

10-11-23 Chickens in Single-Family Residential Zones R-1-10 and R-1-12

(a) Purpose. The keeping and maintenance of residential backyard chickens is allowed within single-family residential zones R-1-10 and R-1-12 as provided in this Section. Notwithstanding the foregoing, this code section shall not in any way limit the rights of residents living in an A-1 or R-S-12 zone.

(b) Use.

(1) A chicken shall be kept strictly for familial gain from the production and consumption of eggs or meat.

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

(c) Enclosure Requirements.

(1) All chickens shall be contained at night within a proper coop/cage.

(2) In addition to the adequate coop/cage requirement, chickens 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, enclosed area, and/or fenced backyard.

(3) Chickens shall always have access to feed and water in an area protected from rodents and other predators.

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

(1) It is freestanding.

(2) Is easily accessible for cleaning and maintenance.

(e) 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 three (3) 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 residential dwelling structure.

(f) 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.

(g) Restrictions.

(1) Numbers.

(A) No chickens shall be allowed on a single lot less than 10,000 square feet.

1. A combined total of eight (8) laying hens shall be allowed on a lot that is 10,000 square feet.

2. Property owners shall be allowed to have one (1) additional laying hen for every additional one thousand (1000) square feet of property.

(B) Any roosters hatched shall be properly removed from the property within five months of age.

(2) No ducks, geese, turkeys, peafowl, crowing hens, or crowing roosters may be kept on the property.

(3) No Chickens will be allowed on rental properties

(h) Violations.

(1) It shall be unlawful for any person to keep any chickens in a manner contrary to the provisions of this Section.

(2) If any property owner is still not compliant with this ordinance, the property owner will be required to remove all the chickens at the owner's expense.

(3) Failure to comply will come under the Fruit Heights City Nuisance Ordinance.

FRUIT HEIGHTS, UTAH

ORDINANCE NO. 2024-010

**AN ORDINANCE OF FRUIT HEIGHTS CITY COUNCIL
ADOPTS TITLE 10, CHAPTER 11, SECTION 23, CHICKENS IN
SINGLE-FAMILY RESIDENTIAL ZONES R-1-10 and R-1-12**

WHEREAS, the Fruit Heights City Council has determined that it will promote public welfare to adopt provisions of Title 10, Chapter 11, Section 23; and

WHEREAS, the Planning Commission held public hearing on March 26, 2024 and has considered the adoption of the Ordinance and has forwarded a recommendation regarding the same; and

WHEREAS, the City Council has now determined that the adoption is appropriate and will benefit the residents of the City;

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

Section 1. Adoption of Title 10, Chapter 11, Section 23, Chickens in single-family Residential zone R-1-10 and R-1-12

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance, for the shall be effective Immediately Upon Its Passage

PASSED AND APPROVED this 1 day of October, 2024

ATTEST:

by:

Darren Frandsen
Darren Frandsen, City Recorder

[SEAL]



FRUIT HEIGHTS CITY COUNCIL

by:

John Pohlman
John Pohlman, Mayor

VOTING:

Eileen Moss	Yea <u>X</u>	Nay _____
Mark Cottrell	Yea <u>X</u>	Nay _____
George Ray	Yea <u>X</u>	Nay _____
Gary Anderson	Yea <u>X</u>	Nay _____
Florence Sadler	Yea _____	Nay _____

ATTEST:

by:

Hailee Ballingham
Hailee Ballingham, City Deputy Recorder

DEPOSITED in the office of the City Recorder this 1 of October, 2024

RECORDED this 2 day of October, 2024