



MEMORANDUM

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

FROM: Sherilyn Lombos, City Manager

DATE: October 18, 2010

SUBJECT: WORK SESSION FOR OCTOBER 25, 2010

5:00 p.m. (15 min) – Update on vacation of Blake Street right-of-way. The city attorney will give an update on the progress towards vacating the right-of-way associated with the “future Blake Street” area.

Action Requested: No specific action is requested.

5:15 p.m. (15 min) – Chickens in residential areas. On June 14th you asked that the Tualatin Planning Advisory Committee look at the issue of chickens in residential of town. TPAC has looked at this issue several times now and recommends the attached draft ordinance allowing chickens with some restrictions. Attached is a memo from Cindy Hahn with the background information.

Action Requested: Direction regarding a policy on chickens in residential areas.

5:30 p.m. (20 min) – Dogs at the Commons. You asked the Park Advisory Committee to consider the rule governing dogs at the Commons, which they did at their September meeting. Attached is a memo from Paul Hennon and Carl Switzer with information about public input and the TPARK discussion.

Action Requested: Direction regarding the rule governing dogs at the Commons.

5:50 p.m. (20 min) – Utility Undergrounding. You have had several discussions about requiring utilities to be put underground as part of new projects (4/28/08 and 2/23/09). Mike McKillip is back to get your direction on this issue. Attached is a memo and minutes from the previous discussions.

Action Requested: Direction on a utility undergrounding policy.

6:10 p.m. (15 min) – Poole Quarry. The hearing for this application is scheduled for October 28 (we have requested a continuance but as of this time have not heard if the hearing will be continued). Many of you have met with and talked to representatives of

the quarry and the city has been working on additional analysis of the application. If it is not continued, this will be the last opportunity to discuss the city's position.

Action Requested: Direction on the City's response letter.

6:25 p.m. (10 min) – Council Meeting Agenda Review, Communications & Roundtable. This is the opportunity for the Council to review the agenda for the October 25th City Council meetings and take the opportunity to brief the rest of the Council on any issues of mutual interest.

6:35 p.m. (20 min) – Executive Session – ORS 192.660(2)(i).

Upcoming Council Meetings & Work Sessions: Attached is a three-month look ahead for upcoming Council meetings and work sessions. If you have any questions, please let me know.

Dates to Note: Attached is the updated community calendar for the next three months.

As always, if you need anything from your staff, please feel free to let me know.



MEMORANDUM

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager 

FROM: Aquilla Hurd-Ravich, Acting Planning Manager 
Cindy Hahn, Assistant Planner 

DATE: October 25, 2010

SUBJECT: KEEPING OF CHICKENS IN RESIDENTIAL AREAS

ISSUE BEFORE THE COUNCIL:

On June 14, Council asked that the Tualatin Planning Advisory Committee (TPAC) discuss the issue of keeping chickens in residential areas. On July 6, 2010, staff presented information to TPAC for discussion and returned on August 3, 2010, with draft code language, specifically a new proposed Chapter 12-2 Keeping of Chickens in Residential Areas to the Tualatin Municipal Code (TMC), for review and discussion (Attachment A). A positive recommendation was received from TPAC, and staff is now presenting the draft code language to City Council for consideration.

POLICY CONSIDERATIONS:

- Given the increasing interest in keeping chickens in residential areas, should the City amend the City Codes to allow this to occur?
- If this is desirable, what new regulations should be adopted?
- If this is not desirable, should the City Codes be strengthened to prohibit the keeping of chickens in residential areas?

BACKGROUND:

Existing City regulations contained in the Tualatin Development Code (TDC) do not allow the keeping of chickens in single-family or other residential areas. Specifically, the Low Density Residential (RL) Planning District allows as a permitted use "agricultural uses of land, such as truck gardening, horticulture...", but excludes "the raising of animals other than normal household pets" (TDC Section 40.020). Further, the RL Planning District allows as a conditional use "agricultural animals" but limits these to include "cattle, horses and sheep" (TDC Section 40.030(4)(m)) to some limited areas of the city. Small animals are defined as "a domestic animal, such as a dog, cat, rabbit or guinea pig, accepted by the American Veterinary Medical Association as a household pet" (TDC Section 31.060 Animal, Small), and thus does not include chickens. The TDC does not allow "agricultural uses" in any other Planning District. The TMC also has regulations on nuisance issues

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addressing odor and animals, however, these regulations do not specifically address the keeping of chickens.

Chickens are included in the broader category of poultry, which includes domestic fowls such as chickens, turkeys, ducks, or geese, raised for meat or eggs. Cities in the Portland metropolitan area address the keeping of poultry in residential areas in a variety of ways. Staff gathered information about regulations in nine cities, which is summarized in Attachment B and was presented to TPAC at the July 6, 2010 meeting.

At the July 6, 2010 meeting, TPAC asked staff to review the City of Portland's regulations and to determine whether a "model ordinance" exists for the keeping of chickens in residential areas. Staff subsequently reviewed the City of Portland's regulations (Attachment C) and incorporated some of the definitions and criteria in the regulations into the draft code language contained in proposed TMC Chapter 12-2 (Attachment A). Staff also located an analysis prepared by K.T. LaBadie, a student at the University of New Mexico, entitled Residential Urban Chicken Keeping: An Examination of 25 Cities, which includes an example or "model" ordinance for the keeping of chickens in residential areas (Attachment D). This paper, along with the City of Gresham's Chicken Code (Attachment E) provided the basis for the majority of definitions and standards in the draft code language contained in proposed TMC Chapter 12-2.

At the August 3, 2010 TPAC meeting, the committee discussed the draft code language and made several suggested changes. The overall consensus was that proposed TMC Chapter 12-2 should be adopted with the limitation that it pertain only to chickens and not other types of domesticated fowl, and necessary amendments made to Sections 40.020 and 40.030(4)(m) of the TDC, to allow the keeping of chickens in single-family residential areas of the City.

DISCUSSION:

As directed by City Council, staff has presented information on the keeping of chickens in residential areas to TPAC for their consideration. TPAC has recommended that proposed TMC Chapter 12-2 should be adopted and necessary amendments be made to Sections 40.020 and 40.030(4)(m) of the TDC, to allow the keeping of chickens in single-family residential areas of the City. The draft code language includes the following:

- The single-family residential lot or parcel must have a minimum area of 5,000 square feet to keep up to four (4) adult chickens (individual birds).
- One additional adult bird is permitted for each 2,000 square feet of additional lot area up to a maximum lot area of 9,000 square feet or greater, or a maximum of six (6) adults birds.
- No roosters are allowed.
- Chickens are not allowed to be kept in any residential areas other than single-family, and the keeper must reside in the single-family dwelling on the lot or parcel where the chickens are kept.
- No other farm animals or livestock, such as goats, sheep or small pigs, are addressed by the draft code language.
- No permit is required and there are no fees.

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- Enforcement is on a complaint basis, and complaints are subject to investigation by the City Code Enforcement Officer or designee.

Sections 40.020 and 40.030(4)(m) of the TDC address small animals and household pets, but do not specifically address the keeping of poultry in residential areas. Minor amendments to these sections of the TDC, as shown in Attachment F, will be necessary concurrent with adoption of the new proposed Chapter 12-2 of the TMC.

Public Comment: Since the August 3, 2010 TPAC meeting, the City has received four (4) public comments – three (3) emails and one (1) letter – regarding the keeping of chickens in residential areas:

- The first, an email dated August 17 from Paul Sivley, strongly opposes the keeping of chickens.
- The second and third, an email dated September 8 from Jennie Willis and a letter dated September 27 from Marianik Le Gal, support allowing chickens in residential areas.
- The fourth, an email dated September 28 from Steve Titus, neither supports nor opposes the keeping of chickens, but references the \$50 license fee adopted in Salem and states: "I hope we have some fee included... to cover the cost of a basic 'Dos and Don'ts' of keeping chickens in the city".

The comment letter and emails are included as Attachment G to this staff memorandum.

RECOMMENDATION:

Staff recommends that Council consider the information presented and provide direction to staff.

- Attachment:**
- A. Draft Code Language – Keeping of Chickens in Residential Areas
 - B. City Regulations for Keeping of Poultry in Residential Areas
 - C. City of Portland – Chapter 13.05 Specified Animal Regulations
 - D. Residential Urban Chicken Keeping: An Examination of 25 Cities
 - E. Gresham Revised Code – Article 7.17 Keeping of Chickens
 - F. Draft Amendments to Sections 40.020 and 40.030(4)(m) of the Tualatin Development Code to Allow the Keeping of Chickens in the Low Density Residential (RL) Planning District
 - G. Comment Letter and Emails

Tualatin Municipal Code
Chapter 12-2
Keeping of Chickens in Residential Areas

Sections:

- 12-2-010 Purpose.**
- 12-2-020 Definitions.**
- 12-2-030 Applicability and Exceptions.**
- 12-2-040 Standards.**
- 12-2-050 Complaint Processes.**
- 12-2-055 Investigations and Notices.**
- 12-2-060 Fees.**
- 12-2-070 Effective Dates.**

12-2-010 Purpose.

The purpose of this code is to provide minimum standards for the keeping of chicken(s) in single-family residential areas to safeguard the health, safety and welfare of the owners, occupants and users of single-family dwellings and premises; and to protect the health, safety and welfare of neighbors to these properties.

12-2-020 Definitions.

As used in this chapter, the following definitions apply:

- (1) "**Chicken**" means *Gallus gallus* or *Gallus domesticus*, a domestic fowl believed to be descended from the red jungle fowl of southeastern Asia and developed in a number of breeds for its flesh, eggs, and feathers.
- (2) "**Code Enforcement Officer or Designee**" means the person designated by the City Manager to enforce the provisions of this chapter.
- (3) "**Coop**" means a building or similar structure where chickens are kept, the interior of which usually has nest boxes for egg laying and perches for the birds to sleep on.
- (4) "**Dwelling Unit**" means a habitable structure containing one or more rooms designed for occupancy by one individual or family and not having more than one cooking facility.
- (5) "**Keeper**" means any person or legal entity who harbors, cares for, exercises control over or knowingly permits any chicken(s) to remain on premises occupied by that person for a period of time not less than 72 hours or someone who accepted the chicken(s) for purposes of safe keeping.
- (6) "**Run**" means an enclosed or fenced area in which poultry are kept and allowed to walk, run about, peck and otherwise move freely.
- (7) "**Poultry**" means domesticated fowl, limited to chickens raised for their flesh, eggs, and/or feathers, and excluding other fowl such as quail, pheasants, turkeys, or ducks..
- (8) "**Secure Enclosure**" means an enclosure that both contains the chicken(s) and protects them from predators. When located outdoors and

separate from the single-family dwelling unit, the secure enclosure must include a covered, enclosed area (part not exposed to the elements), secure sides, a secure top attached to the sides, and a secure bottom or floor attached to the sides of the structure or the sides must be embedded in the ground. Alternatively, the secure enclosure may be any part of a house, garage, porch, or patio that must include a latched door or doors kept in good repair to prevent the accidental escape of chicken(s) or exit by chicken(s) of their own volition.

(9) **“Single-Family Dwelling”** means a single dwelling unit detached or separate from other dwelling units. A dwelling unit not having common walls with another dwelling unit.

(10) **“Vermin”** means various insects, bugs, or small animals, such as flies, cockroaches, mice, and rats, regarded as pests because they are annoying, obnoxious, destructive, or disease-carrying.

12-2-030 Applicability and Exceptions.

Chickens are allowed in single-family residential areas for personal use subject to the following conditions:

(1) Up to four (4) adult chickens (individual birds) over four (4) months of age shall be permitted on any one (1) single-family residential lot or parcel with a minimum area of 5,000 square feet. One (1) additional adult bird shall be permitted for each 2,000 square feet of additional lot area, up to a maximum of six (6) adult chickens (individual birds). For clarity, chickens four (4) months of age or younger shall not be counted toward this number. The keeper shall reside in a single-family dwelling on the lot or parcel where the chicken(s) are kept.

(2) No roosters shall be permitted.

12-2-040 Standards.

A keeper of chicken(s) shall adhere to the following standards:

(1) Chicken(s) shall be kept on the dwelling unit premises at all times.

(2) Chicken(s) shall be kept in a secure enclosure between 10 PM and 7 AM.

If the secure enclosure is a fully fenced pen, coop or similar structure, then it shall be located in the rear yard of the lot or parcel.

(3) The secure enclosure shall have at least two (2) square feet of floor space per grown (adult) bird, shall be adequately lighted and ventilated, and shall be kept in a clean, dry, and sanitary condition at all times.

(4) Any outdoor run shall be cleaned on a regular basis and as frequently as is necessary to prevent the accumulation of poultry waste or droppings (feces, feather dander, dust, uneaten food, etc.).

(5) The secure enclosure shall be located at least twenty (20) feet from any dwelling unit on an adjacent lot or parcel and at least ten (10) feet from all property lines.

(6) The secure enclosure shall be kept in good repair, capable of being maintained in a clean and sanitary condition, and free of vermin, obnoxious smells and substances.

(7) The secure enclosure, any run and any chicken(s) shall not create a nuisance or unduly disturb neighboring residents due to noise, odor, damage or threats to public health.

(8) All poultry feed shall be kept in metal garbage cans with secure lids or similar vermin-resistant containers or enclosures.

12-2-050 Complaint Processes.

(1) Any person may file complaints for suspected violation of the standards contained in this chapter.

(2) A complaint must be in writing and may be filed in person, by mail, by email, or fax. The complaint shall contain at least the following information:

(a) The name of the person filing the complaint. No complaints may be submitted anonymously;

(b) The address of the alleged violation; and

(c) A complete description of the alleged violation.

(3) The Code Enforcement Officer or designee shall process complaints using the following procedure:

(a) Confirm that the complaint alleges a violation of a standard of this chapter;

(b) Confirm that the allegation in the complaint, if proven to be true, would be a violation of this chapter; and

(c) Once the requirements of (a) and (b) are confirmed, notify the owner/keeper that the complaint has been submitted.

12-2-055 Investigations and Notices.

(1) Investigations. Upon confirmation that the requirements in TMC 12-2-050 have been met, the Code Enforcement Officer or designee will conduct an investigation to confirm the validity of the complaint.

(a) If the Code Enforcement Officer or designee determines that the complaint is not valid, the case will be closed and all parties will be notified of the closure.

