

**CITY OF WASHINGTON TERRACE
ORDINANCE NO 25-02**

URBAN CHICKENS

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE CITY, UTAH,
ADOPTING CHAPTER 17.86 REGULATING URBAN CHICKENS; SEVERABILITY;
AND PROVIDING AN EFFECTIVE DATE.**

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

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, there is renewed interest in raising chickens in the urban environments and the City desires to allow for such while mitigating adverse impacts;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on August 29, 2024, to take public comment on this proposed Ordinance, and subsequently gave its recommendation to approve this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on January 21, 2025, and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of the City of Washington Terrace as follows:

Section 1. Repealer. Any Ordinance that conflict with this Ordinance is repealed.

Section 2. Amendment. Chapter 17.86 is hereby adopted to read as follows:

**Chapter 17.86
URBAN CHICKENS**

| Sections: | Purpose. |
|------------------|-------------------------|
| 17.86.010 | Purpose. |
| 17.86.020 | Land Use Permit. |
| 17.86.030 | Application. |
| 17.86.040 | Regulations. |
| 17.86.050 | Inspection. |
| 17.86.060 | Enforcement and Appeal. |

17.86.010 Purpose.

The purpose of this Chapter is to permit the keeping and/or raising of chickens in single-family dwellings as provided in this Chapter for the sole purpose of family food production. Any chicken kept as provided in this Chapter is not considered or otherwise deemed a household pet.

17.86.020 Land Use Permit.

Any person keeping and/or raising one or more chickens in the City shall first obtain a Land Use Permit under this Chapter. Any Land Use Permit issued under this Chapter shall be made by application of the property owner and continue under this Chapter for the duration of ownership upon which time any Land Use Permit shall cease. No Land Use Permit under this Chapter shall run with the land.

17.86.030 Application.

A complete application for a Land Use Permit filed with the City under this Chapter shall include:

1. A first-year license application fee, with an every other year renewal fee and inspection, in accordance with adoption of city fee schedule. Initial inspection and re-inspection allowed. A re-inspection fee may apply if additional inspections are needed.
2. Property Owner Authorization and Affidavit that states: The undersigned, being duly sworn, depose that I/we is/are the owner(s), occupant(s), applicant(s) of the property involved and that I/we agree to abide by the provisions contained herein and acknowledges that I/we am/are responsible to know and understand all local, state, or federal regulations related to the keeping of no more than the number of hens allowed for by regulation 17.86.040 4(b) at the location of the property listed in the application.
3. Applicant's contact information, including:
 - a. Legal name.
 - b. Phone number.
 - c. Email.
 - d. Other contact information as needed.
4. Address of the property where chickens are proposed to be located and proof of ownership.
5. Property is required to be in compliance with Washington Terrace City Code 8.16.030 Nuisance Declared.
6. Site Plan showing the:
 - a. North arrow.
 - b. Building lot size in square feet.
 - c. All property boundaries.
 - d. All existing streets.
 - e. Location of all existing structures and accessory buildings on the property with accurate square footage.
 - f. Location of proposed chicken coop and/or run and/or proposed additions to existing accessory non-residential structures with proposed square footage.

17.86.040 Regulations.

The keeping and/or raising of one or more chickens is subject to the following regulations:

1. Compliance. Any chicken shall be kept in a manner consistent with this Chapter.
2. Family Only. Any chicken shall be kept strictly for family food production, and not for commercial sale or personal income. No egg or meat sales whatsoever.
3. Prohibited. No roosters shall be kept, and no breeding is permitted on the property.
4. Keeping. Only chicken hens may be kept on a residential lot in accordance with the following standards:

- a. Lot is owner-occupied.
 - b. Lot size. The maximum number of hens permitted is a function of the total residential lot size as indicated below:
 - Under 6,000 square feet: up to Three.
 - 6,000-8,000 square feet: up to Four.
 - Above 8,000 square feet: up to Six.
 - c. Any chicken shall be kept in one coop or one properly enclosed area/chicken run at all times in the rear yard as depicted on an approved Site Plan.
 - d. No chicken shall be permitted to roam outside a coop or enclosed area.
 - e. A coop shall be covered, ventilated, and rodent and predator resistant.
 - f. A coop shall not be constructed of scrap or dilapidated materials.
 - g. The coop shall be built with a finished, all weather exterior material.
 - h. Any crowing hen shall be culled.
5. Setbacks. The coop or enclosure shall be located:
- a. At least fifteen (15) feet from any primary residential dwelling.
 - b. At least twenty-five (25) feet from any primary residential dwelling on an adjoining property.
 - c. At least ten (10) feet from any property line.
 - d. Maximum coop height is seven (7) feet, at its highest point.
6. Maintenance.
- a. Any coop and/or enclosure shall be maintained:
 - i. In an orderly and sanitary condition, and in a manner that prevents a detectable odor at the property line.
 - ii. 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.
 - b. Dead animals shall be immediately removed from the lot and disposed of in a lawful dump.
 - c. Chicken manure must be placed in compost containers or in airtight containers for off-site disposal or personal home use. No sales are permitted. No open-air storage of manure or other by-products is permitted on the property.
 - d. Eggs that are produced by the hens are not permitted to be sold and are for family food production of the occupants of the single-family dwelling only.
 - e. No combustible vegetation is permitted within five (5) feet of any coop. If heaters are to be used, no growth or vegetation other than sod grass is permitted within five (5) feet of any coop.
 - f. The area within five (5) feet of the perimeter of any coop shall be unobstructed, except the side where a coop may be attached to an accessory building.
 - g. No coop, pen, cage, or similar structure shall exceed one hundred fifty (150) square feet (including the coop, run, and/or enclosure).
 - h. Any chicken found at-large of the rear yard of owner's lot is subject to being culled and/or confiscated.

17.86.050 Inspection.

The property will be inspected upon paid application and periodically to verify compliance with this Chapter. Upon an initial application, reinspection is required if property does not meet requirements of this Chapter. For each reinspection, after the initial inspection and allowed re-inspection, the applicant is subject to reinspection fee.

17.86.060 Enforcement and Appeal.

A Land Use Permit may be denied, suspended, or revoked for a violation of this Chapter. A violation of this Chapter is subject to an infractions and a fine not to exceed \$750 per violation. Appeals are subject to this Title.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4: Effective date. This Ordinance takes effect immediately upon passage of the city fee schedule subject to completion of a cost analysis, and upon proper posting.

PASSED AND ADOPTED by the City Council on this 21 day of January, 2025



Mayor

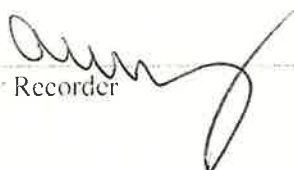
ATTEST:



City Recorder

RECORDED this 21 day of JANUARY, 2025
PUBLISHED OR POSTED this 22 day of JANUARY, 2025

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING
According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of Washington Terrace City, hereby certify that foregoing ordinance was duly passed and published, or posted at: 1) City Hall, 2) PUBLIC NOTICE website, and 3) City website on the above referenced dates.



City Recorder

DATE: 01-22-2025