

ORDINANCE NO. 2011-039

Adopted by the Sacramento City Council

August 30, 2011

AN ORDINANCE AMENDING SECTION 9.44.340 AND ADDING ARTICLE XI TO CHAPTER 9.44 OF THE SACRAMENTO CITY CODE, RELATING TO THE KEEPING OF CHICKENS, AND TO TAKE EFFECT ON NOVEMBER 1, 2011

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

- A. Subsection A of Section 9.44.340 of the Sacramento City Code is amended to read as follows:
- B. Except as provided in subsection B of this section, and in Section 9.44.350 of this chapter, it is unlawful to keep, harbor, or maintain any bovine animal, horse, mule, burro, sheep, goat, duck, turkey, goose or other domestic livestock or poultry on any parcel of property located in the city.
- C. Except as modified above, Section 9.44.340 of the Sacramento City Code shall remain unchanged and in full force and effect.

SECTION 2.

Article XI is added to Chapter 9.44 of Title 9 of the Sacramento City Code to read as follows:

Article XI. Keeping of Chickens

9.44.860 Keeping of chickens—Unlawful; Restrictions.

- A. It is unlawful to keep, possess, or maintain chickens on any parcel of property located in the city, except in accordance with the following restrictions:
 - 1. A maximum of three hen chickens may be kept on a developed lot used exclusively for residential purposes, but only if authorized under a permit issued pursuant to this article.
 - 2. All hen chickens shall be confined in a pen, coop, or cage, or other enclosure at all times.
 - 3. All hen chickens shall be kept within an enclosure that is at least 20 feet distant from any dwelling unit on an adjacent parcel. The definition of "dwelling unit" in

section 17.16.010 of this code shall apply to this section. Enclosures shall be situated in the rear yard. Enclosures shall not obstruct or partially obstruct any required exits from any dwelling unit.

4. No hen chickens shall be kept in the front yard on any developed lot used exclusively for residential purposes.
 5. No hen chickens kept on a lot shall be allowed to create a noise disturbance audible on any adjoining lot.
 6. No hen chickens shall be slaughtered on any developed lot used exclusively for residential purposes.
- B. Roosters are not permitted on any developed lot used exclusively for residential purposes.

9.44.870 Permit Required.

It is unlawful for any person to keep, possess, or maintain any hen chicken on any lot used exclusively for residential purposes without first obtaining a permit from the animal care services manager. Permits are the property of the city and are not transferable.

9.44.880 Permit Requirements.

- A. Application—Permit fee.

An application for a permit for keeping hen chickens shall be made on a form provided by the animal care services manager, shall be accompanied by payment of a nonrefundable annual permit fee in an amount set by resolution of the city council, and shall include, but not be limited to, the following information: the number of hen chickens; a description of all pens, coops, cages, and enclosures constructed for housing and confining hen chickens; the distance of the location of all pens, coops, cages, and enclosures from all dwelling units on adjacent parcels; and such other information as the animal care services manager reasonably deems necessary to carry out the purpose and intent of this article. The annual nonrefundable permit fee shall recover the cost of activities associated with the administration, regulation, and issuance of permits. If at any time any of the information submitted under this section becomes false or inaccurate, the permittee shall within five days of that time file an amendment to the application setting forth the currently accurate information. No additional fee shall be required for such an amendment.

- B. Permit issuance—Term.

Upon submission of a completed application and payment of the nonrefundable annual permit fee specified in subsection A above, and if the animal care services manager finds that the proposed keeping of hen chicken(s) complies with the requirements of

article, the animal care services manager shall issue a permit. The permit shall be valid for a period of one year from the date of issuance.

C. Permit renewal.

Permits for keeping hen chickens shall be renewable annually upon the filing and approval of a new application and payment of the nonrefundable annual permit fee specified in subsection A above.

9.44.890 Regulations.

The animal care services manager may promulgate regulations pursuant to this article to protect the health, safety, and welfare of the public and to insure the proper and humane treatment of all hen chickens kept in the city. The regulations shall be effective upon approval by city council resolution. Violation of the regulations promulgated pursuant to this section shall constitute a violation of this chapter.

9.44.900 Exceptions to restrictions.

This article XI shall not apply:

- A. To any parcel of property zoned for agricultural uses by applicable provisions of the zoning ordinance of the city or to any property zoned rural estates and located within the area bounded by Sotnip Road on the south, Sorento Road on the west, and East Levee Road on the north and east (and generally known as Valley View Acres), or to any property zoned M-1(S)R-AOL and located with the area fronting on Ascot Avenue and bounded by Dry Creek Road on the west and Raley Boulevard on the east (and generally known as the Ascot Avenue overlay zone).
- B. Where keeping, harboring, or maintaining hen chickens would constitute a valid nonconforming use under the applicable provisions of the zoning ordinance of the city.

SECTION 3.

Pursuant to Sacramento City Charter section 32(f), this ordinance shall be effective on November 1, 2011.

Adopted by the City of Sacramento City Council on August 30, 2011 by the following vote:


Ayes: Councilmembers Ashby, Cohn, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

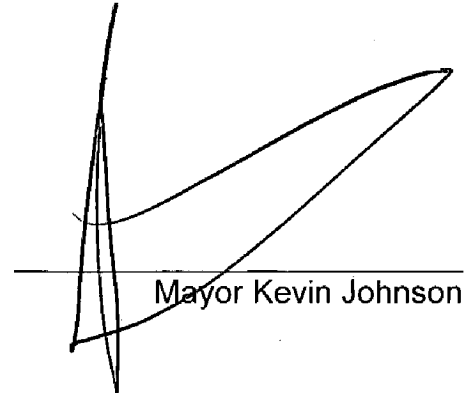
Noes: None.

Abstain: None.

Absent: Councilmember Darrell Fong

Attest:


Shirley Concolino, City Clerk


Mayor Kevin Johnson

Passed for Publication: August 23, 2011
Published: August 26, 2011
Effective: November 1, 2011