(b) If the Code Enforcement Officer or designee determines that the complaint is valid, the owner/keeper will be issued a notice of the violation and request that the required maintenance, repairs and/or modifications be completed by a date certain.

(2) Inspection and Right of Entry. When it may be necessary to inspect to enforce the provisions of this chapter, the Code Enforcement Officer or designee may enter the single-family dwelling or premises at reasonable times to inspect or perform the duties imposed by this chapter as follows:

(a) If the single-family dwelling or premises are occupied, the Code Enforcement Officer or designee shall present credentials to the occupant and request entry.

(b) If the single-family dwelling or premises are unoccupied, the Code Enforcement Officer or designee shall first make a reasonable effort to locate the

ATTACHMENT A: DRAFT CODE LANGUAGE – KEEPING OF CHICKENS

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owner/keeper or other person having charge or control of the single-family dwelling or premises and request entry.

(c) If entry is refused or the dwelling unit or premises are unoccupied, the Code Enforcement Officer or designee may follow the procedures to obtain an administrative (non-criminal) warrant to inspect the premises.

(3) Failure to comply. If the owner/keeper does not comply with the notice by the specified date, the Code Enforcement Officer or designee will issue a citation to the owner/keeper to appear in Municipal Court.

(4) Penalties. A person who is found guilty by the Municipal Court of violating a provision of this chapter shall be punished by a fine not to exceed \$500.00 per day per violation. Each day that a violation exists constitutes a separate violation.

(5) Appeals. The Municipal Court decision may be appealed to the Circuit Court.

12-2-060 Fees.

There shall be no fees for the keeping of chicken(s) that is in compliance with the standards of this chapter.

12-2-070 Effective Dates.

This ordinance shall take effect thirty (30) days after the ordinance is approved.

TABLE 1: CITY REGULATIONS FOR KEEPING OF POULTRY IN RESIDENTIAL AREAS

City	Status of Regulation	Type of Regulation	Number Allowed	Permit	Enclosure	Inspection
Beaverton	Planning Commission Public Hearing, 06-30-10, to consider draft ordinance. City Council first hearing on 08-09-10	Urban Poultry Ordinance.	Unspecified at this time. Chickens and ducks only. No roosters.	Unknown	Unknown	Unknown
Forest Grove	Adopted 07-13-09; Effective 08-13-09	Ordinance Amending Forest Grove Development Code to Allow Domesticated Fowl (Ordinance No. 2009-08) Allowed in Residential Zones: SR, R-10, R-7, R-5, RML, RMH and Commercial Zones: NC, CC as a Limited Use	Domesticated fowl = chickens, quail, pheasants and ducks. Up to 4 adult fowl over 6 mos of age; lot with minimum area of 5,000 sf. One additional adult fowl permitted for each 2,000 sf additional lot area, up to maximum of 12 fowl. No roosters. Must be in conjunction with single-family residence and primarily for personal use.	Not required.	Fencing designed and constructed to confine all animals to owner's property. All structures that house fowl located at least 20 ft from all residences except owner's, 5 ft from any side or rear property line.	Not required. Complaint based.
Gresham	Enacted 02-04-10	Gresham Chicken Code (GRC Article 7.17)	3 or fewer adult hens on any one lot or parcel; must have a single family dwelling on same lot or parcel. No roosters. Only chickens greater than 4 mos old count toward the total of 3.	Required. Valid for 2 yrs. \$50.	Birds must be in enclosed coop or run at all times; in covered, enclosed coop 10 PM to 7 AM. Must be in rear yard of residence. Coop at least 25 ft from residences on a different lot or parcel, at least 10 ft from all property lines. Run at last 10 ft from all property lines.	Authorized. Complaint based.
Lake Oswego	In place since 1980s	Chapter 31 Animals and Fowl, Article 31.02, Lake Oswego City Code.	Defines "Animal" = "Any mammal, bird or reptile." and "Livestock" = "Bovine species, horses, mules, burrow, asses, sheep, goats, swine and domestic fowl." Unlimited number allowed as long as they do not become an annoyance, alarm or noise disturbance at any time of the day or night.	Not required.	Shelter must include a structure or other means of protection from the weather and injury. No other specifications.	Not required. Complaint based.
Oregon City	In place since 1990s	Title 8 – Health and Safety; Chapter 8.08 Nuisances, Oregon City Code of Ordinances	Unlimited number allowed as long as they do not become a nuisance and/or no complaints are received.	Not required.	Not required.	Not required. Complaint based.

City	Status of Regulation	Type of Regulation	Number Allowed	Permit	Enclosure	Inspection
Salem	Drafting Regulations in response to request by City Council. First presentation to City Council on 06-28-10. Goal = Regulation in place by end of 2010.	Chicken Rules (Ordinance), currently in rough draft form	Maximum 3 hens. No roosters. Applies to chickens only, no other fowl.	Required. Valid for 1 yr. \$50 + \$17.50 processing fee.	Hens must be contained in coop at all times and are not allowed to roam free. Coops located in side or rear yards of residential structures, at least 20 ft from any residential dwelling, min 3 ft from property lines. Maximum coop size = 120 sq ft. Electrical permit required if coop has power.	Coop inspection prior to licensing; Inspection Certificate required. Re-inspection on 3 rd yr of licensing.
	In place since 1980s	Sherwood Municipal Code, Title 16 Zoning and Community Development Code, Division II Land Use and Development, Chapters 16.12 – 16.20 Residential Zones (VLDR, LDR, MDRL, MDRH, HDR)	Unspecified. "Raising of animals other than household pets" allowed as a Conditional Use in residential zones. Chickens are considered "other than household pets" by interpretation. Type III review before Hearings Officer is required for a Conditional Use.	Not required.	Not required.	Not required.
Tigard	Uncertain	Tigard Municipal Code, Title 18: Community Development Code, Chapter 18.510 Residential Zoning Districts; Also Tigard Municipal Code, Title 7: Public Peace, Safety and Morals, Chapter 7.40 Nuisances	Unspecified. "Poultry or livestock, other than normal household pets" are permitted as "Agriculture/Horticulture" use in some Residential zones (R-1, R-2, R-3.5, R-4.5, R-7) subject to provisions related to coop/run location (see "Enclosure"). Also limited by nuisance regulations, including noise.	Not required.	When an agricultural use is adjacent to a residential use, poultry or livestock may not be "housed or provided use of a fenced run within 100 feet of any nearby residence except a dwelling on the same lot".	Not required.
Wilsonville	Current regulations in place since 1969. Drafting revisions, but had not been seen by Planning Commission as of 06-21-10. May be seen by Planning Commission within next few months.	Sherwood General Development Regulations, Chapter 4: Planning and Land Development, Section 4.162: General Regulations – Livestock and Farm Animals.	"Livestock and farm animals" permitted as accessory use to single-family and multiple family dwellings. Unspecified number of "poultry and fowl" allowed per Section 4.162 under current regulations. Draft revisions likely will limit to 3 chickens, no roosters; may have permit process for more than 3 chickens.	Not required under existing Section 4.162. Permit may be required for more than 3 chickens under revised regulations.	Under existing Section 4.162, pens may not be located closer than 100 ft from any residence other than that of the owner. Chickens and/or fowl must be properly caged or housed, proper sanitation must be maintained, food must be stored in metal or other rodent-proof receptacles. Revised regulations will reduce separation distance from 100 ft to 20 ft, with permit process required if a greater distance (+50 ft) is requested due to complaints.	Under existing Section 4.162, complaint-based process before Development Review Board. Conditions or restrictions may be imposed, including prohibition of raising livestock and farm animals on the subject site.

City of Portland

13.05.005 Definitions.

"Keeper" means any person or legal entity who harbors, cares for, exercises control over or knowingly permits any animal to remain on premises occupied by that person for a period of time not less than 72 hours or someone who accepted the animal for purposes of safe keeping.

"Livestock" means animals including, but not limited to, fowl, horses, mules, burros, asses, cattle, sheep, goats, llamas, emu, ostriches, rabbits, swine, or other farm animals excluding dogs and cats.

"A Secure Enclosure" shall be:

1. A fully fenced pen, kennel or structure that shall remain locked with a padlock or a combination lock. Such pen, kennel or structure must have secure sides, minimum of five feet high, and the director may require a secure top attached to the sides, and a secure bottom or floor attached to the sides of the structure or the sides must be embedded in the ground no less than one foot. The structure must be in compliance with the jurisdiction's building code.
2. A house or garage. Where a house or garage is used as a secure enclosure, the house or garage shall have latched doors kept in good repair to prevent the accidental escape of the specified animal. A house, garage, patio, porch, or any part of the house or condition of the structure is not a secure enclosure if the structure would allow the specified animal to exit the structure of its own volition.

"Specified Animals" means bees or livestock.

"Specified Animal Facility" means a permitted site for the keeping of one or more specified animals, including but not limited to a stable, structure, or other form of enclosure.

"Stable" means any place used for housing one or more domesticated animals or livestock, whether such stable is vacant or in actual use.

"Sufficient liability insurance" means, at a minimum, insurance in a single incident amount of not less than \$50,000 for personal injury and property damages, covering all claims per occurrence, plus costs of defense.

13.05.015 Permit Required for Specified Animal Facility.

A. No person shall operate or maintain any specified animal facility unless a permit has first been obtained from the Director.

B. Applications for specified animal facility permits shall be made upon forms furnished by the Director, and shall be accompanied by payment of the required fee. Specified animal facility permits shall be valid from the date of issuance until such time as the Director determines by inspection that the facility is not being maintained in compliance with the issuance criteria. Applications for a specified animal facility permit shall be accompanied by adequate evidence, as determined by the Director, that the applicant has notified all of the property owners and residents within 150 feet of the property lines of the property on which the specified animal facility will be located.

C. The Director shall issue a specified animal facility permit to the applicant, only after the Director has reviewed a completed and signed application which grants the Director permission to enter and inspect the facility at any reasonable time, and assuring the Director that the issuance criteria have been met. If the Director has reasonable grounds to believe that an inspection is necessary, the Director shall inspect the facility in order to determine whether the issuance criteria have been met.

The criteria for issuing a specified animal facility permit are as follows:

- 1.** The facility is in good repair, capable of being maintained in a clean and in a sanitary condition, free of vermin, obnoxious smells and substances;
- 2.** The facility will not create a nuisance or disturb neighboring residents due to noise, odor, damage or threats to public health;
- 3.** The facility will reasonably prevent the specified animal from roaming at large. When necessary for the protection of the public health and safety, the Director may require the specified animal be kept or confined in a secure enclosure so that the animal will not constitute a danger to human life or property;
- 4.** Adequate safeguards are made to prevent unauthorized access to the specified animal by general members of the public;
- 5.** The health or well being of the animal will not be in any way endangered by the manner of keeping or confinement;
- 6.** The facility will be adequately lighted and ventilated;
- 7.** The facility is located on the applicant's property so as to be at least 15 feet from any building used or capable of being used for human habitation, not including the applicant's own dwelling. Facilities for keeping bees, such as beehives or apiaries, shall be at least 15 feet from any public walkway, street or road, or any public building, park or recreation area, or any residential dwelling. Any public walkway, street, or road or any public building, park or recreation area, or any residential dwelling, other than that occupied by the applicant, that is less than 150 feet from the applicant beehives or apiaries shall be protected by a six foot hedgerow, partition, fence or similar enclosure around the beehive or apiary, installed on the applicant's property.
- 8.** If applicable, the structure must comply with the City's building code and must be consistent with the requirements of any applicable zoning code, condition of approval of a land use decision or other land use regulation; and
- 9.** The applicant shall demonstrate, to the Director's satisfaction, sufficient ability to respond to any claims for damages for personal injury or property damage which may be caused by any specified animal kept at the facility.
 - a.** The Director may require the applicant to provide proof of sufficient liability Insurance to respond to damages for any personal or property damages caused by any specified animal kept at the facility. The insurance shall provide that the insurance shall not be canceled or materially altered so as to be out of compliance with the requirements of this Chapter without thirty (30) days written notice first being given to the Director. The applicant shall provide a certificate of insurance to the Director within ten (10) days of the issuance of the permit. The Director shall revoke the permit upon any failure to maintain sufficient liability insurance as required under this subsection.
- D.** Each specified animal facility permit issued by the Director shall be conditioned on the applicant maintaining the facility in compliance with each of the issuance criteria. If the Director determines by inspection that the specified animal facility is not being maintained in compliance with the issuance criteria, the specified animal facility permit shall no longer be valid and shall be revoked. Before operation of the facility resumes, submission of a new application for a specified animal facility permit accompanied by payment of the permit fees shall be required, and the facility shall not be allowed to operate until such time as the Director has inspected the facility and determined that all issuance criteria have been met. The Director may impose other conditions on the permit, including but not limited to, a bond or security deposit necessary to protect the public health or safety.

E. A person keeping a total of three or fewer chickens, ducks, doves, pigeons, pygmy goats or rabbits shall not be required to obtain a specified animal facility permit. If the Director determines that the keeper is allowing such animals to roam at large, or is not keeping such animals in a clean and sanitary condition, free of vermin, obnoxious smells and substances, then the person shall be required to apply for a facility permit to keep such animals at the site.

F. These provisions for specified animal control are intended to provide city-wide regulations for keeping specified animals within the City. However, due to the variety of animals covered by these regulations and the circumstances under which they may be kept, these regulations should be applied with flexibility. Variances provide flexibility for unusual situations, while maintaining control of specified animals in an urban setting. The Director should grant variances if the proposal meets the intended purpose of the regulation, while not complying with the strict literal requirements.

1. Applicants for a specified animal permit may request a variance from the requirements set forth in Section 13.05.015 C. In determining whether to grant a variance request, the Director shall consider the following criteria:

a. Impacts resulting from the proposed variance will be mitigated as much as possible;

b. If more than one variance is proposed, the cumulative impact would still be consistent with the overall purpose of the regulations; and,

c. If in a residential area, the proposed variance will not significantly detract from the public health or safety in the area.

2. The Director may impose conditions on any variance, as may be appropriate to protect the public health or safety or the health or safety of the animals.

a. The Director may, at any time, revoke any variance, or amend the conditions thereof, as may be appropriate to protect the public health or safety or the health or safety of the animals.

b. Failure to comply with the conditions of any variance issued under Section 13.05.015 F is a violation of this Chapter.

