

ORDINANCE NO. 1570

AN ORDINANCE OF THE CITY OF CLARKSTON, WASHINGTON, ADDING CLARKSTON MUNICIPAL CODE CHAPTER 6.26, WHICH ESTABLISHES REGULATIONS FOR THE KEEPING OF CHICKENS WITHIN THE CITY LIMITS.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1.0

Sections:

6.26.010	Purpose
6.26.020	Location
6.26.030	General Requirements
6.26.040	Chicken Permit
6.26.050	Remedies
6.26.060	Violation - Penalty

6.26.010 Purpose:

The intent of this section is to authorize and establish standards for keeping domesticated chickens on a non-commercial basis and in a manner which will not endanger the health, peace, and safety of the citizens of the city and which will assure that chicken coops/runs are appropriately placed, maintained and managed. This section is enacted for the welfare of the public as a whole and not for any specific individual, group or class.

6.26.020: Location:

No more than six (6) hens may be kept per single-family residential lot containing a maximum of one (1) residence and are restricted to the sideyard or backyard area of the lot.

6.26.030: General Requirements:

- (1) Only the female gender (hen) of the species *G. gallus domesticus* will be allowed within the city limits. No males (roosters) are allowed.
- (2) The maximum number of chickens allowed for any household is six (6).
- (3) The primary flight feathers on the wings must be clipped to prevent flight.
- (4) A coop is required to house the chickens. The coop must allow for three (3) square feet per chicken with a minimum of 18" of overhead space per level of the coop.
- (5) An area outside of the coop must be provided as a run. The area requires a minimum of nine (9) square feet per chicken. The coop and run must be fully contained within the property.
- (6) The chicken enclosure must be six (6) feet in height or be fully enclosed so as to prevent the chickens from escaping.
- (7) Chickens may not be allowed to run at-large and shall be contained upon the owner's property at all times.

- (8) Any coop or run or chicken tractor must be three (3) feet from any property line and ten (10) feet from any existing neighboring residence, including any attached garage, patio, gazebo, swimming pool or hot tub.
- (9) Coops and runs and chicken tractors must be constructed and located so as not to allow stormwater or other drainage onto neighboring property, including public rights-of-way and drainage ways.
- (10) The chicken coop, pen and surrounding area shall be kept clean, dry and odor-free. All uneaten feed shall be removed in a timely manner. Chicken manure shall be managed so as not to create a nuisance or be in violation of Chapter 10.56 CMC as currently enacted or hereinafter amended.

6.26.040 Chicken Permit:

- (1) A one-time permit to keep up to six (6) chickens per single-family residential lot shall be obtained by the owner
- (2) Fee: The permit fee shall be \$25.00.
- (3) The permit shall be issued by the Office of the City Clerk.
- (4) Contents of Permit. The Permit shall contain the following information:
 - a) Date of issuance
 - b) Permit number
 - c) The name, address and telephone number of the owner of the chickens.
- (5) The permit is not transferable from one chicken owner to another.

6.26.050 Remedies:

Property used in violation of the provisions in this ordinance shall constitute a nuisance, and the city may, in addition to or as an alternative to other remedies that are legally available for enforcing this title, institute injunction, abatement or other appropriate proceedings to prevent, enjoin temporarily or permanently, abate or remove the unlawful situation.

6.26.060 Penalty:

A violation of this title shall be considered a misdemeanor. Each day that the violation continues, the violation shall be considered a separate offense. Upon conviction of a violation in any provision of this title, the defendant shall be punished by a fine of not to exceed \$1,000.00 or imprisonment not to exceed 90 days, or by both such fine and imprisonment.

Section 3.0

Severability:

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 4.0

Corrections by City Clerk or Code Reviser:

Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 5.0

Effective Date:

This ordinance shall take effect thirty days after its passage, approval and publication, as provided by law.

PASSED by the City Council of the City of Clarkston this 8th day of August, 2016.

APPROVED:

Monika Lawrence
Monika Lawrence, Mayor

ATTEST:

Vickie Storey
Vickie Storey, City Clerk

APPROVED AS TO FORM:

Todd Richardson, City Attorney

Passed by the City Council: 8-8-16

Published: 8-15-16

Effective Date: 9-15-16