

CODE

ORDINANCE NO. 4549

**AN ORDINANCE AMENDING ORDINANCE NO. 4521,
THE BEAVERTON MUNICIPAL CODE, TO ALLOW
RESIDENTS TO KEEP A LIMITED NUMBER OF
CHICKENS IN THEIR BACK YARDS, SUBJECT TO
CERTAIN RESTRICTIONS**

- WHEREAS,** in April 2009, the City Council directed staff to explore changing the City Code to allow Beaverton residents to raise chickens within the city limits; and
- WHEREAS,** the City Council and the Planning Commission held a joint study work session on urban poultry in August 2009; and
- WHEREAS,** City staff have discussed urban poultry with the Beaverton Committee for Citizen Involvement (BCCI) at the September and October 2009 and May 2010 BCCI meetings; and
- WHEREAS,** the Planning Commission took public testimony concerning chickens at the November 4, 2009 Planning Commission meeting; and
- WHEREAS,** the City held a Public Forum on June 8, 2010 to discuss urban poultry; and
- WHEREAS,** the City Council held a public hearing on the Urban Poultry Ordinance on August 9, 2010, now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

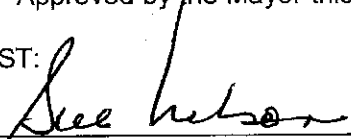
- Section 1.** Ordinance No. 4521, the Beaverton Municipal Code is amended to read as set out in Exhibit "A" to this Ordinance attached to and incorporated herein by this reference.

First reading this 9th day of August, 2010.


Passed by the Council this 16th day of August, 2010.

Approved by the Mayor this 17th day of August, 2010.

ATTEST:


SUE NELSON, City Recorder

APPROVED:


DENNY DOYLE, Mayor

**Chapter 5.09
URBAN CHICKENS**

Sections:

- 5.09.010 Applicability.
- 5.09.015 Locational Requirements.
- 5.09.020 Number of Poultry Permitted.
- 5.09.025 Enclosures.
- 5.09.030 Prohibitions.
- 5.09.035 Interpretation.
- 5.09.040 Penalties
- 5.09.045 Nuisance Abatement and Other Remedies.

5.09.010 Applicability.

Residents of the City shall be allowed to keep chickens, subject to the requirements of this Chapter. This Chapter does not apply to the commercial production of eggs or chickens which is governed by the Beaverton Development Code.

5.09.015 Locational Requirements.

A. Chickens shall only be kept upon property which is no less than 5,000 square feet and occupied by a detached single family dwelling or duplex.

B. Chickens shall only be kept upon property which is the principal residence of the owner of the birds. Tenants and renters of property may keep chickens with the written permission of the property owner.

C. Chickens and chicken enclosures shall not be located in any area between the dwelling and the front property line.

D. Enclosures shall not be located closer than 20 feet to a neighboring dwelling.

5.09.020 Number of Chickens Permitted.

A. No more than 4 hens may be kept on any one property within the City of Beaverton.

B. No roosters may be kept within the City of Beaverton.

C. Chicks up to 12 weeks old may be kept indoors as household pets.

5.09.025 Enclosures.

A. Chickens shall be kept within a secure enclosure at night. During daylight hours, chickens shall be kept within a secure enclosure unless under direct supervision within a fenced yard

B. Enclosures shall be kept clean, dry, free of noticeable odors, and in good repair.

C. Enclosures shall prevent the entry of rodents and predators and shall effectively contain and protect the chickens.

5.09.030 Prohibitions.

A. The keeping of roosters is prohibited.

B. Allowing chickens to enter adjoining properties is prohibited.

C. Chickens shall be kept for personal, non-commercial use only. No person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes.

D. The keeping of chickens in such a manner as to cause a nuisance, as defined in Chapter 5 of the Code or under applicable law is prohibited.

E. It is not permitted to slaughter a chicken on a residential property.

5.09.035 Interpretation.

The provisions of BC 5.09.010 through 5.09.045 are in addition to and not in lieu of any other requirements imposed under another Code provision, City Ordinance, law or regulation having application in the city. If a conflict occurs with another Code provision or regulation, the most conservative provision or regulation shall apply.

5.09.040 Penalties.

A. Violation of BC 5.09.010 through 5.09.045 constitutes a Class 3 Civil Infraction and shall be processed according to the procedures set forth in BC 2.10.010 through 2.10.050.

B. Each violation of a separate provision of BC 5.09.010 through 5.09.045 shall constitute a separate infraction, and each day that a violation of BC 5.09.010 through 5.09.045 is committed or permitted to continue constitutes a separate infraction.

C. The penalties imposed by this section are in addition to and not in lieu of any remedies available to the city under BC 5.09.045.

5.09.045 Nuisance Abatement and Other Remedies.

In addition to the penalties provided for in BC 5.09.040, any condition caused or permitted to exist in violation of BC 5.09.010 through 5.09.045 is considered a public nuisance and may be abated summarily, or in accordance with the abatement procedures set forth in this code, or by any other legal means available to the city.