13.05.025 Unsanitary Facilities and revocation of permit. - Printable Version

A. All specified animal facilities shall be open at all times for inspection by the Director. If an inspection reveals that any provision in this Chapter is violated, the Director shall give written notice to the keeper or other responsible person, specifying the violation and requiring that the violation be corrected within 48 hours. If the violation is not corrected within the period specified, the Director may revoke the specified animal facility permit.

B. The Director may revoke any specified animal facility permit upon determining that the facility no longer meets the conditions required for the issuance of a permit or that the permit was issued upon fraudulent or untrue representations or that the person holding the permit has violated any of the provisions of this Chapter.

13.05.035 Livestock within Fifty Feet of Residence. - Printable Version

It is unlawful to picket any livestock, or allow any livestock to roam, so that it may approach within 50 feet of any building used as a residence, or any commercial building in which foodstuff is prepared, kept or sold.

13.10.010 Roosters Prohibited. - Printable Version

It is unlawful for any person to harbor, keep, possess, breed, or deal in roosters in the City of Portland. The provisions of this Section shall not be construed to prohibit the possession of roosters for commercial purposes.

13.10.020 Swine Not Allowed in City; Exceptions. - Printable Version

A. It is unlawful to have or to keep within the limits of the City any live pigs or swine for a longer period than 3 days.

B. Notwithstanding the above, or the terms of Chapter 13.05, the having or keeping of swine commonly referred to as Miniature Vietnamese, Chinese or Oriental pot-bellied pigs (*sus scrofa vittatus*) is allowed, subject to the following:

1. Any pig or swine shall be considered to fall within this exception if its maximum height is no greater than 18 inches at the shoulder and it weighs no more than 95 pounds.

2. No more than three Miniature Vietnamese, Chinese or Oriental pot-bellied pigs shall be kept at any one address for any period in excess of 3 days.

For 4 hens, a 3'x4' Coop plus a "run" (a place for them to scratch around) that is roughly 3'x8' is more than adequate.

"Chicken Tractors" are another option. They are portable coops that can be moved over the yard or garden plots, to give birds fresh bugs and greens--this also is a great way to mow the lawn!

They will eat just about anything! There are commercial poultry foods available at local feed stores, or you can make your own mix. People feed chickens corn, oats, wheat, rye, soy, fresh greens from the garden (weeds as well), table scraps (they love spaghetti!), worms and other bugs. The local grocery stores and markets often have vegetable scraps available. Variety is the key to good health, just like us!

Make sure the structure is secure (enclosed top, fencing buried below ground under the sides, secure latches on doors or other entryways), keep all birds locked in at night, letting them out into the run or "tractor" only during the day.

It is food that attracts rodents, not the birds. Keep all feed in metal garbage cans, with secure lids. Feed birds in small doses, so as not to have a large amount of food left over. If you feed your birds scraps/ protein, make sure it is eaten and not left in the bedding.

The proposed language was crafted based on a review of existing ordinances in Rogers, Arkansas; Madison, Wisconsin; Missoula, Montana; Portland, Oregon; Fort Collins, Colorado; and a draft proposal in Milwaukee, Wisconsin. Many other communities have adopted ordinances allowing the raising of chickens in urban areas.

Article E: Zoning Districts

Sec. 13-1-80 Single Family Residence District.

(c) District Performance Standards.

(2) Permitted Uses.

NEW:

g. Keeping of up to five (5) chickens, provided that:

1. The principal use is a single-family dwelling.
 2. No person shall keep any rooster.
 3. No person shall slaughter any chickens outdoors.
 4. a. The chickens shall be provided with both a hen house and a fenced outdoor enclosure.
 - b. The chickens must be kept in the hen house or fenced outdoor enclosure at all times and shall not be allowed to run free.
 - c. The hen house shall be a covered, predator-resistant, well-ventilated structure providing a minimum of 2 square feet per chicken.
 - d. The outdoor enclosure shall be adequately fenced to contain the chickens and to protect the chickens from predators.
 - e. The hen house must be kept in a clean, dry, and sanitary condition at all times.
 - f. The outdoor enclosure shall be cleaned on a regular basis to prevent the accumulation of animal waste.
5. No hen house or outdoor enclosure shall be located closer than twenty (20) feet to any dwelling unit on an adjacent lot. The enclosure shall also comply with the setback requirements for accessory buildings and structures set forth in 13-1-80 (d) (7).

Article E: Zoning Districts

Sec. 13-1-81 Two Family Residence District.

(c) District Performance Standards.

(2) Permitted Uses.

NEW:

- h. Keeping of up to five (5) chickens, provided that:
 1. The principal use is a single-family or two-family dwelling.
 2. No person shall keep any rooster.
 3. No person shall slaughter any chickens outdoors.
 4. a. The chickens shall be provided with both a hen house and a fenced outdoor enclosure.
 - b. The chickens must be kept in the hen house or fenced outdoor enclosure at all times and shall not be allowed to run free.
 - c. The hen house shall be a covered, predator-resistant, well-ventilated structure providing a minimum of 2 square feet per chicken.
 - d. The outdoor enclosure shall be adequately fenced to contain the chickens and to protect the chickens from predators.
 - e. The hen house must be kept in a clean, dry, and sanitary condition at all times.
 - f. The outdoor enclosure shall be cleaned on a regular basis to prevent the accumulation of animal waste.
5. No hen house or enclosure shall be located closer than twenty (20) feet to any dwelling unit on an adjacent lot. The enclosure shall also comply with the setback requirements for

accessory buildings and structures set forth in 13-1-81 (d) (7).

Sec. 7-15-1 Fee Schedule.

The following fees shall be applicable for licenses and permits under this Code of Ordinances:

13-1-80 (c)(2)g Keeping chickens \$10.00

13-1-81 (c)(2)h Keeping chickens \$10.00

Residential Urban Chicken Keeping: An Examination of 25 Cities



Missoula Residents with their backyard chickens.
Source: <http://www.missoula.com/news/node/226>

KT LaBadie

**CRP 580 Spring 2008
University of New Mexico
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Abstract

City councils across the United States and Canada are increasingly being faced with the task of deciding whether or not to allow chicken keeping in residential backyards. In many cases this issue has two opposing sides: those citizens who want to keep chickens for egg production and those citizens who are concerned about the effects of chickens on their communities. This paper provides an analysis of pro-chicken ordinances from 25 cities in an effort to define the components of a just and well functioning chicken ordinance. Of the 25 ordinances, no two were identical but a variety of common regulatory themes were found across cities. Based on these findings, some considerations are suggested when forming an urban chicken keeping ordinance.

Introduction

*"I can't say that I would have envisioned chickens as an issue, but I've heard from a lot of people about them, and it seems like it's something maybe we ought to pay a little attention to."*¹

- Stacy Rye, Missoula City Councilwoman

It's happening right now in cities across the United States and Canada. Community members are organizing themselves into groups and approaching their city councils about an important urban planning issue: chicken keeping in the city.

This question of whether or not cities should allow backyard chicken keeping has increased substantially over the past 5 years as citizens become more interested in participating in their own food production. The issue has appeared recently before city councils in Missoula², Halifax³, and Madison⁴, and a case is currently pending in Ann Arbor, Michigan⁵. In many cases this interest in backyard chicken keeping has been met with much opposition and city councils often do not know how to begin approaching the issue.

The recent increase in urban backyard chicken keeping has come about for three main reasons. First, the local food movement itself has become very popular which has sparked a new interest for many in backyard food production. Since chickens are one of the smaller protein producers, they fit well into a backyard food production model. Second, rising energy and transportation costs have caused concern over increases in food costs, and backyard eggs offer a cheaper solution as they do not have to travel far to reach the plate. Lastly, many citizens are becoming increasingly concerned about food safety, and with meat recalls and other animal industry issues in the news, backyard chickens offer many a safer solution. For these reasons, backyard chickens have become

¹ Moore, Michael. Urban Chickens Scratching up a Controversy in Missoula. . Available online at <http://www.missoula.com/news/node/226>

² Medley, Ann and Jonathan Stumph. Video: Missoula Squabbles Over Urban Chickens. Available online at http://www.newwest.net/city/article/missoulas_urban_chicken_squabble/C8/L8/

³ CBC News. Halifax to Study Chickens in Cities. Available online at <http://www.cbc.ca/consumer/story/2008/02/12/chicken-report.html>

⁴ Harrison-Noonan, Dennis. Urban chicken keeper, Madison, Wisconsin. Interviewed on April 8, 2008.

⁵ Kunselman, Steve. City Councilor (ward 3) Ann Arbor, Michigan. Interviewed on April 29, 2008.

increasingly popular, but not everyone likes the idea of chickens living in their neighborhood.

There are generally two sides to the chicken keeping issue: those who are for allowing *Gallus domesticus* in residential backyards, and those who are opposed. There are a variety of reasons why people want to keep chickens, ranging from having a safe source of protein to gaining a closer relationship to the food they consume. Those who are opposed to backyard chickens however, often express concerns about noise, smells, diseases, or the potential for chickens running loose. There is also debate between the two sides as to the appropriateness of chickens in a city environment and if chickens qualify as pets or livestock.

Chicken keeping in urban environments is nothing new, but it is now something that needs to be planned for in all major cities and small towns across the United States. As the interest in the local food movement continues to increase, and as citizens become more interested in growing their own food, municipalities will eventually be faced with the issue of regulating backyard chicken keeping within their city limits. Planning for chickens can either be pro-active on the part of the city council and planning staff, or reactionary as citizens will eventually bring the issue to city hall. Municipalities often do not know how to approach the chicken keeping issue, and this paper serves to provide some insight through an analysis of urban chicken ordinances from across the United States.

Research Methods

The main goal of this paper was to analyze how residential backyard chicken keeping is regulated through the examination of chicken ordinances from a variety of cities. To achieve this, data was gathered through the examination of residential chicken ordinances, as well as through a variety of interviews, newspaper articles, video footage, and other resources.

Residential chicken ordinances from over 30 cities were gathered, however only 25 of the cities allowed the keeping of chickens, so only those were used in the analysis (see

Appendix A). The ordinances were sourced from city web sites, online web ordinance databases, and other online sources (see Appendix B). In a few instances calls were made to city planning departments to verify language in the ordinances.

Interviews were conducted with the following city officials, urban chicken keepers, and urban food/gardening community organizations:

- Steve Kunselman, City Councilor (ward 3) Ann Arbor, Michigan. He proposed pro-chicken ordinances for Ann Arbor, which are being voted on in May of 2008.
- Thomas Kriese: An urban chicken keeper in Redwood, CA and writer about urban chickens at <http://myurbanchickens.blogspot.com/>
- Dennis Harrison-Noonan, urban chicken keeper, Madison, Wisconsin. He was involved in the adoption of pro-chicken ordinances for Madison.
- Debra Lippoldt, Executive Director of Growing Gardens, Portland, OR

These interviews served to provide personal insights into urban chicken keeping, stakeholder positions, and the urban chicken movement. The interviews were also crucial in receiving feedback about chicken ordinances and the process involved in legalizing chicken keeping.

Analysis

Of the 25 cities evaluated, no two were identical in their restrictions and allowances (see chart of detailed findings in Appendix A). There were, however, common regulatory themes that emerged from the set evaluated. These common themes are as follows:

- The number of birds permitted per household
- The regulation of roosters
- Permits and fees required for keeping chickens
- Chicken enclosure/containment restrictions
- Nuisance clauses related to chickens
- Slaughtering restrictions
- Coop distance restrictions in relation to homes or property lines

The findings of the above commonalities, as well as unique regulations that emerged, are discussed in detail below. The ease and accessibility of finding the ordinances is also discussed.

Number of Birds Permitted

Of the 25 cities evaluated, only 6 had unclear (or not specifically stated) regulations on the numbers of birds permitted, while 13 stated a specific number of birds. Of the remaining, 3 cities used lot size to determine the number of chickens permitted, 2 cities used distance from property lines as a determining factor, and 1 city placed no limit on the number of chickens allowed. Over half of the cities evaluated stated a specific number of allowable chickens, which ranged from 2 to 25 birds. The most common number of birds permitted was either 3 or 4 birds, which occurred in 8 cities.

The most common number of birds permitted was 3 or 4, which will supply on average between 1 and 2 dozen eggs per week. Depending on the size of the family in the household, this may be sufficient. In some cases however, 3 to 4 birds may not be enough for larger family sizes or allow for giving away eggs to neighbors. In cities where it is legal to sell your eggs at farmers markets, 3 or 4 birds would not be sufficient. So what is a good number of chickens to allow in residential backyards for home consumption? Thomas Kriese, an urban chicken keeper who writes online about chicken keeping and ordinances, feels that no more than 6 birds should be permitted. "That's approximately 3 dozen eggs a week which is a LOT of eggs to consume, plus that's a lot of food to go through, and excrement to clean up," he stated in a personal correspondence.⁶

The answer of how many birds to allow is not an easy one, as other factors such as average property sizes and controlling for nuisances should be considered. A good example of how to address the issue surrounding the number of birds is Portland, Oregon's chicken ordinance. Portland allows the keeping of 3 birds per household; however you are allowed to apply for a permit to keep more (See Appendix A). In this case the ordinance is flexible, as a sufficient number of birds are permitted outright, and those wishing to keep more can apply to do so.

⁶ Kriese, Thomans. Urban chicken keeper, Redwood City, CA. Personal correspondence on April 28, 2008. His coverage of urban chicken ordinances is available online at <http://myurbanchickens.blogspot.com/>

Regulation of Roosters

The regulations regarding roosters were unclear in 14 cities and in 7 cities the keeping of roosters was not permitted. Of the remaining 4 in which the keeping of roosters was permitted, 1 city allowed roosters if kept a certain distance from neighbors residences, 1 allowed roosters only under 4 months of age, 1 allowed a single rooster per household, and 1 placed no restrictions.

Many cities choose to not allow the keeping of roosters, as neighbors often complain about the crowing which can occur at any hour of the day. Since one of the main reasons people choose to keep chickens is for the eggs, which roosters do not provide, it is generally accepted to only allow hens. In the case of Albuquerque, New Mexico, 1 rooster is allowed per household but it is still subject to noise ordinances (see Appendix A). So in this case, you can keep your rooster if your neighbors do not mind the crowing. This does allow people to have more choice, however it can also increase the costs associated with enforcing noise complaints.

