



**BEFORE THE CITY COUNCIL FOR THE
CITY OF ADAIR VILLAGE, OREGON**

In the Matter of an Ordinance Amending)
Chapter 40 – Public Nuisances and Abatement)

ORDINANCE NO. 2024-2

WHEREAS, Chapter 40 of the City of Adair Village Code (Public Nuisances and Abatement) allows for Backyard Chickens through Adair Village Land Use Development Code (AVLUDC) Section 6.401; and

WHEREAS, the AVLUDC requires a conditional use process requires the Adair Village Planning Commission to review the application; and

WHEREAS, the City of Adair Village (City) is always looking to be good stewards of community members time and money.

NOW, THEREFORE, THE CITY OF ADAIR VILLAGE ORDAINS AS FOLLOWS:

Section 1: Chapter 40.230 of the Adair Village City Code (Livestock Animals and Fowl), is hereby amended as follows:

40.230 Livestock Animals and Fowl.

- (1) No person shall keep or maintain any slaughterhouse or tannery in the city.
- (2) No person shall keep or maintain any cattle, horses, hogs, goats, sheep, rabbits, poultry or other livestock or fowl (not including chickens) in the City of Adair Village, except as permitted by Adair Village Land Use Development Code (AVLUDC) Section 6.401. This section shall not prohibit the keeping of domesticated animals, such as dogs, cats, birds and other animals that can be claimed as household pets where such pets can be kept safely in residential quarters.
- (3) Backyard Chickens may be permitted within the R-1 and R-2 Residential District if the property owner first obtains a permit from the City Administrator or their designee. Permit requirements are as follows:
 - (a) No more than five (5) chickens are permitted.
 - (b) Chickens older than twelve (12) weeks shall not be housed within a residence or garage.
 - (c) Products generated by chickens shall not be sold from residential property.
 - (d) Chickens shall be shut into a chicken coop at night, from sunset to sunrise.
 - (e) During daylight hours, chickens shall have access to the chicken coop and outdoor fenced enclosure.
 - (f) Chicken coop design shall be:
 - i. Thoroughly ventilated.
 - ii. At least three (3) square feet per chicken.
 - iii. Designed to be easily accessed, cleaned, and maintained.
 - iv. In conformance with the requirements of a non-habitable one-story accessory structure under the Oregon Residential Specialty Code, Chapter 1, Section R105.2, and Adair City Land Use Code Section 4.111 or 4.112.

- (g) Chicken coop setbacks shall be:
 - i. At least forty (40) feet from any adjacent property structure. This setback may be reduced to twenty-five (25) feet with signed approval from the adjoining property owner.
 - ii. Behind the front building plane of the dwelling unit.
 - iii. At least twenty-five (25) feet from the front property line.
 - iv. At least twenty-five (25) feet from any abutting right-of-way.
 - v. At least ten (10) feet from any side or rear property line.
- (h) Fencing shall be provided to:
 - i. Chickens shall be always kept in a fenced enclosure.
 - ii. Fencing shall be adequate to contain chickens and prevent access by predators.
 - iii. At least ten (10) square feet per chicken within the enclosure.
 - iv. Sight obscured from any adjacent public right-of-way.
- (i) Proper sanitation shall be maintained in conformance with applicable standards including:
 - i. Not allowing animal waste to accumulate.
 - ii. Not allowing animal waste to contaminate groundwater or drainage ways.
 - iii. Not allowing standing water in yards or animal pens.
 - iv. Not allowing odors resulting from chickens to be detectable beyond the property line.
 - v. Storing all food within a rodent proof and airtight container.
- (j) Inspections:
 - i. Obtaining a permit through this section authorizes the City Administrator or their designee to enter the property to confirm compliance.
- (k) Permit fees for this section shall be set by council resolution.
- (l) Upon finding reason, permits are revokable by the City Administrator or their designee.

(4) Livestock animals, fowl, or chickens kept or maintained contrary to the provision of this ordinance are hereby declared to be a public nuisance.

Section 2. Effective Date. Passed by the city council and approved by the Mayor of the City of Adair Village on the 2nd day of July 2024, this amendment shall become effective upon signature by the Mayor.

CITY OF ADAIR VILLAGE



MAYOR



CITY ADMINISTRATOR