



FRUIT HEIGHTS CITY PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the Fruit Heights Planning Commission will hold a Public Hearing on Tuesday, March 26, 2024, at 7 pm in the Council Chambers of City Hall located at 910 S. Mountain Road, Fruit Heights, Utah, 84037.

PUBLIC HEARING FOR THE FOLLOWING:

Discussion to update Municipal Code Title 10 - Chickens and/or rabbits in single-family residential zones. The proposed update reads as follows:

7A-03-040. Chickens and/or Rabbits in Single-Family Residential Zones

(a) Purpose. The keeping and maintenance of residential chickens and/or rabbits is allowed within the City only as provided in this Section.

(b) Permit and Application.

(1) It is unlawful for any person to keep chickens without first making application for and obtaining a residential chicken permit.

(2) Application for and acceptance of a permit is prima facia evidence that a person agrees to abide by all the conditions and regulations of this Section.

(3) A permit may not be issued, and chickens and/or rabbits may not be kept or a coop may not be constructed on any property that violates a City Ordinance or where the owner or resident is being prosecuted for a violation.

(4) A permit may be revoked for any violation of this Section.

(c) Use.

(1) A chicken and/or rabbit shall be kept strictly for familial gain from the production and consumption of eggs or meat, and there shall be no sale or income resulting from the keeping or raising of chickens and/or rabbits.

(2) Any chicken and/or rabbits kept as provided by this Section shall not be deemed a household pet.

(d) Enclosure Requirements.

(1) All chickens and/or rabbits shall be contained within a proper coop/cage for their containment.

(2) In addition to the adequate coop/cage requirement, chickens and/or rabbits can be free-ranged within a fenced run or a fully fenced backyard sufficient for containment but shall always be kept within the coop/cage or enclosed area.

(3) The coop/cage shall provide a minimum of three (3) square feet per animal and be of sufficient size to allow free movement.

(4) Chickens shall have access to feed and water at all times in an area that is protected from wild birds, rodents, and other predators. Any stored feed must be kept in a rodent and predator proof container.

(e) Coop and Cage Standards. Coops/cages shall be constructed such that:

(1) It is freestanding.

(2) Is easily accessible for cleaning and maintenance.

(3) Is enclosed on all sides and has a roof and door(s).

(4) Doors must be able to be shut and locked.

(5) No coop/cage shall exceed eight feet (8') in height.

(6) The coop/cage shall be covered, ventilated, and covered with predator and bird proof wire with a maximum opening of one-fourth inch (1/4"). The wire shall be buried at least three inches (3") and bent outward at least another twenty four inches (24") to prevent rodents from burrowing into the structure unless the coop/cage is elevated off the ground at least twelve inches (12").

(7) It shall not be constructed of scrap or dilapidated materials.

(f) Location.

(1) Any coop/cage shall be located in the rear yard of the main dwelling, and be located at least twenty (20) feet from any primary residential dwelling on an adjoining property and at least five (10) feet from any property line.

(2) Any time a heating device is used in a coop/cage, such coop/cage must be separated at least ten (10) feet from any dwelling structure.

(g) Cleanliness. Any coops/cages, roaming area and all animals on the lot must be kept and maintained in such a manner so as not to degrade (below a reasonable standard) the health, safety, noise, odor, or sanitation environment of persons dwelling on neighboring or adjacent lots.

(h) Restrictions.

(1) Numbers.

(A) No more than a combined total of 10 hen chickens and/or rabbits shall be allowed on a single lot.

(B) Any roosters hatched and any chickens and/or rabbits exceeding the allowed combined total number of 10 shall be properly removed from the property within five months of age.

(2) Only female chickens may be kept. No ducks, geese, turkeys, peafowl, crowing hens, or roosters may be kept. No other bird species shall be kept except as provided by this code and birds normally and generally considered household or indoor pets.

(3) The slaughtering of residential chickens or rabbits on the premises is prohibited.

(i) Violations. It shall be unlawful for any person to keep any chickens and/or rabbits in a manner contrary to the provisions of this Section. Any such violation shall be considered a class B misdemeanor, and the removal of chickens and/or rabbits shall be at the owner's expense.

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