Permits and Fees

The regulation of chickens through city permits and fees was unclear in 11 of the cities evaluated, while 4 required no permits or associated fees, and 10 required permits, fees, or both. The fees ranged from \$5.00 to \$40.00, and were either 1 time fees or annual fees. Of the 10 that required permits/fees, 3 required permits *only if* the number of birds exceeded a set amount which ranged from 3 to 6 birds. In two instances, it is also required that the birds be registered with the state department of agriculture.

Requiring a permit for chickens is no different than requiring one for dogs and cats, which is the case in most cities. From the perspective of affordable egg production however, attaching a large fee to the permit undermines that purpose. If a fee is too steep in price, it can exclude lower income populations from keeping chickens by increasing the costs of egg production. Fees may be necessary however to cover the associated costs for the municipality to regulate chickens. Another option, which was the approach of 3 cities, was to allow a certain number of birds with no permit/fee required, and anything

above that required a permit/fee. This allows equal participation and lowered costs, while still providing revenue for the regulation of larger bird populations.

Enclosure Requirements

In 9 cities the ordinances were unclear in regards to enclosure requirements or the allowance of free roaming chickens. Of the remaining, 2 had no restrictions and 14 required that chickens be enclosed and were not permitted to “run at large”. In one case, the approval of a coop building plan and use of certain materials was required.

Over half of the cities evaluated required that chickens be enclosed, and this regulation can help to alleviate the concerns of neighbors. Many chicken keepers want to keep their chickens confined in a coop and outdoor run, as this helps to protect them from predators. However, it is very restrictive to require confinement of chickens at all times, as many keepers enjoy watching their chickens free range about the yard. Just as there are regulations for leashing your dog, so too could there be regulation for only allowing chickens to roam in their own yard.

Requiring a building permit with specific material requirements, is also restrictive to lower income populations, and takes away from the sustainability of keeping chickens for eggs. In many cases, chicken coops are built with scrap materials and suit the design needs of the owner. Requiring a specific design or materials takes those choices away from the chicken keeper. Coops should be treated similar to dog houses, which are generally not subject to this type of regulation.

Nuisance Clauses

There were a variety of nuisance regulations stated in 17 of the cities evaluated, while the remaining 8 cities had unclear nuisance regulations. The nuisances that were stated in the 17 ordinances included one or more of the following: noise, smells, public health concerns, attracting flies and rodents, and cleanliness of coops/disposal of manure. Chicken keeping alone does not cause the nuisances listed above, but rather they result from improper care and maintenance which can sometimes occur.

A properly shaped ordinance can prevent potential nuisances by establishing clear guidelines for chicken care and maintenance, such as only allowing smaller sized flocks and not permitting roosters. An active community led education campaign, such as chicken keeping classes and coup tours, is another way in which to educate the public to ensure proper care and reduce the potential for nuisances. In many cities, chicken keeping community organizations have helped to educate the public on how to properly keep chickens within the limits of the law, thereby reducing nuisances and complaints.

Slaughtering Restrictions

Regulations regarding the slaughtering of chickens in residential areas were unclear in 19 of the cities evaluated. Of the remaining, 4 allowed slaughtering of chickens while 2 stated it was illegal to do so. This regulatory theme had the highest level of unknowns, most likely due to the issue not being included in the ordinance, or it being stated in another section of the general animal ordinances, and not referring specifically to chickens.

Although slaughtering chickens within city limits seems gruesome to some, others may wish to slaughter their birds for meat. Rogers, Arkansas for example, only allows the slaughtering to take place inside (Appendix C), which could help prevent neighbor complaints about the process. Allowing for slaughtering however, may also have its benefits, such as being a solution to aging urban chickens that no longer produce eggs.

Distance Restrictions

Distance restrictions between the location of the chicken coop and property lines, or coop and nearby residences, were stated in 16 of the ordinances evaluated. There were no restrictions in 3 of the ordinances and 5 were unclear. Of the 16 with distance restrictions, 12 were distances required from residences, while 3 were distances required from property lines. The distance required from property lines ranged from 10 to 90 feet, while the distances from residences ranged from 20 to 50 feet.

If a city chooses to have distance restrictions, the average lot sizes need to be taken into consideration. For example, Spokane, WA has a property line distance restriction of 90

feet (see Appendix A), which may be impossible to achieve in many residential yards. This large of a requirement would prevent many people from keeping chickens. The lower distance requirements, such as 10 or 20 feet are more feasible to achieve for those with smaller lot sizes. Distance requirements to neighboring homes (vs. property lines) are also easier to achieve as the distance considers part of the neighbors property in addition to the chicken keepers property.

Unique Regulations

All 25 ordinances evaluated had some combination of the above common themes, but there were also some unique regulations that one (or a few) cities had related to residential chicken keeping. These unique regulations are as follows:

- Chicken feed must be stored in rat proof containers
- Pro-chicken regulations are on a 1-year trial basis with only a set number of permits issued until the yearly re-evaluation.
- For every additional 1,000 sq. feet of property above a set minimum, 1 additional chicken may be added to the property.
- The allowance of chickens in multi-family zoned areas (allowance in single family zoning is most common)
- Coops must be mobile to protect turf and prevent the build up of pathogens and waste.
- Chickens must be provided with veterinary care if ill or injured
- Minimum square footage requirements per bird for coop/enclosure

The unique regulations listed offer some innovative solutions to possible issues such as pests and waste, as well as defining minimum space and health care standards for chickens. Some of these regulations also allow for more flexibility, such as extending the right to keep chickens to those living in multi-family dwelling units or allowing more birds on larger property sizes. In the case of Portland, ME, the permitting of chickens is on a trial basis, which may be a good option if a city wants to reevaluate residential chicken keeping after a certain time frame.

Locating and Understanding the Ordinances

Of the 25 pro-chicken ordinances, very few were actually easy to locate. In most cases, pages of code had to be searched in order to find the regulation and even then the chicken ordinances were often vague, incomplete, or regulations were spread throughout multiple sections of the code. This is an issue that should be considered, as unclear or hard to find ordinances can only lead to increased non-compliance.

The most easily accessible chicken ordinances were those specifically stated on city web pages, and those found through websites and literature from urban gardening organizations or community groups. One example of easily accessible ordinances is that of Rogers, Arkansas (Appendix C). Their chicken ordinance is not only easily accessible directly from the city website, but it is also clear and comprehensive. A clearly stated and easily accessible ordinance allows resident to know how they can keep chickens within the limits of the law, which can reduce complaints and other issues related to non-compliance.

Findings and Recommendations

"Issues such as rodent control are a real concern and the ordinance can have a positive influence on keeping an already urban issue from being exacerbated any more than it already is".

- Debra Lippoldt, Executive Director of Growing Gardens, Portland, OR⁷

The original question for this paper was "What is a good urban chicken ordinance?" This was based on the idea of examining a variety of ordinances and then singling out those that were better than most and could serve as an example. After having conducted the analysis however, the question was changed to "What are the good components and considerations that make up a just and functional urban chicken ordinance?" There is no superior "one size fits all" ordinance to regulate urban chickens, as each city has different physical, environmental, social, and political needs.

Although each ordinance will be different from one city to the next, a pro-chicken ordinance should be built upon the following considerations:

⁷ Lippoldt, Debra. Executive Director of Growing Gardens, Portland, OR. Personal Correspondence on April 8, 2008.

- It satisfies the needs of most stakeholder groups and acknowledges that some stakeholders on both sides of the issue will be unwilling to compromise
- It does not discriminate against certain populations, such as those of lower incomes who can not afford high permitting fees, or those with smaller property sizes
- It allows for flexibility and provides choice, such as giving chicken keepers the right to choose their own coop design and building materials
- It allows for citizen input and participation in the ordinance forming process to assure that the ordinance fits the needs of , and is supported by the community
- It recognizes the role chickens can play in developing a more sustainable urban environment
- It recognizes the importance of the ordinance being clearly stated and easily accessible to the public, which will help ensure compliance and reduce violations.

The general considerations above are a good compliment to the specific allowances that each municipality chooses to fit its needs and that of its citizens. These specifics however can be more difficult to choose and looking to other cities as examples can provide insight into the best possible choices.

The evaluation of 25 different chicken ordinances showed a wide spectrum of choices that municipalities have made in the regulating of chickens. Looking at the number of chickens permitted, for example, cities ranged anywhere from 2 chickens to unlimited chickens. Only allowing for 2 chickens may not be an ideal choice, as they are social creatures and if one were to become ill an die, only one chicken would be left. Two chickens also do not produce enough eggs for a larger sized family. On the other hand, allowing for unlimited chickens may mean increased nuisance enforcement, or allowing for that many chickens may be met with increased public opposition. Often the average allowances found (not the most extremes) are the best choices of an example regulation for other cities to look to when considering the formation of their own chicken ordinance. In the case of the cities evaluated, the most common allowance was 4 to 6 birds, which can provide enough eggs for a family and does not highly increase the potential for nuisances. It also allows for a more sustained population if a bird becomes ill and dies.

Another example of the middle ground being a good option would be permitting and fees for keeping chickens. In some cities there were high fees for permitting, while in others no fee or permit was required. A few cities, which only required permits and fees if you have over a certain number of birds, show a good middle ground for how to permit chickens. That model allows for citizens to keep a certain number of chickens without added costs, while also creating revenue for enforcement and regulation when people choose to exceed that amount. Many cities are concerned over increased costs if chicken keeping is legalized, and this is one way to alleviate those concerns while still allowing citizens to keep chickens.

In some of the regulatory themes, such as in the examples above, the middle ground does provide a choice which can alleviate concerns while still allowing for the keeping of chickens. Other regulatory themes, such as the slaughtering of chickens, may come down to more of a yes or no answer, as was seen in many of the cities. In either case, if a city is going to adopt a pro-chicken ordinance, the most important part is to first allow for the keeping of chickens, with the understanding that the ordinance can be revisited and changed at a future time. Allowing for the keeping of chickens is the best way to see if the concerns surrounding chicken keeping ever come to fruition, and the ordinance can then be adjusted accordingly. In many cases, cities adopt a more restrictive ordinance as that is what will pass public approval and city council. Then as time passes with few complaints or nuisances, those regulations become more relaxed and tailored specifically to the needs of the city and its residents.

Conclusions

"It seems that if we want to be a town that does its part for sustainability, this is something we ought to consider. I think we want to allow folks to use their good judgment and move toward more sustainable food practices."

- Mayor John Engen, Missoula, MT⁸

Many cities and towns are now looking at how they can be more sustainable, and allowing urban chickens is one step towards that goal of increased sustainability. Not

⁸ Moore, Michael. Urban Chickens Scratching up a Controversy in Missoula. Available online at <http://www.missoula.com/news/node/226>

only can backyard chickens provide residents with a fresh and important food source, but they also bring about an increased awareness of our relationship to the food cycle. By forming a just and well thought out pro-chicken ordinance, cities can allow citizens the right to keep chickens while also addressing the concerns of other stakeholder groups. With that said, city councils should approach the issue of urban chicken keeping with a “how” rather than a “yes” or “no”, as a growing list of pro-chicken cities across the nation shows that it can be done successfully.

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(References for 25 City Ordinances: See Appendix B)

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Appendix A
25 Ordinances Analyzed

City/State	# of birds permitted	Roosters allowed	Permit/permit cost	Enclosure required	Nuisance clause	Slaughter permitted	Property line restrictions	Details or unique regulations
Los Angeles, CA	unclear	only if 100 ft from neighbors	unclear	unclear	Yes	unclear	20 ft from owners home, 35 ft from neighbors	
Rogers, AK	4	No	\$5/yr	Yes	Yes	inside only	25 ft from neighbors house	
Keywest, FL	unclear	Yes	None	Yes	Yes	No	No	Can't use droppings as fertilizer, feed must be stored in rat proof containers
Topeka, KS	unclear	unclear	unclear	Yes	Yes	unclear	50 ft from neighbors house	
South Portland, ME	6	No	\$25/yr	Yes, building permit required	Yes	unclear	Yes	On trial basis till November 2008, only 20 permits issued till yearly evaluation
Madison, WI	4	No	\$6/yr	Yes	Yes	No	25 ft from neighbors house	
New York, NY	No limit	No	Yes	No	Yes	unclear	No	
Albuquerque, NM	15	1 per household	None	No	Yes	Yes	No	
Portland, OR	3 without permit	unclear	\$31 one time fee for 4 +	Yes	Yes	unclear	unclear	
Seattle, WA	3	unclear	unclear	unclear	Yes	unclear	10 ft from property line	1 additional chicken per 1,000 sq ft of property above minimum
Spokane, WA	1 per 2,000 sq ft of land	unclear	unclear	unclear	unclear	unclear	90 ft from property line	Chickens allowed in multi-family zoned areas
San Antonio, TX	property line dependant	unclear	unclear	unclear	unclear	unclear	20 ft minimum from another dwelling	5 birds allowed 20 ft from home, 12 birds at 50 ft, 50 birds at 150 ft
Honolulu, HI	2	unclear	unclear	unclear	unclear	unclear	unclear	
Oakland, CA	unclear	No	unclear	unclear	unclear	unclear	20 ft minimum from another dwelling	
St. Louis, MO	4 max. without permit	unclear	\$40 permit for more than 4 birds	unclear	unclear	unclear	unclear	
San Diego, CA	25	unclear	unclear	unclear	Yes	unclear	50 ft from neighbors house	Feed must be stored in rat proof container
San Jose, CA	dependent on coop to property line	only roosters < 4 months old	permit needed for 6 or more birds	Yes	unclear	unclear	Ranges from 0 to 50 ft, determines # of birds	<15 ft = 0 birds allowed, 15 to 20 ft = 4 birds, etc, up to 50 ft = 25 birds
Austin, TX	unclear	unclear	unclear	unclear	unclear	Yes	50 ft from neighbors house	
Memphis, TN	unclear	unclear	unclear	Yes	Yes	Yes	unclear	Feed must be stored in rat proof container
Ft. Worth, TX	based on lot size	unclear	No	Yes	Yes	unclear	50 ft from neighbors house	<1/2 acre = 12 birds, >1/2 acre = 25 birds
Baltimore, MD	4	unclear	Must register with animal control and Dept of Ag.	Yes	Yes	unclear	25 ft from neighbors house	Coops must be mobile to prevent waste build up, minimum 2 sq ft/bird,
Charlotte, NC	based on lot size	unclear	\$40/yr	Yes	Yes	unclear	25 ft from property line	minimum 4 sq. ft/bird, no more than 20/acre
Missoula, MT	6	No	\$15 permit	Yes	Yes	unclear	20 ft from neighbors house	Feed must be stored in rat proof container
Boise, ID	3	No	unclear	Yes	unclear	unclear	unclear	
San Francisco, CA	4	Unclear	No	Yes	Yes	unclear	20 feet from door or window of residence	

