

City of Rainier

BACKYARD CHICKEN ORDINANCE #1060

SECTION 1. Purpose and Intent

The purpose of this ordinance is to provide appropriate standards and regulations for keeping chickens for non-commercial purposes within an urban residential environment. The ordinance establishes standards and limitations so as to avoid adverse impacts on neighboring properties and residents, and to provide for the health and safety of the chickens.

SECTION 2. Definitions and Rules of Construction:

Chicken – for the purpose of this code, a chicken (*Gallus domesticus*) refers only to a female chicken

Coop – the covered house, structure or room that is required in order to provide chickens with shelter from the weather and with a roosting area protected from predators.

Chicken enclosure – means a fenced (or wire) area, or pen, required in association with a coop in order to provide an outside exercise area for the chickens free from predators, and of a size that allows for access to a foraging area, sunlight, etc.

Repeat violation – shall mean a violation of the provision of a code or ordinance by a person who has been previously found, through a code enforcement special magistrate or any other quasi-judicial or judicial process, to have violated, or who as admitted violating, the same provision within five years prior to the violation, notwithstanding that the violations may occur at different locations. For the purposes of this definition, a plea of “No Contest” or “Nolo Contendere” shall be deemed an admission of a violation.

SECTION 3.

(a) General Conditions for the keeping of chickens

1. No person shall keep more than 5 Chickens per 50 x 100 lot. Up to a maximum of 10 chickens (1000 square feet per Chicken), without Council approval.
2. Chickens must be kept within the coop or enclosure at all times.
3. No ducks, geese, turkeys, peafowl, or male chickens/roosters, or any other poultry or fowl may be kept under the provisions of this Section of the Code.
4. Chickens shall be kept for personal use only. The selling of chickens, eggs or chicken manure, or the breeding of chickens for commercial purposes is prohibited.
5. The slaughtering of chickens on premises is not allowed
6. If applicant is a renter landlord/property owner permission is required

(b) Location and Requirements for Chicken Coops and Enclosures

1. Any chicken coop and fenced enclosure must be located in the rear yard and a minimum of seven feet from property line.

2. The coop shall be covered and ventilated, and a fenced enclosure/run is required. The coop and enclosure must be completely secured from predators, including all openings, ventilation holes, doors and gates.
3. All stored feed must be kept in a rodent and predator-proof container.
4. The coop shall provide a minimum of three square feet per chicken and be of a sufficient size to permit free movement of the chickens. The coop may not be taller than six (6) feet, measured from the natural grade, and must be easily accessible for cleaning and maintenance.

(c) Health, Sanitation and Nuisance as applied to the keeping of chickens

1. *Chickens shall not be permitted to trespass on neighboring properties, be released or set free and shall be kept within a coop and enclosure. Chickens running at large within the City are hereby declared nuisances.*
2. Chicken coops and enclosures shall be maintained in a clean and sanitary condition at all times. Chickens shall not be permitted to create a nuisance consisting of odor, noise or pests, or contribute or any other nuisance condition.
3. *Noisy Fowl.* Noisy fowl are hereby declared to be nuisances and shall not be kept within the City after a complaint has been made to the Chief of Police that the complainant is disturbed thereby and the Chief of Police or his agent has notified the owner of the fowl to remove them from the City. Any person keeping or maintaining such fowl after having received notice to remove them shall be deemed guilty of maintaining a nuisance under this subsection.

(d) Enforcement

1. Upon written complaint filed with the city, the Chief of police or his agent shall make an inspection of the premises and pens; and if the premises and pens in question prove to be inadequate or unsanitary for the maintenance of the fowl kept therein, the permit originally issued under this section shall be revoked, provided the owner or custodian fails and neglects to remedy the defects within 48 hours after service of written notice of the inadequate or unsanitary condition by the chief of police or his agent.
2. In a public health emergency declared by the Director of the Columbia County Health Department, including but not limited to an outbreak of Avian Flu or West Nile virus, immediate corrective action may be required, in accordance with applicable public health regulations and procedures and in conjunction with Animal Services.
3. No person convicted as a repeat violator of this Code may be permitted to, or continue to, keep chickens on their premises.

(e) Permits

1. Application for a permit to keep chickens shall be made to the City Administrator, in writing, upon forms provided for that purpose by the Administrator. Such application shall contain the following information to such other information as the Director may desire.
 - a. *Name and Residence of Applicant*
 - b. *Location of premises where chickens are to be kept*

- c. Number of Chickens to be kept.*
- d. Written permission from landlord if applicant is a renter*
- 2. Permits are required for all owners of Chickens including previously approved owners of Chickens within the City of Rainier. Such previously granted owners of Chickens must comply with all current ordinance rules, no Grandfather clause exists.*

(f) Permit Fees

- 1. A permit shall be issued for chickens upon the Administrators finding that the applicant satisfies the requirements of this ordinance. Permit fee shall be \$15.00*

(g) Revocation and Suspension of Permit

- 1. Any permit issued to keep chickens shall be subject to revocation or suspension by the Administrator for violation by the permittee of any of the provisions of this ordinance.*

SECTION 4. Severability

If any section, sentence, clause, phrase or word of this Ordinance is, for any reason, held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance, and it shall be construed to be the legislative intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein.