

ORDINANCE NO. 2022-02

AN ORDINANCE ADDING CHAPTER 10-5A-7 – CHICKENS IN SINGLE-FAMILY RESIDENTIAL ZONES; OWNERSHIP AND MAINTENANCE OF THE SUNSET CITY CODE

WHEREAS, the City Council of Sunset is desirous of adding Section 10-5A-7 – Chickens in Single-Family Residential Zones; Ownership and Maintenance under Title 10 Zoning Regulations in Chapter 5, Article A. Residential Zone R-1; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SUNSET CITY, as follows:

Section One: The Sunset City Code Title 10, Chapter 5, Article A, Section 10-5A-7, is added to read as follows:

10-5A-7: CHICKENS IN SINGLE-FAMILY RESIDENTIAL ZONES; OWNERSHIP AND MAINTENANCE:

- A. The keeping and maintenance of residential chickens is allowed within the City only as provided in this title.
- B. Any chicken kept as provided by this title shall not be deemed a household pet.
- C. A City license is required for the keeping of chickens allowed by this title.
 1. A license shall be a one-time application and shall be signed by the property owner.
 2. A license does not run with the land.
 3. There shall be an annual license fee of fifteen dollars (\$15.00).
 4. Application for, and acceptance of a license is prima facie evidence that a person agrees to abide by all the conditions and regulations of this title.
 5. A license may be revoked for any violation of this title.
 6. Applicant shall submit a site plan to the Sunset City Offices.
- D. It shall be unlawful for any person to keep any chicken in a manner contrary to the provisions of this title.
- E. A chicken shall be kept strictly for familial gain from the production and consumption of eggs, and there shall be no sale or income resulting from the keeping of a chicken.
- F. Up to six (6) hens may be kept on a residential lot in accordance with the following:
 1. A chicken shall only be kept on a property containing a single-family detached dwelling unit.
 2. A chicken shall be kept in a coop or enclosed area at all times.
 3. No chicken shall be permitted to roam outside a coop or enclosed area.
 4. A coop shall be covered, ventilated, and rodent and predator resistant.
 5. A coop shall not be constructed of scrap or dilapidated materials.
 6. The coop shall be built with a finished, all weather exterior material.
 7. It is unlawful to keep a rooster or crowing hen.

8. No lot smaller than eight thousand (8,000) square feet shall be used for the keeping of chickens.

9. Any coop or enclosure shall be located in the rear yard of the main dwelling.

10. Any coop or enclosure shall be located at least forty feet (40') from any primary residential dwelling on an adjoining property, and at least five feet (5') from any property line.

11. No coop shall be taller than seven feet (7'), at its highest point.

12. Any time a heating device is employed in a pen or coop, such pen or coop must be separated at least ten feet (10') from any dwelling structure.

13. Any coop and any roaming area shall be maintained in a neat and sanitary condition and shall be cleaned as necessary to prevent a detectable odor at the property line.

14. Chicken feed shall be stored and dispensed in a rodent- proof and predator-proof container.

15. No growth or vegetation other than sod grass is permitted within five feet (5') of any coop.

16. The area within five feet (5') of the perimeter of any coop shall be unobstructed, except that the rear of a coop may be attached to another structure.

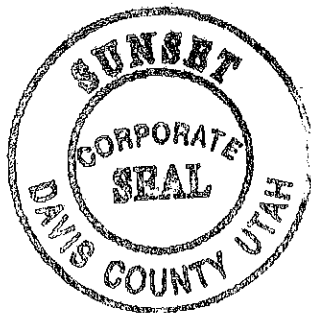
17. A chicken may not be kept, and a coop may not be constructed, on any property that is in violation of a City ordinance or where the owner or resident is being prosecuted for a violation.

18. No coop, pen, cage, or similar structure shall exceed one hundred fifty (150) square feet (includes coop space and chicken run).

G. Any chicken that is outside of an approved coop or enclosed area may be confiscated by any agent of the City.

Section Two Effective Date: This Ordinance shall become effective immediately upon passage and adoption and publication of a summary of the Ordinance as required by law.

PASSED AND ADOPTED by the City Council of Sunset City, State of Utah, this 17th day of May, 2022.



SUNSET CITY, a Municipal Corporation

By: D Howard Madsen
Mayor D Howard Madsen
Mayor

ATTEST:

Nicole Supp
Nicole Supp
City Recorder

Publication Date: 5/19/22



CHICKEN PERMIT APPLICATION

The undersigned hereby makes application for a non-crowling, egg-laying Hen Permit under the ordinances of Sunset City. The validity of the Permit shall be contingent upon the adherence to the guidelines associated with the keeping of Chickens within the City. Roosters and crowing hens of all kinds are prohibited. All hens must be kept in an enclosure at all times.

PROPERTY ADDRESS: _____

APPLICANT INFORMATION (Must be the owner of the property)

Name _____ Home Phone _____

Address _____ Cell Phone _____

Email Address _____

If the home is a Rental, please provide the Renter's Name _____

Renter's Phone _____ Renter's Email Address _____

INFORMATION TO SUBMIT WITH APPLICATION

Attach a copy of a site plan clearly indicating the following:

- Property lot and square footage
- Location of dwelling on the property and any accessory buildings
- Location of all coops, runs, and hutches (Allowed only in rear yard. Not permitted in front or side yards)
- Dimensions of coops, runs, and hutches
- Fence location and height
- Adjacent lots and dwellings
- Show distance from coops, runs, and hutches to your property lines, dwelling, and dwellings on adjacent lots (coops, runs, and hutches must be a minimum of 5' from property lines, 5' from your dwelling, and 40' from dwellings on adjacent lots)

Refer to our website www.sunset-ut.com for a complete copy of the ordinance and regulations

FEE INFORMATION - \$15.00 Annually

Lot Square Footage _____ (8,000 sq ft minimum required)

Number of Chickens _____ (Not to exceed 6 in total)

REMIT TO: **Sunset City**
200 W 1300 N
Sunset, Utah 84015
801-825-1628

The keeping of hens is intended only for pleasure or family food production (eggs/meat). No sale is permitted.

This is an application for a permit for Chickens; the actual permit will be issued only when all inspections are completed and approved. All information must be accurately completed. Issuance of the Permit shall in no way relieve the applicant/owner of his/her responsibility of complying with applicable zoning and state regulations. This permit will expire on December 31 of the year of issue.

I, We _____ have read and understand Ordinance 10-5A-7 of the Sunset City Code and hereby agree to conduct said Chicken keeping strictly in accordance with the laws and ordinances, and understand that it is unlawful to make any false statements, declaration, or report as required in this application.

Date _____ Applicant's Signature _____

FOR INTERNAL USE ONLY

Amount Paid \$ _____ Receipt # _____ Date _____

Zoning Administrator or Designee _____ Permit # _____

CERTIFICATE OF PUBLICATION

I, the duly appointed and acting Recorder for the City of Sunset, hereby certify that a copy of the foregoing Ordinance No. 2022-02 was published on the Utah Public Notice Website this 18th day of May, 2022.

Dated this 18th day of May, 2022.



Nicole Supp, Recorder