Appendix B
Sources for 25 Ordinances

City/State	Source for Ordinance
Los Angeles, CA	Los Angeles Animal Services. http://www.laanimalservices.org/permitbook.pdf
Rogers, AK	Ordinance No. 06-100 http://www.rogersarkansas.com/clerk/chkordinance.asp
Keywest, FL	Part 2, Title 5 Section 62 www.keywestchickens.com/city
Topeka, KS	Section 18-291 www.municode.com
South Portland, ME	Chapter 3 Article 2 Section 3 http://www.southportland.org/index.asp?Type=B_LIST&SEC={93286E1E-9FF8-40D2-AC30-8840DEB23A29}
Madison, WI	http://www.madcitychickens.com/ and www.municode.com
New York, NY	Just Food's City Chicken Project. City Chicken Guide. Information available online at http://www.justfood.org/cityfarms/chickens/
Albuquerque, NM	City ordinance chapter 9, article 2, part 4, § 9-2-4-3, c-3 http://www.amlegal.com/albuquerque_nm/
Portland, OR	Ordinance 13.05.015 http://www.portlandonline.com/Auditor/index.cfm?c=28228#cid_13497
Seattle, WA	Ordinance 122311 section 23 www.seattleurbanfarmco.com/chickens
Spokane, WA	Title 17 Chapter 17C.310 Section 17C.310.100 http://www.spokanecity.org/services/documents/smc/?Section=17C.310.100
San Antonio, TX	Municipal code 10-112, Keeping of farm animals www.sanantonio.gov/animalcare/healthcode.asp
Honolulu, HI	Chapter 7 Section 7-2.5 www.honolulu.gov/refs/roh
Oakland, CA	Ordinance 6.04.320 www.oaklandanimalservices.org
St. Louis, MO	Ordinance 62853-7 www.slpl.lib.mo.us/cc/code/data/t102001.htm
San Diego, CA	Ordinance 42.0709 http://docs.sandiego.gov/municode/municodechapter04/ch04art02division07.pdf
San Jose, CA	Ordinance 7.04.030, 140, & 150 www.sanjoseanimals.com/ordinances/sjmc7.04.htm
Austin, TX	Title 3 Chapter 3-2 www.amlegal.com/Austin-nxt/gateway.dll/Texas/austin
Memphis, TN	Title 9 Chapter 9-80-2, 9-68-7 http://municipalcodes.lexisnexis.com
Ft. Worth, TX	Section 11A-22a www.municode.com
Baltimore, MD	Baltimore City Health Code Title 2-106; Title 10, Subtitles 1 and 3 www.baltimorehealth.org/press/2007_02_02_AnimalRegs.pdf
Charlotte, NC	Section 3-102 http://www.charmeck.org/departments/animal+control/local+ordinances/permits/htm and municode.com
Missoula, MT	Ordinance Chapter 6 Section 6-12 ftp://www.ci.missoula.mt.us/Packets/Council/2007/2007-12-17/Chicken_Ordinance.pdf
Boise, ID	Chapter 6 Section 14 http://www.cityofboise.org/city_clerk/citycode/0614.pdf and http://home.centurytel.net/thecitychicken/chickenlaws.html
San Francisco, CA	San Francisco Municipal Health Code Section 37 http://sfgov.org/site/acc_page.asp?id=5476

Appendix C
Example ordinance
Rogers, AK

ORDINANCE NO. 06- 100

AN ORDINANCE REGULATING THE CONTAINMENT OF FOWL AND OTHER ANIMALS WITHIN THE CORPORATE LIMITS OF THE CITY OF ROGERS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROGERS, ARKANSAS:

Section 1: It shall be unlawful for any person to permit or allow any domesticated fowl to run at large within the corporate limits of the city. It shall be lawful to keep poultry flocks of any size in A-I zones of the city, so long as they are confined.

Section 2: It shall be lawful for any person to keep, permit or allow any fowl within the corporate limits of the city in all other zones, except A-I, under the following terms and conditions:

- a. No more than four (4) hens shall be allowed for each single-family dwelling. No birds shall be allowed in multi-family complexes, including duplexes.
- b. No roosters shall be allowed.
- c. There shall be no outside slaughtering of birds.
- d. All fowl must be kept at all times in a secure enclosure constructed at least two feet above the surface of the ground.
- e. Enclosures must be situated at least 25 feet from the nearest neighbor's residence.
- f. Enclosures must be kept in a neat and sanitary condition at all times, and must be cleaned on a regular basis so as to prevent offensive odors.
- g. Persons wishing to keep fowl within the city must obtain a permit from the Office of the City Clerk, after an inspection and approval by the Office of Animal Control, and must pay a \$5.00 annual fee.

Section 3: The above Section 2 is not intended to apply to the 'ducks and geese in Lake Atalanta Park, nor to indoor birds kept as pets, such as, but not limited to, parrots or parakeets, nor to the lawful transportation of fowl through the corporate limits of the city. Neither shall it apply to poultry kept in areas of the City which are zoned A-I.

Section 4: Fowl currently existing in the city shall not be "grandfathered" or permitted to remain after the effective date of this Ordinance; however, owners of the poultry will have 90 days from the effective date to come into compliance with this ordinance.

Source: <http://www.rogersarkansas.com/clerk/chkordinance.asp>

Article 7.17

KEEPING OF CHICKENS

Sections:

- 7.17.010 Short Title.
- 7.17.020 Definitions.
- 7.17.030 Keeping of Chickens.
- 7.17.040 Enclosures.
- 7.17.050 Inspection.
- 7.17.060 Permit Requirements.
- 7.17.070 Violation.

7.17.010 Short Title.

GRC Article 7.17 may be cited as the Gresham Chicken Code.
(Ord. No. 1683, Enacted, 02/04/2010)

7.17.020 Definitions.

For purposes of the Gresham Chicken Code, the following definitions apply:

Chicken: The common domestic fowl (Species: *gallus gallus*).

Coop: A small enclosure for housing chickens.

Dwelling: One or more rooms designed for residential occupancy by one family and having only one cooking facility.

Family: An individual, or two or more persons living together in a dwelling.

Rear Yard. A space extending the full width of the lot or parcel between the primary residence building and the rear lot or parcel line.

Run: An enclosed area where chickens may feed or exercise.

Single Family Dwelling: A detached building on a single lot or parcel designed for occupancy by one family.
(Ord. No. 1683, Enacted, 02/04/2010)

7.17.030 Keeping of Chickens.

(1) A person may keep three or fewer chickens with a permit on any one lot or parcel. On the lot or parcel where the three or fewer chickens are kept the person must have a single family dwelling in which the person resides.

(2) Only chickens greater than four months old count towards the total of three.

(3) No person may keep roosters.
(Ord. No. 1683, Enacted, 02/04/2010)

7.17.040 Enclosures.

(1) Chickens must be kept in an enclosed coop or run at all times. The coop and run shall be located in the rear yard of the lot or parcel.

(2) The coop and run must be kept in good repair, capable of being maintained in a clean and sanitary condition, free of vermin, and obnoxious smells and substances.

(3) Chickens must be kept in a covered, enclosed coop between 10 PM and 7 AM.

(4) The coop shall have at least two (2) square feet of floor space per grown chicken.

(5) The coop and run and chickens therein shall not violate the nuisance code or disturb neighboring residents due to noise, odor, damage, or threats to public health.

(6) The coop shall be located at least 25 feet from residences on a different lot or parcel and at least 10 feet from all property lines.

(7) The run shall be located at least 10 feet from all property lines.
(Ord. No. 1683, Enacted, 02/04/2010)

7.17.050 Inspection.

The manager is authorized to make inspection of property to effectuate the purposes and public benefits of the Gresham Revised Code and enforce GRC Article 7.17. Authorization to

inspect shall be pursuant to GRC 7.50.510 and GRC 7.50.520, irrespective of whether a permit has been granted.

(Ord. No. 1683, Enacted, 02/04/2010)

7.17.060 Permit Requirements.

(1) No person may keep chickens under the provisions of this Article without first obtaining a permit to keep chickens on their lot or parcel, and paying the permit fee prescribed.

(2) The permit shall be valid for a two-year period with the permit period commencing on the first day of the month a permit is issued and ends on the first day of the same month two years later.

(3) The permit may be revoked by the Manager for any violation of the provisions of this Article.

(4) The permit fee shall be established by Council resolution.

(5) The permit fee may be changed at any time by the City, and all permit fees required shall be payable in advance at the time of application or renewal.

(6) The permit fee is not refundable under any circumstance.

(7) Applications for a permit shall be made to the city on forms prescribed by the Manager. The application shall include a signed statement that the applicant will comply with the provisions of this article. The manager shall issue a permit when application has been approved and payment of the required fee has been received. The permit shall be exhibited to a police or other officer of the City upon demand.

(Ord. No. 1683, Enacted, 02/04/2010)

7.17.070 Violation.

(1) Violation of any section of this Article is a Class B violation. Each day a violation continues to exist shall constitute a separate

violation for which a separate fine or penalty may be assessed.

(2) In the event of a violation of this Article, the manager may initiate enforcement action pursuant to GRC Article 7.50.

(3) In addition to subsections (1) and (2) of this section, violation of any section of this Article shall also constitute a nuisance under GRC Article 7.15 and may be enforced as provided in GRC Article 7.50.

(4) Nothing herein shall prevent the manager from seeking any other means available at law or in equity in order to enforce the provisions of this Article.

(Ord. No. 1683, Enacted, 02/04/2010)

Additions are underlined
~~Deletions are stuckthrough~~

Tualatin Development Code
Chapter 40
Low Density Residential Planning District (RL)

Sections:

40.020 Permitted Uses.

40.030 Conditional Uses.

Section 40.020 Permitted Uses.

- (1) Single-family dwellings, including manufactured homes.
- (2) Agricultural uses of land, such as truck gardening, horticulture, but excluding commercial buildings or structures and excluding the raising of animals other than normal household pets and chickens as provided in Tualatin Municipal Code Chapter 12-2 Keeping of Chickens in Residential Areas.
- (3) Home occupations as provided in TDC 34.030 to 34.050.
- (4) Public transit shelters.
- (5) Greenways and Natural Areas, including but not limited to bike and pedestrian paths and interpretive stations.
- (6) Residential homes.
- (7) Residential facilities for up to 15 residents, not including staff.
- (8) Family day care provider, provided that all exterior walls and outdoor play areas shall be a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.
- (9) Sewer and water pump stations and pressure reading stations.
- (10) Wireless communication facility attached, provided it is not on a single-family dwelling or its accessory structures.
- (11) Accessory dwelling units as provided in TDC 34.300 to 34.310.
- (12) Transportation facilities and improvements.

Section 40.030 Conditional Uses Permitted.

The following uses and their accessory uses are permitted as conditional uses when authorized in accordance with TDC Chapter 32:

- (1) Common-wall dwellings.
- (2) Condominium dwelling units provided they meet the following standards, notwithstanding other provisions of this Code, and meet the requirements of ORS 91.500.
 - (a) All units shall be on a primary lot with frontage on a public street or in accordance with TDC 36.470.

(b) Access to secondary lots and to all buildings on the primary lot from public streets shall be guaranteed physically and legally by restrictive covenants and homeowners' association bylaws prior to issuance of building permits for the project and after approval of the state pursuant to state statutes, or in accordance with TDC 36.470.

(3) Small-lot subdivisions conforming to the following standards:

(a) No small lot subdivision shall have less than ten lots.

(b) All subdivision improvements shall conform to TDC Chapter 36.

(c) All dwelling units constructed shall conform to the construction standards of the State of Oregon Uniform Building Code as adopted by the City of Tualatin.

(d) A tree survey shall be prepared and submitted as part of the conditional use application. This tree survey shall show the location of existing trees having a trunk diameter of eight inches or greater, as measured at a point four feet above ground level. The purpose of this survey shall be to show that, by utilizing the small lot subdivision provisions, a greater number of trees can be preserved than would be possible without use of the small lot subdivision provisions. As used in this section, the word "tree" means a usually tall, woody plant, distinguished from a shrub by having comparatively greater height and characteristically, a single trunk rather than stems.

(e) The small lots:

(i) Shall be no less than 5,000 and no more than 6,499 square feet.

(ii) When a small lot abuts an existing lot in a City approved and recorded subdivision or partition the small lot shall be no more than 500 square feet smaller than the size of the abutting lot. For example, a new small lot shall be no less than 5,500 square feet if it abuts an existing lot of 6,000 square feet; 5,600 square feet if it abuts an existing lot of 6,100 square feet; 5,700 square feet if it abuts an existing lot of 6,200 square feet; and so on, up to 5,999 square feet if it abuts an existing lot of 6,499 square feet.

(iii) When a small lot is directly across a local street from an existing lot in a City approved and recorded subdivision or partition the small lot shall be no more than 500 square feet smaller than the lot directly across the street.

(iv) When a Tract or easement is between a small lot and an existing lot in a City approved and recorded subdivision or partition the small lot shall be separated from the existing lot by at least 50 feet.

(v) For purposes of this subsection, a small lot is directly across the street if one or more of its lot lines, when extended in a straight line across the local street, intersect the property line of the lot across the street.

(vi) When a subdivision is constructed in phases, a small lot in a later phase may abut or be directly across a local street from an existing lot in an earlier phase.

(f) The small lots shall be part of a development that contains lots of at least 7,000 square feet that are necessitated by trees, steep terrain or other topographic constraints.

ATTACHMENT F: PTA10-03 DRAFT CODE LANGUAGE – KEEPING OF CHICKENS

August 23, 2010

Page 3 of 3

(g) The small lots shall not exceed 35 percent of the lots in the total subdivision.

(h) The number of lots having a minimum area of 7,000 square feet shall equal or be greater than the number of small lots in the subdivision.

(i) The average lot width shall be at least 30 feet.

(j) When a lot has frontage on a public street, the minimum lot width shall be 50 feet on a street and 30 feet around a cul-de-sac bulb.

