

**ORDINANCE NO. 2013-20**

**AN ORDINANCE AMENDING SECTION 17.130.020.005 OF TITLE 17  
OF THE SOUTH JORDAN MUNICIPAL CODE PERTAINING TO  
RESIDENTIAL CHICKENS.**

**WHEREAS**, the South Jordan City Council has previously adopted ordinances codified in SJMC §17.130.020.005, pertaining to keeping and raising of chickens within residential zones of South Jordan; and

**WHEREAS**, the South Jordan Planning Commission, after holding a public hearing, has reviewed the proposed text amendment to Municipal Code; and

**WHEREAS**, the City Council has held a public hearing and has reviewed the proposed amendments and considered the recommendation of the Planning Commission regarding the proposed amendment; and

**WHEREAS**, in accordance with principles of sound municipal planning, the City Staff, the City Planning Commission, and the City Council have taken into account the impact the proposed amendments will or may have on existing or future development projects, and to the extent legally permissible or practical, the City Staff, Planning Commission and Council have taken reasonable steps to ensure that the proposed amendment meets the purposes and objectives of the Planning and Land Use Code; and

**WHEREAS**, the City Council desires to amend the South Jordan Municipal Code as proposed; and

**WHEREAS**, the City Council has found and determined that the proposed amendment Title 17 of the South Jordan Municipal Code will support the best interests of the City and will promote the public health, safety and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1. Amendment.** Section 17.130.020.005 Title 17, "Planning and Land Use Code", of the South Jordan Municipal Code is hereby amended as follows:

**17.130.020.005: STANDARDS FOR RESIDENTIAL CHICKENS:**

The community development department may approve requests for the raising of residential chickens and egg production for family food production based upon the following standards being met:

- A. Residential Land Use Requirement: The raising of chickens in residentially zoned areas is permitted, subject to the regulations established herein, for minimum ten thousand (10,000) square foot residential lots within **the P-C and** single-family residential "R" zones, including lots located in PUD subdivisions. Standards for

raising chickens on agriculturally zoned properties are regulated based upon animal requirements under the A-1 and A-5 zones set forth in this chapter.

- B. Number And Type Of Chickens Allowed: Up to six (6) chickens per residential lot may be kept for the purpose of family food production. The keeping of roosters in residential zones is expressly prohibited. Roosters, as part of pullet stock, may be kept temporarily until such stock is four (4) months old.
- C. Coop Size And Location: The size, height, and location of chicken coops shall be adequate to house the number of chickens on the property and shall meet the requirements for accessory buildings in the underlying zone, including setbacks and rear lot coverage. In addition to said requirements, chicken coops (or the portion of a larger accessory structure used for the raising of chickens) shall be located at least ten feet (10') from the on site dwelling, five feet (5') from the property line of an adjoining neighbor, and forty feet (40') from a dwelling on an adjoining property.
- D. Chicken Care And Maintenance Guidelines: The raising of residential chickens and egg production shall be done in such a way that the use is clearly subordinate to the residential character of the property with no significant impacts or nuisances being created for the residential neighborhood in general and adjoining property owners in particular.
  - 1. Education And Awareness: Residents interested in residential chickens and egg production are strongly encouraged to educate themselves as to appropriate chicken raising methods, Salt Lake County board of health requirements, and city ordinances before purchasing chickens and equipment, constructing facilities, and obtaining applicable city permits. Residents are also encouraged to discuss their family food production plans with adjoining neighbors. Regardless of approvals by the city, the keeping of residential chickens may be further restricted civilly by homeowners' associations and recorded restrictive covenants.
  - 2. Slaughtering: The slaughtering or processing of chickens outdoors for food production is expressly prohibited in residential zones.
  - 3. Feed Containers: The storage and accessibility of chicken feed shall be so handled to discourage rodents, other vermin, and predators.
  - 4. Nuisance: Property owners will ensure that the raising of residential chickens and egg production is properly conducted and monitored to not create impacts to neighbors. Approval to raise residential chickens shall include the construction and maintenance of adequate and comely coops, pens, enclosures, and property fencing that will confine chickens to the property and that do not adversely affect neighborhood property values. The maintenance and cleanliness of facilities and equipment shall be the ongoing responsibility of the property owner. If and when nuisance issues arise, property owners will work with neighbors, and city staff as

necessary, to amicably resolve concerns. Complaints shall be considered prima facie nuisances with the burden upon property owners to resolve the same.

**Section 9. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

**Section 10. Effective Date.** This Ordinance shall become effective immediately upon publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH JORDAN CITY, STATE OF UTAH, ON THIS 17 DAY OF December, 2013 BY THE FOLLOWING VOTE.**

	YES	NO	ABSTAIN	ABSENT
Mark Seethaller	<u>X</u>	_____	_____	_____
Chuck Newton	<u>X</u>	_____	_____	_____
Brian C. Butters	<u>X</u>	_____	_____	_____
Steve Barnes	<u>X</u>	_____	_____	_____
Larry Short	<u>X</u>	_____	_____	_____

Mayor: *Scott L. Osborne*  
Scott L. Osborne

Attest: *Anna M. West*  
City Recorder

Approved as to form:

*[Signature]*  
Office of the City Attorney

