forty dollars (\$40.00) per year.

26 B. Notwithstanding Subsection A of this section, chickens may be kept in any area zoned
27 as a residential district under Chapter 21A.24 of this code or its successor, subject to the
28 requirements of Section 8.08.065 of this chapter.

29 ~~B~~C. It is unlawful for any person to keep within the city any sheep, goats, cows, calves,
30 pigs, horses, jacks, jennies, or other similar animals, without first making application for and
31 obtaining a permit from the office of animal services to do so. The fee for such permit shall be
32 forty dollars (\$40.00) each year. Such permits shall not be issued for any area of the city except
33 areas zoned as agricultural districts under Section 21A.32.050 of this code; or its successor
34 section.

35 SECTION 2. **Amending Section 8.08.060.** That Section 8.08.060 of the *Salt Lake City*
36 *Code*, shall be, and hereby is, amended to read as follows:

37 8.08.060: HOUSING AND FEEDING OF ANIMALS; LOCATION RESTRICTIONS:

38 It is unlawful to house, keep, run or feed any of the above mentioned animals within fifty
39 feet (50') of any structure used for human habitation except as provided in Section 8.08.065 of
40 this chapter.

41 SECTION 3. **Enacting Section 8.08.065.** That Section 8.08.065 of the *Salt Lake City*
42 *Code* shall be, and hereby is, enacted to authorize the keeping of chickens in residential districts,
43 subject to certain requirements, as follows:

44 8.08.065: KEEPING CHICKENS:

45 A. Subject to the requirements of this section and any other applicable provision of this
46 chapter, adult hen chickens (and no roosters), in the amount set forth below, may be kept on a lot

47 or parcel of land in a residential district for the sole purpose of producing eggs. For the purpose
48 of this section an adult chicken means a chicken which weighs more than two (2) pounds.

49 1. The number of hen chickens which may be kept shall be limited based on the
50 size of the lot or parcel as follows:

51 a. ten thousand (10,000) square feet: up to six (6)

52 b. nine thousand (9,000) square feet: up to five (5)

53 c. eight thousand (8,000) square feet: up to four (4)

54 d. seven thousand (7,000) square feet: up to three (3)

55 e. five thousand (5,000) square feet: up to two (2)

56 2. The principal use on the lot or parcel shall be a one-family dwelling.

57 B. Chickens shall be confined within a secure outdoor enclosed area.

58 1. The enclosed area shall include a covered, ventilated, and predator-resistant
59 chicken coop.

60 a. The coop shall have a minimum floor area of at least two (2) square feet
61 per chicken.

62 b. If chickens are not allowed to roam within an enclosed area outside the
63 coop, the coop shall have a minimum floor area of six (6) square feet per chicken.

64 2. The coop shall be located in a rear yard at least twenty-five (25) feet from any
65 dwelling located on the property and fifty (50) feet from any dwelling located on adjacent
66 property.

67 a. The coop and enclosed area shall be maintained in a neat and sanitary
68 condition and shall be maintained as provided in Section 8.08.070 of this chapter.

69 b. No chicken shall be permitted to roam outside the coop or enclosed
70 area.

71 3. Chicken feed shall be stored and dispensed in rodent-proof and predator-proof
72 containers.

73 C. Chickens shall not be kept on a residential lot or parcel unless the person keeping
74 chickens first obtains a permit as provided in Section 8.08.010 of this chapter.

75 1. The permittee shall acknowledge the rules set forth in this section and shall, as
76 a condition of permit issuance, agree in writing to comply with such rules.

77 2. The permit shall be good for one (1) year and may be renewed annually.

78 D. It shall be unlawful for any person to keep any chicken in a residential district in a
79 manner contrary to the provisions of this section.

80 SECTION 4. **Amending Section 8.08.080.** That Section 8.08.080 of the *Salt Lake City*
81 *Code*, shall be, and hereby is, amended to read as follows:

82 8.08.080: TRESPASS BY FOWL OR DOMESTIC ANIMALS:

83 It is unlawful for the owner or any person in charge of domestic fowl, such as turkeys,
84 ducks, geese, chickens or other similar domestic fowls, or domestic animals such as dogs or cats,
85 to permit such fowls or domestic animals to trespass upon the premises of another. It is unlawful
86 for any person to house, keep, run or feed any such fowls within fifty feet (50') of any house used
87 for human habitation except as provided in Section 8.08.065 of this chapter.

88 SECTION 5. **Effective Date.** This Ordinance shall become effective on the date of its
89 first publication.

DISCUSSION DRAFT - SEPTEMBER 24, 2009

90 Passed by the City Council of Salt Lake City, Utah this ____ day of _____,
91 2009.

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94 _____
95 CHAIRPERSON

96 ATTEST:
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98 _____
99 CITY RECORDER

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102 Transmitted to Mayor on _____.

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104 Mayor's Action: _____ Approved. _____ Vetoed.

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109 MAYOR

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111 _____
112 CITY RECORDER

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116 (SEAL)

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118 Bill No. _____ of 2009.
119 Published: _____