(k) The maximum building coverage for lots 5,000 to 6,499 square feet shall be 45 percent and for lots greater than 6,499 square feet shall be 35 percent.

(l) For flag lots, the minimum lot width at the street shall be sufficient to comply with at least the minimum access requirements contained in TDC 73.400(7) - (12).

(4) Other uses as specified below:

(a) Cemeteries.

(b) Churches and accessory uses.

(c) Colleges.

(d) Community buildings (public).

(e) Child day care center, if all exterior walls and outdoor play areas are a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.

(f) Governmental structure or land use including public park, playground, recreation building, fire station, library or museum.

(g) Retail nursery.

(h) Hospital or sanitarium.

(i) School.

(j) Water reservoir.

(k) Any business, service, processing, storage or display essential or incidental to any permitted use in this zone and not conducted entirely within an enclosed building.

(l) Golf course, country club, private club.

(m) Agricultural animals, limited to cattle, horses and sheep, and agricultural structures such as barns, stables, sheds, but excluding feed lots, in areas designated on the Tualatin Community Plan Map. The City Council may limit the number of animals to be allowed on a specific parcel of property. Keeping of chickens is a permitted use as provided in TDC 40.020 and Tualatin Municipal Code Chapter 12-2 Keeping of Chickens in Residential Areas.

(n) Increased building height to a maximum of 75 feet, if all yards adjoining said building are not less than a distance equal to 1 1/2 times the height of the building.

(o) Nursing or convalescent home.

(p) Retirement housing conforming to the standards in TDC 34.160 - 34.170.

(q) Electrical substation and above ground natural gas pump station.

CINDY HAHN

From: CINDY HAHN
Sent: Monday, October 04, 2010 2:26 PM
To: 'Steve Titus'
Cc: Sherilyn Lombos; AQUILLA HURD-RAVICH; ERIC UNDERWOOD
Subject: RE: Chickens in Salem

Steve,

Thank you for forwarding this article about the recently passed chicken regulations in Salem. I have been following these as part of my research on allowing the keeping of chickens in residential areas of Tualatin.

Council will be considering the keeping of chickens at the October 25 Work Session. The draft code language that staff will be presenting does not, at this time, propose requiring any permits or fees. However, this is the first time Council will have seen the proposed code language and they may decide that permits or fees should be required or that other changes are needed to the draft code language.

Your comments will be included in an attachment to the staff memo to Council, which will be available online one week before the October 25 Work Session. If you have any questions or concerns, please let me know.

Best regards,

Cindy

Cindy L. Hahn, AICP

Assistant Planner
City of Tualatin | Community Development Department
Phone: 503.691.3029 | Fax: 503.692.0147
chahn@ci.tualatin.or.us

From: Steve Titus [mailto:sntitus@gmail.com]
Sent: Tuesday, September 28, 2010 10:03 AM
To: CINDY HAHN
Subject: Chickens In Salem

<http://www.statesmanjournal.com/article/20100928/NEWS/9280341/1001>

Cindy,

I see they will be charging a \$50 license fee to keep chickens. I hope we have some fee included as well to cover the cost of a basic "Dos and Don'ts" of keeping chickens in the city.

Thanks,

Steve Titus

Sep 27 - 2010

To whom it may concern,

This note is to request a change in Tualatin laws regarding chicken ownership in private homes. The greater Portland area allows ownership and I would like to see Tualatin added to it

I am interested in getting 1 to 5 chickens - No Rooster! - nothing better than fresh eggs!!

Thank you for your interest!
503-885-9285

Marianik Le Gal

* Email escargot46@gmail.com

Ms. Marianik Le Gal
21953 SW Mandarin Ct
Tualatin, OR 97062



REC'D

CITY OF TUALATIN

SEP 9 9 2010

CITY COUNCIL

MAYOR _____ COUNCIL _____
FINANCE _____ COMM DEV _____ LEGAL _____ OPER _____
COMMSVCS _____ ENG & BLDG _____ LIBRARY _____

80 S.W. MARTINAZZI AV
TUALATIN, ORE 97062-7092
ATTN: DOMESTIC ANIMALS

32



CINDY HAHN

From: Sherilyn Lombos
Sent: Wednesday, September 08, 2010 1:48 PM
To: lou.ogden@juno.com; Chris Barhyte; Jay Harris; Ed Truax; Donna Maddux; Monique Beikman (monique.beikman@gmail.com); Joelle Davis
Cc: willisj@pdx.edu; Doug Rux; CINDY HAHN
Subject: FW: chickens

Council,

See the email below. I will follow-up regarding the website to find out why the emails aren't going through.

Sherilyn

Jennie,

The work session has not occurred yet; it is currently scheduled for the work session of October 25th.

Thanks!
Sherilyn

From: Jennie Willis [mailto:willisj@pdx.edu]
Sent: Wednesday, September 08, 2010 1:34 PM
To: Sherilyn Lombos
Subject: chickens

Hi Sherilyn,

Would you be able to forward this to the city council members? I used the link in the website to e-mail all of the members but it kept sending it back with an error message??
Thanks for your help.

Jennie

Hello all,

I read recently in the Tualatin newsletter that there was going to be some discussion around allowing homeowners to raise chickens. The work session may have already happened, but as a resident here in Tualatin I would like to request Tualatin to allow homeowners to have chickens. As a mother with young children, I work hard to provide my family with healthy food choices. Allowing chickens would be another way I could do that for me and my family. Allowing chickens would allow me to provide fresh eggs for my family. What I know of chickens is that they are not noisy animals (unless you have a rooster, perhaps Tualatin should not allow those??) They stay within their established boundaries, and go to sleep when the sun goes down.

I am sure there are varying opinions about this. I wanted to make sure I communicated with all of you about how one family here in Tualatin feels about the issue.

Thank you for all your time and the hard work that you do.

Sincerely,

Jennie Willis

CINDY HAHN

From: Doug Rux
Sent: Tuesday, August 17, 2010 1:41 PM
To: CINDY HAHN
Subject: FW: What is Tualatin's brand?

See below. Would should have an answer available on Monday on who bans chickens.

From: Paul Sivley [mailto:psfoto@comcast.net]
Sent: Tuesday, August 17, 2010 1:35 PM
To: Doug Rux; Sherilyn Lombos
Subject: Fwd: What is Tualatin's brand?

Just so you aren't caught by surprise by a request for data on cities banning chicken raising.

Paul Sivley, Photographer

Artistic Portrait, Architectural, Product and Food, Travel, Event, and Wedding Imagery
503 502 3385

There is no higher praise than to have someone recommend me to their friends, family, or business contacts

www.paulsivley.com

All images by Paul Sivley Photography are registered and protected against use without Paul's written approval under U.S. copyright laws

----- Forwarded Message -----

From: "Paul Sivley" <psfoto@comcast.net>
To: "lou ogden" <lou.ogden@juno.com>, Jay@H-Mc.com, smbeikman@verizon.net, maddux01@verizon.net, etruax@royalaa.com, chris@mustardpeople.com, "joelle d davis" <joelle.d.davis@gmail.com>, slombos@ci.tualatin.or.us
Sent: Tuesday, August 17, 2010 1:33:51 PM
Subject: What is Tualatin's brand?

Mayor and Councilmembers

I'm writing to strongly oppose the draft ordinance governing maintenance of chickens in Tualatin's residential areas that will be on your 8/23 work session agenda.

My main concerns with this proposal are as follows:

- 1) there is no public demand for such an ordinance at this time. Staff gets calls from people inquiring if chickens are legal, but that's it. No one has asked for this ordinance.
- 2) an increase in housing chickens in residential areas will result in increased disputes between neighbors over noise, smell, sanitation, compliance with ordinance coop distance requirements and so on. This is not the highest and best use of our already taxed staff's time or the city's financial resources. I frankly don't see the value in asking a CSO or Planning staff member to investigate disputes given the higher priorities we

face in terms of ordinance enforcement, development and public safety. Why create work for staff when no one is really asking for this ordinance? Why ask staff to undertake a task that is rather demoralizing based on their training and skill sets?

3) Some will say hens are quiet and harmless. I believe in a residential neighborhood they are unsanitary - look at the flu epidemics in Asia over the past few years which originated with poultry.

4) Finally, it took the city years to get rid of a dog food factory, and now we are talking about increasing the keeping of chickens in our neighborhoods. Is this the brand and image we want to convey as a modern suburb that is moving forward to people and businesses considering locating here? Is our brand one of the past or the future? Do we want to add a reputation of chicken farming to one of a strip club haven? I hope we can look for positive growth opportunities to counter those who label us thus.

Staff put together a good presentation before TPAC on cities who have these ordinances or are considering them. What I realized after the TPAC review was that we should have asked staff for an analysis of what cities have completely banned the keeping of chickens in residential areas. I hope you'll ask for this.

I believe the answer is a solid ban on chicken raising in residential areas, for the reasons noted above. Failing that, I urge you to consider an option Lou and I discussed - putting off action until we have citizen input via the community involvement initiative Jan and others are leading.

Thanks for listening. This may seem a minor issue, but I think it's the most misguided initiative I've seen in years of public service - and it's the little things that build our city's reputation and brand.

Paul Sivley, Photographer

Artistic Portrait, Architectural, Product and Food, Travel, Event, and Wedding Imagery
503 502 3385

There is no higher praise than to have someone recommend me to their friends, family, or business contacts

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MEMORANDUM

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager 

FROM: Paul Hennon, Community Services Director 
Carl Switzer, Parks and Recreation Manager 

DATE: October 25, 2010

SUBJECT: CONSIDERATION OF RULE GOVERNING DOGS AT THE TUALATIN COMMONS

ISSUE BEFORE THE COUNCIL:

Council will consider the rule governing dogs at the Tualatin Commons.

BACKGROUND:

Council asked Tualatin Park Advisory Committee (TPARK) to reconsider the rule governing dogs at the Tualatin Commons given the number of people who have expressed their desire to take their dogs to the Commons. The current rule has been in place since the facility was opened to the public and does not allow for dogs at the Commons except in special circumstances. Attachment A presents an excerpt of the rule from the Tualatin Municipal Code governing bringing animals to the Commons.

PUBLIC INPUT:

A self-selecting, non-statistically valid, survey was created to provide information that TPARK could consider in making its recommendation to Council and provide the public an opportunity to comment on the issue. The Tualatin Youth Advisory Council (YAC) also considered the issue and made a recommendation to Council.

The survey was distributed to Tualatin Commons patrons at the Farmer's Market, Concerts on the Commons, and Movies on the Commons. The survey was also available on-line at the City's website. The survey was announced in the September 2010 Tualatin Today. Resident businesses that have patio dining at the Tualatin Commons were surveyed as well.

From all sources 147 surveys were completed. Of those 31% (46) expressed their desire to see the existing rule governing dogs at the Commons remain in place and 69% (101) people expressed their desire to changed the rule to allow dogs at the Commons. Some

MEMORANDUM: CONSIDERATION OF RULE GOVERNING DOGS AT THE
TUALATIN COMMONS

October 25, 2010

Page 2 of 2

favored permitting dogs at all times, and some favored limited permissions. A full list of comments is provided in Attachment B and the survey form is provided as Attachment C.

COMMITTEE DISCUSSIONS AND RECOMMENDATIONS:

The survey results and comments were presented to TPARK at their September meeting. The public was invited to the meeting to testify and that public involvement opportunity was advertised in the city newsletter. Two members of the public provided comment at the meeting and participated in the considerable discussion TPARK gave the issue. The conversation covered at length the issues of enforcement and the pros and cons of changing the rule, modifying the rule, or keeping the rule.

Some consideration was given to modifying the rule to allow dogs on non-event days but it was ultimately dismissed due to the concern that a "sometimes rule" would be too confusing and lead to difficulties in enforcement.

Lengthy consideration was given to changing the rule to allow dogs at all times (subject to dogs being on leash) but was ultimately dismissed for two reasons. The primary reason included concerns over dogs having conflicts with other dogs, people, and wildlife, sanitation issues, dogs swimming in the lake, and barking during events. The second reason is that the City is opening up a new dog park which will provide a new dog-friendly facility for pet owners.

TPARK concluded that the Tualatin Commons is a place for human activity. It is the location of many of the City's largest special events including Concerts on the Commons, Movies on the Commons, Summer Reading on the Commons, the West Coast Giant Pumpkin Regatta, ArtSplash, and the Starry Nights and Holiday Lights tree lighting event. It is also home to the Tualatin Farmer's Market and Crawfish Festival. Several restaurants also have outdoor dining at the Commons. Dogs are allowed at every other City park and given the special programmatic nature of the Commons, TPARK felt that the rule restricting bringing dogs to the Commons should remain in place.

TPARK therefore unanimously recommended to City Council that no changes be made to the rule governing dogs at the Tualatin Commons.

The survey results and comments were also presented to the YAC at one of their September meetings. After a conversation that considered the same options and alternatives as discussed at TPARK, they too felt that no changes be made to the rule governing dogs at the Tualatin Commons, and that is their unanimous recommendation.

Attachments: A. Excerpt from Tualatin Municipal Code Chapter 5-3
B. Survey Form
C. Community Survey Results

C: Tualatin Park Advisory Committee
Tualatin Youth Advisory Council

**Tualatin Municipal Code
Chapter 5-3
Tualatin Commons Regulations**

5-3-040 General Rules and Regulations.

(1) The following activities require a permit. A permit for these activities may be issued provided the activity is likely to attract a gathering of 20 or more people at any one time. Unless an activity listed in this subsection is likely to attract or involve a gathering of 20 or more people at any one time, a permit shall not be issued and the activity is prohibited. Failure to obtain a permit which would allow such activities is unlawful.

(m) Bringing any animal, except for the following:

- (i) seeing eye or hearing ear dogs by persons with disabilities;
- (ii) trained law enforcement dogs by authorized police officers during a law enforcement activity; or
- (iii) persons who patronize businesses located adjacent to the Commons, which cater only to animals, i.e., pet stores or veterinary clinics, but only when being taken directly to or from such business.

Animals allowed under this paragraph shall be confined or on a leash not longer than six feet and the person in possession or control shall prevent the animal from interfering with other Tualatin Commons' users and remove and properly dispose of the animal's waste material.



Please Comment On the Park Rule Prohibiting Dogs at the Tualatin Commons

ATTACHMENT B

The Tualatin City Council has asked the TPARK to review the rule that prohibits dogs at the Tualatin Commons to determine if dogs should be allowed or not. The Tualatin Commons is the location of many of the City's largest special events including Concerts on the Commons, Movies on the Commons, Summer Reading on the Commons, the West Coast Giant Pumpkin Regatta, ArtSplash, and the Starry Nights and Holiday Lights tree lighting event. It is home to the Tualatin Farmer's Market and Crawfish Festival. Several restaurants also have outdoor dining at the Commons.

Do you own a dog? Yes No

1. DO YOU THINK DOGS SHOULD BE ALLOWED AT THE TUALATIN COMMONS? YES NO

2. IN YOUR OPINION, WHAT POSITIVE OR NEGATIVE IMPACTS WOULD DOGS BEING ALLOWED AT THE COMMONS HAVE ON YOUR ENJOYMENT, AND THE ENJOYMENT OF OTHERS, AT THE TUALATIN COMMONS.

Continue comments on back

We would like to hear from you! Please complete & return this form to any City office or the Community Services Department at 8515 SW Tualatin Road or call 503.691.3061 for information.
Thank you for your feedback!

Please Comment On the Park Rule Prohibiting Dogs at the Tualatin Commons



The Tualatin City Council has asked the TPARK to review the rule that prohibits dogs at the Tualatin Commons to determine if dogs should be allowed or not. The Tualatin Commons is the location of many of the City's largest special events including Concerts on the Commons, Movies on the Commons, Summer Reading on the Commons, the West Coast Giant Pumpkin Regatta, ArtSplash, and the Starry Nights and Holiday Lights tree lighting event. It is home to the Tualatin Farmer's Market and Crawfish Festival. Several restaurants also have outdoor dining at the Commons.

Do you own a dog? Yes No

1. DO YOU THINK DOGS SHOULD BE ALLOWED AT THE TUALATIN COMMONS? YES NO

2. IN YOUR OPINION, WHAT POSITIVE OR NEGATIVE IMPACTS WOULD DOGS BEING ALLOWED AT THE COMMONS HAVE ON YOUR ENJOYMENT, AND THE ENJOYMENT OF OTHERS, AT THE TUALATIN COMMONS.

Continue comments on back

We would like to hear from you! Please complete & return this form to any City office or the Community Services Department at 8515 SW Tualatin Road or call 503.691.3061 for information.
Thank you for your feedback!

Public Responses to the Survey on the Rule Governing Dogs at the Tualatin Commons
Verbatim Comments
August 20, 2010 to September 10, 2010

Do you own a dog?	Q1. Do you think dogs should be allowed at the Tualatin Commons?	Q2. In your opinion, what positive or negative impacts would dogs being allowed at the Commons have on your enjoyment, and the enjoyment of others, at the Tualatin Commons?
No	No	Dogs can be loud & aggressive; I envision problems between the dogs and the waterfowl. Also, if dogs are allowed at the Commons, someone will need to make sure that the owners are picking up after them. The water is already pretty yucky.
No	No	
No	No	Too often they are poorly controlled. They jump on people. Owners may not clean up quickly and efficiently.
No	No	
No	No	
No	No	Every person that lives in Tualatin is not an animal lover and for different reasons. We have extreme allergies in our family to begin with and people are not responsible for their pets behavior. The dog laws are not followed in our neighborhoods, now we are asked to put up with dogs at the Commons? Parts of the commons access food establishments. Everyone doesn't love Fido like the owner does. Please leave them at home. AND...keep the chickens out of our neighborhoods....they stink!
No	No	
No	No	Dogs dont like music
No	No	If people were polite the way their dogs behave
No	No	Dogs are best left at home
No	No	Especially not during Farmer's Market when there is food around or during children activities.
No	No	
No	No	
No	No	Grass issues with owners don't clean up - distractions with small children.
No	No	I would stop visiting the commons if dogs wandered it, even on leash. I also don't wish to have my tax dollars spent converting the sports fields beyond the trestle at Tualatin Community Park into a playground for dogs. Dog parks solve a private problem (my home has too little space for the animal I chose) with public money. Let's spend Tualatin tax dollars on its people.
No	No	Dog Prohibition signage should be improved
No	No	No. There are too many dog owners who don't take others into consideration. Barking, non-leashed dogs with owners who do not pick up after their dogs take away from others' enjoyment.
No	No	Very negative- barking and inconsiderate dog owners who dont keep control of their dogs and/or don't pick up after their dog would cause me to steer clear of the events I love on the Commons.
No	No	Negative impact - kids afraid of dogs, dog mess - owners not cleaning up after their pets, dog poop on lawn, Commons & fountain area. Also - dogs off leash, dogs barking/fighting.
No	No	It would be bad for kids playing
No	No	

Do you own a dog?	Q1. Do you think dogs should be allowed at the Tualatin Commons?	Q2. In your opinion, what positive or negative impacts would dogs being allowed at the Commons have on your enjoyment, and the enjoyment of others, at the Tualatin Commons?
No	No	
No	No	Not all people clean up after their pooch. Some would think they could play in the fountain which could intimidate the children.
No	No	I brought my supper with me to the concert and sat down to start eating. Within a few minutes a dog came over and started sniffing it. This dog was on a leash but it was very annoying. I did not know dogs were illegal at that point.
No	No	I come to the Commons to relax and eat dinner - not to put up with barking, dog manure, and unwanted attention from a dog. DO NOT ALLOW.
No	No	Bark and run around
No	No	Problem with food - nuisance - pee and feces problems.
No	No	People don't pick up after their dogs.
No	No	I have many years experience with dogs in parks in Portland. Reasons not to have dogs at Concerts on the Commons 1. sound hurts dogs ears 2. Dogs 'piss' on equipment 3. frighten small children. PLEASE do not allow dogs at concerts. 4. some of Portland's parks have been practically ruined by dogs off leash.
No	No	NO DOGS
No	No	
No	No	
No	No	Ok if they are on leash always, but sometimes they are not - not good
No	No	Too many do not pick up pet waste
Yes	No	Because dogs are not potty-trained, it would complicate the use of the grassy areas of the Commons. I shudder to think she might jump into the lake! There are lots of places within the City that I can take my dog, I can leave her home when I go to events on the Commons.
Yes	No	
Yes	No	Dogs do not have to be everywhere...especially with the up-coming opening the new dog park as a great designated area for them. The Commons is a great place for people to meet and have fun . I know many people are not dog people. I want everyone to be comfortable with their surroundings.
Yes	No	Outside dining around the lake would not be as pleasant with dogs in the area, even if they were on leash. Children jumping and playing in the water/fountain with dogs in close proximity also seems a safety/health issue. Attending concerts at the commons (and eating during the concert) would not be as pleasant either. Not everyone likes dogs and even those of us who do need to realize that there need to be some places people can relax/play/eat without these beloved pets.
Yes	No	Strongly no. Have 2 dogs but wouldnt bring them to food & restaurant area.
Yes	No	

Do you own a dog?	Q1. Do you think dogs should be allowed at the Tualatin Commons?	Q2. In your opinion, what positive or negative impacts would dogs being allowed at the Commons have on your enjoyment, and the enjoyment of others, at the Tualatin Commons?
Yes	No	Dogs can sniff our produce, crawl around under the tables and dispose of their waste. Not very good. So no dogs please.
Yes	No	I think they would be fine there. I just don't want the threat of stepping on dog excrement.
Yes	No	<p>The commons area is mostly concrete and even if dog poop is cleaned up there would be something left on the concrete.</p> <p>A large number of people congregate in the small area. Also, visitors sit and play on the grass.</p> <p>We have Tualatin Community Park located a couple of blocks from the Commons - a much better place to walk a dog.</p>
Yes	No	
Yes	No	I would be concerned about larger breeds or breeds such as pit bulls, particularly around small children
Yes	No	<p>Many people are allergic to dogs or don't like dogs. Many people have dogs that are unruly. Tualatin Commons is an area for children to play in the summer time and many restaurants are located there. I am a dog owner. I do not want dogs in my child's play area, nor walking by if I am outdoors, dining. There are plenty of places to take dogs in this area; it is not necessary to open Tualatin Commons to dogs. It's bad enough that people do not follow the leash laws in this city. There have been dogs off-leash in every park I have visited. Please -- keep Tualatin Commons dog-free!</p>
No	Yes	
No	Yes	As long as there are clear rules for dog owners, then dogs that can comply should be allowed. Dogs doing any of the feared actions that prohibited them in the first place should be asked to leave. The majority of owners are responsible and would comply, so let them enjoy the space with their dogs.
No	Yes	As long as dogs are leashed or there for a performance (Border Collies International), i dont see a problem.
No	Yes	Cannot think of a reason not to allow dogs in this public gathering area as long as they are on a leash.
No	Yes	
No	Yes	
No	Yes	
No	Yes	On a leash, no poodles
No	Yes	On leash, non-aggressive
No	Yes	Maybe special effects, on a leash as long as responsible
No	Yes	I think it would be nice to have dogs maybe on leash only as many people have them and it would also be promoting family use of the Commons too.

Do you own a dog?	Q1. Do you think dogs should be allowed at the Tualatin Commons?	Q2. In your opinion, what positive or negative impacts would dogs being allowed at the Commons have on your enjoyment, and the enjoyment of others, at the Tualatin Commons?
No	Yes	Despite the ban, dogs visit the Commons. Every one has been on a leash and well behaved. The most I've seen has been on concert nights, maybe a half dozen or so. It's not that big a deal. There will never be a large number as most dog owners would rather take their dog to a park with more grass and trees.
No	Yes	<p>Dogs are joyful creatures. Impose some rules, but don't ban them. This is OREGON !!</p> <p>Proposed rules.</p> <p>All on short leash, dog must be kept at a "heel" position which means no more than 3 feet of leash out at a time.</p> <p>Owner must carry baggies to clean up in case of an accident.</p> <p>Don't let males near trees/bushes/benches which they may mark.</p> <p>If a dog is known to be fiesty around other dogs, leave them home.</p> <p>If dog has a known "past" of biting or fighting, leave them home.</p> <p>Bring water for your animal.</p> <p>(Dog & owner may be banned if they won't follow rules)</p>
No	Yes	Should be allowed. they are never a problem.
No	Yes	No problem
No	Yes	Yes if they are socialized and owners obey the leash law & pub and scub law
No	Yes	As long as dog owners follow the rules- we're for it!
No	Yes	As long as they are on a leash and out of the water and fountain.
No	Yes	On leash
No	Yes	
No	Yes	
No	Yes	
No	Yes	More people will come because they like to spend their time off with their pets. Good luck.
No	Yes	As long as dog is on leash and owner cleans up after him!
No	Yes	I think it is positive to have dogs as it would encourage more dog owners to come and interact & while the poop may be a problem as long as pick up is enforced it should be just fine.
No	Yes	More people would come if dogs were allowed, their poop might be a problem but if the owners clean it up then there shouldnt be a problem. We would also have something else, a mascot, to talk with the customers about. If the dogs are well-behaved then i have no problem with the dogs or any other pets.

Do you own a dog?	Q1. Do you think dogs should be allowed at the Tualatin Commons?	Q2. In your opinion, what positive or negative impacts would dogs being allowed at the Commons have on your enjoyment, and the enjoyment of others, at the Tualatin Commons?
No	Yes	Yes but with conditions; i.e. not allowed at special events at the Commons like concerts, movies, Summer Reading, Regatta, Starry Nights. When large crowds gather it can be disruptive to event to have dogs present. They may bark, pee, poop and get into picnic baskets when 'parked' at event. This definitely affects the enjoyment of others at the event.
No	Yes	Because many dont like dogs, it's hard to manage.
No	Yes	The dogs have been under control and kids have loved petting them as long as any poop is picked up and the owners are responsible. I think it's ok for them to be here.
No	Yes	Dogs are fun! Dogs should be allowed.
No	Yes	
No	Yes	Dogs bring joy to families- a leash in Commons though
No	Yes	I have no problem with dogs in public places
No	Yes	Negative - dog owners who are not responsible - dog on leash, poop clean up
No	Yes	Dogs should always be leashed, dog ok when no event is going on
Yes	Yes	<p>Positives:</p> <ul style="list-style-type: none"> --Increase event attendance. (Sometimes I don't go because I can't take my dog and I don't want to leave him at home alone after he's been at home alone all day.) --Creates a more welcoming atmosphere, instead of a place governed by too many rules. --It would be awesome if dog owners could sit outside with their dogs at one of the restaurants by the lake. <p>Negatives:</p> <ul style="list-style-type: none"> --As already mentioned, they might swim in the lake. --Potential conflict with other dogs...but that's expected in any public place. <p>I think there would need to be bag stations available, to remind people to be sanitary. And a "dogs must be on a leash" rule.</p> <p>I'm glad Tualatin is reviewing this rule. I hope dogs will be allowed soon!</p>
Yes	Yes	<p>I enjoy the dogs on the Commons when they are leashed and owners obey the Scoop law.</p> <p>The drawbacks of allowing dogs on the Commons would be negligent owners who allow their dogs off-leash, to swim in the lake, and ignore the Scoop law.</p>

Do you own a dog?	Q1. Do you think dogs should be allowed at the Tualatin Commons?	Q2. In your opinion, what positive or negative impacts would dogs being allowed at the Commons have on your enjoyment, and the enjoyment of others, at the Tualatin Commons?
Yes	Yes	I have taken my dog to many events at the Tualatin Commons and have NEVER had anyone complain, act unfriendly or uncomfortable due to my dog's presence. In fact it's the opposite! People want to pet her and are genuinely happy to see her. At the many functions I have attended at the Commons, I have seen many dogs and have NEVER seen any dog be aggressive or barking and I have never seen any pet waste left behind. These dog owners, including myself help local businesses surrounding the Commons when we attend the various functions there by spending our money there. Banning dogs from the Tualatin Commons will guarantee a negative blow to those businesses because we dog owners will go where our dogs are welcome.
Yes	Yes	I feel that as long as the dog is on a leash, they should be allowed.
Yes	Yes	People like their dogs. They could be allowed on the Commons in general, but with restrictions for large special events.
Yes	Yes	<p>We own a 6 month old Lab and she is in personal training to be a hearing dog for me. We cannot afford to send her for professional training so we train our own dogs. So she is not certified as a guide dog and cannot wear the "In Training" for hearing dog jacket. Even though she is in personal training she is not allowed in several places due to her not being able to wear a "In Training" jacket. We would love to come to the concerts and expose her to large groups since this new puppy is kind of a shy one. I think it would be nice to let dogs come ONLY if they are on a leash of course AND people pick up after their dogs! I would also suggest a special section for dog owners only with place and bags to dispose dog waste. That might help keep everyone happy. I really do hope you reconsider letting dogs into the commons but with strickd rules only. Even though I can't hear anymore I can still feel the beat of the music and still enjoy coming. It is a great way to destress from the week. Thank you for putting these concerts on for everyone!</p> <p>Sincerely, Diane Scuito scuitodiane@hotmail.com</p>
Yes	Yes	<p>Like NW 23rd in Portland, it is fun to stroll and dine outside with your dog at your feet and many of <input type="checkbox"/> the restaurants on 23rd provide water bowls. It is a long established tradition and we dog owners love it. <input type="checkbox"/></p> <p>Also, like Lake Oswego Farmers Market, Tualatin could have a doggy day care area at the market that you can park your dog at and local teenagers, etc volunteer to watch the dogs. Very fun and helpful and community spirited.</p>

Do you own a dog?	Q1. Do you think dogs should be allowed at the Tualatin Commons?	Q2. In your opinion, what positive or negative impacts would dogs being allowed at the Commons have on your enjoyment, and the enjoyment of others, at the Tualatin Commons?
Yes	Yes	Dogs could be excluded from some or all of the above major events, however, the commons should be a place of enjoyment for more than these events. Why not be able to walk my dog around the commons...strict leash and "clean up" regulations could be in force. This lovely area was probably not worth the tax dollars for just the events listed above.
Yes	Yes	<p>I take my dog nearly everywhere with me. Flat out: I don't go to outdoor places where I can't take my dog. I love the commons and think it's a great place to hang out on a sunny afternoon. But I won't hang there without the dog.</p> <p>I know the oft-mentioned reason for barring dogs is the lack of responsible owners who clean up after their dogs. Add poop bag dispensers in a location or two and encourage business owners / visitors to call out owners who don't clean up. I do (both clean up and call out owners who don't).</p> <p>Thanks for asking. I know this is always a difficult decision, so I'm happy to see the city ask for opinions.</p>
Yes	Yes	I would be inclined to go to more of the events at the Commons if I could bring my dog.
Yes	Yes	<p>I strongly feel that leashed dogs should be allowed in the Commons the same as in city parks because the commons is also a public park area. Until recently I was not even aware that dogs were not allowed in the Commons. This rule is certainly not enforced that I can tell. I do however believe that leashing of dogs should be strongly enforced which is also not enforced since there is seldom any official there to enforce it.</p> <p>Thank you, Linda Wells</p>
Yes	Yes	As long as people clean up after their dogs i think it would be wonderful - my dogs are part of my family and this would open up anotehr chance for us to include them in more activities with us in OUR community (we need a dog park here). =)
Yes	Yes	It would be nice to not leave your family member (dog) in the car on a hot day
Yes	Yes	Ok to have them
Yes	Yes	Dont encourage it but no problem usually
Yes	Yes	I see no reason for dogs not to be allowed at the Commons, provided owners handle them respectfully.
Yes	Yes	
Yes	Yes	Many people think they are allowed already, it would make things clearer for everyone.
Yes	Yes	I think dogs should be allowed only on a leash. Not in lake or fountain.
Yes	Yes	They are a positive part of the family. Also there is lovely statue of a little girl and a dog at this park. Just enforce no dogs swimming in the lake.

Do you own a dog?	Q1. Do you think dogs should be allowed at the Tualatin Commons?	Q2. In your opinion, what positive or negative impacts would dogs being allowed at the Commons have on your enjoyment, and the enjoyment of others, at the Tualatin Commons?
Yes	Yes	People come with them anyway - i didnt know they werent allowed.
Yes	Yes	Keep on leash, have poop bags available! =)
Yes	Yes	As long as they are picked up after!!
Yes	Yes	Keep on leash, and pick up after them!!
Yes	Yes	
Yes	Yes	
Yes	Yes	
Yes	Yes	Dog are friendly and kids love them.
Yes	Yes	I work in a pet friendly workplace, and this is the only place I cant take my dog. It's such a waste of a lovely place to not have our dogs here.
Yes	Yes	As long as the dogs have fantastic owners, the dogs will be well-behaved, mind their own business, and not cause a hassle to anyone. =)
Yes	Yes	
Yes	Yes	I would be more likely to come and stay longer at the market. The market in St. John's, Portland allows dogs and it is a big success. This is the 2nd summer for St. John's farmers market and it's doing so well. I love going every week when I walk my dog. :)
Yes	Yes	
Yes	Yes	The positive: Many citizens already bring their dogs and we wont have to harass them about the no dog rule. plus, dogs are awesome. Negative: there may be dog messes to step in, or dogs that aren't well behaved.
Yes	Yes	My vote is to allow dogs on the Commons. Every once in a while I have a Summer Reading program featuring Border Collies. I've been under the impression that I have special permission to do this, but it doesn't set a good example for the community when they want to bring their dogs to the Commons. In my experience, many citizens are unaware that dogs are not allowed on the Commons and most of the people I see who bring their dogs on the Commons obey the Leash and Scoop laws. Drawbacks, of course, are the individuals who would let their dog off leash and swim in the lake, and ignore the Scoop law.
Yes	Yes	Dogs bring joy to people and i would like to enjoy the companionship of my animal.
Yes	Yes	Left leash
Yes	Yes	I think it would bring more people to community events making sure that dogs are on leashes, and cleaned up after, would be key. As a resident of Tualatin, I would love to bring my dog to the Farmers Market! Thanks! =)
Yes	Yes	All pets are just nice to have around.

Do you own a dog?	Q1. Do you think dogs should be allowed at the Tualatin Commons?	Q2. In your opinion, what positive or negative impacts would dogs being allowed at the Commons have on your enjoyment, and the enjoyment of others, at the Tualatin Commons?
Yes	Yes	Currently the ban on dogs in the Tualatin Commons is not enforced and many (including us) include a walk around the pond as an enjoyable part of our regular routine. In addition, at some of the events, such as the Concerts in the Commons includes many people (but in this case, not us) with their dogs. We enjoy sharing the park with these dogs. I don't have any problem with event specific exclusion of dogs (such as the farmers market or ArtSplash), but I do think that generally dogs should be allowed in the area. In addition, I would like to see the existing leash laws enforced, especially in the commons.
Yes	Yes	We have attended many events at the Commons and never knew the no dog rule until we visited the Farmer's Market on a Friday afternoon this summer, and were told to remove the leashed dog from the commons area. We no longer visit the commons and will not return until the rule is changed. We also would like to see a Dog Park in Tualatin. We see several opporunities at Jurgens wetlands, and the adjacent newly acquired acreage to provide a Dog Park for Tualatin residence to use for unleashed dogs.
Yes	Yes	Positive: people and chidren are cheered up by dogs - have bags available for poop and garbage cans.
Yes	Yes	It would be enjoyable for me - and I think for most people as long as they are leashed as in any public place.
Yes	Yes	Dogs are allowed at Portland park events - why shouldn't we be allowed the luxury? I want to come to park events but I can't come very often because I come from work and need to let my dog out. If I was able to bring him then I would be able to enjoy time as a Tualatin community member and not an outcast. There are too many dog owners/community outcasts - if Tualatin expects to have community events, all of the community should be allowed.
Yes	Yes	
Yes	Yes	Dogs improve morale
Yes	Yes	
Yes	Yes	If they keep the dog on a leash and clean up after the dog.
Yes	Yes	As long as people are responsible for their pets, i see no problem.
Yes	Yes	Dogs are man's best friend.
Yes	Yes	Increase my enjoyment ten-fold!
Yes	Yes	As long as the dogs are on leash I think it is realistic to allow them at the Commons. It is a public area that should be shared by dogs and people. Owners who do not have dogs on leashes should always be ticketed.
Yes	Yes	
Yes	Yes	Ok on leashes

Do you own a dog?	Q1. Do you think dogs should be allowed at the Tualatin Commons?	Q2. In your opinion, what positive or negative impacts would dogs being allowed at the Commons have on your enjoyment, and the enjoyment of others, at the Tualatin Commons?
Yes	Yes	You would need to have doggy bag stations. This is a great place for family walks with the dog.
Yes	Yes	Dog should be on leash
Yes	Yes	
Yes	Yes	
Yes	Yes	
Yes	Yes	Clean up after dogs
Yes	Yes	Leashed. Provide doggy bags
Yes	Yes	During non-event times
Yes = 78, No = 69	Yes = 101, No = 46	Total responses = 147



MEMORANDUM

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *SL*

FROM: Michael A. McKillip, City Engineer *MAK*

DATE: October 25, 2010

SUBJECT: Utility Undergrounding

ISSUE BEFORE THE COUNCIL:

This item is a follow-up to previous discussions about existing undergrounding of overhead utilities in Tualatin.

BACKGROUND:

The undergrounding issue can be split into two areas of concern: 1) the current City planning area, and 2) the future expansion areas, which are the Southwest Concept Plan Area, Basalt Creek Area, and the Stafford Area.

These present two different problems. The current City planning area is almost entirely developed. There is very little development opportunity in this area and therefore not much opportunity to convert the overhead utilities to underground as part of the development process. Most of the major streets in this area are also improved so there is very little opportunity to include undergrounding as part of a street widening project.

The future expansion areas present the opportunity to plan for the conversion as part of the development of the area. Most of these areas are not fully developed to urban standards and there is an opportunity to plan for the conversion as part of the planning process in the areas.

DISCUSSION:

To address the two different concerns, I would propose that Council consider two policies to address these issues:

Current Planning Area

The Council policy is to address the undergrounding of existing overhead utility lines as part of the planning and budgeting of any City infrastructure, parks, or facility project. This would be handled during the development of the project. When Council approves the project and budget, there would be a decision made about funding and including the

conversion in the project. Using our current standards, any new streets or developments in these areas would have utilities extended underground from the existing overhead lines to the new development areas.

Future Expansion Areas

As part of the planning for infrastructure, parks, and City facilities in these areas, a plan for the conversion of overhead utilities would be developed. This plan would include timing, phasing, financing, and implementation of the conversion. This plan would be similar to plans for the underground facilities. Part of this planning would be to determine the development requirements and financing mechanism on an area-specific basis. The Basalt Creek and Southwest Concept Plan would likely have different plans. Again, using our current standards, any new streets or developments in these areas would have utilities extended underground from the existing overhead lines to the new development areas.

RECOMMENDATION:

If Council agrees with this process, the Southwest Concept Plan will include an element dealing with the conversion of the existing overhead utilities as part of the Tualatin Development Code updates to implement the Southwest Concept Plan.



City of Tualatin

www.ci.tualatin.or.us

Approved By Tualatin City Council
Date 7-14-08
Recording Secretary M. Gind

TUALATIN CITY COUNCIL WORK SESSION MINUTES OF APRIL 28, 2008

PRESENT: Mayor Lou Ogden; Councilors Chris Barhyte, Monique Beikman, Bob Boryska, Jay Harris, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Kent Barker, Chief of Police; Paul Hennon, Community Services Director; Dan Boss, Operations Director;; Don Hudson, Finance Director; Kaaren Hofmann, Civil Engineer; Stephen Ngai, Engineering Technician; Carina Christensen, Assistant to the City Manager; Eric Underwood, Development Coordinator; Will Harper, Associate Planner; Carl Switzer, Parks & Recreation Coordinator; Paul Hennon, Community Services Director; Ginny Kirby, Recording Secretary

ABSENT: Donna Maddux * [* denotes excused]

*[Unless otherwise noted, **MOTION CARRIED** indicates all in favor.]*

A. CALL TO ORDER

Mayor Pro Tem Truax called the meeting to order at 5:09 p.m.
Mayor Ogden arrived at 5:15 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

Utility Underground Master Plan

Mike McKillip, City Engineer, and Stephen Ngai, Engineering Technician. This was a topic that came from the February retreat. Mr. McKillip and Mr. Ngai gave a PowerPoint presentation that showed projects where undergrounding of overhead utilities had been done as part of the project. Twenty-nine miles of streets in the City currently have overhead utilities. The cost to underground the utilities is approximately \$425/lineal foot (based on costs paid for the downtown project). It would cost approximately \$65 million (based on 2009 estimates) to do all undergrounding at once.

There are two processes used to underground existing overhead utilities: Normal conversion and Forced conversion. Normal conversion – utility companies are required to relocate when required by a public project. This process is called normal conversion and involves coordination between the City and utility companies to minimize impacts on the community. The City has an option to require the utility companies to underground when relocating. Forced conversion – the City can initiate by written order to the utility company. The City could direct the utility company to collect conversion costs from customers in the affected area or to all customers within the City's boundaries. The utility company has the responsibility to notify and obtain customer commitment for necessary utility facility changes on the customer's premises for underground facilities.

Where to go next - For the existing City lines, can leave in place; take advantage of forced conversion, or do as City-funded conversion. Urban Growth expansion areas that can be undergrounded include Tualatin-Wilsonville area, SW concept area, and the

Stafford Triangle area. Working undergrounding into planning for areas with fees, LIDs, forced conversion and bill, or change development requirements to required underground utilities.

Councilor Harris commented that Tigard's undergrounding program is having limited success; many areas in overhead utilities, fees do not cover the costs. It is a very straightforward process. It was suggested that Tualatin have a "fee in lieu of" fee. Discussion followed.

Mayor Ogden asked if there are any substantial projects expected in town within the next five years. McKillip pointed out the areas in town that may have new development in the next few years. Councilor Boryska asked if undergrounding would be something that would happen as part of the Trammell Crow project on Lower Boones Ferry Road; Mr. McKillip said he did not believe that was a piece of that project. Mayor Ogden noted that the cost to development could be an issue. Discussion continued. The question was raised if Tualatin required the undergrounding, would this potentially "force" business to go to another city to build. Councilor Harris suggested running a few scenarios with the fee and see what the costs would be.

Staff was requested to draft an ordinance and bring back to a future work session for further discussion.

Legislative Program Proposal

Carina Christensen, Assistant to the City Manager. Ms. Christensen stated that the purpose today is to discuss and provide direction on the proposed legislative program and come back to Council at a future date to discuss legislative priorities. She gave a PowerPoint presentation.

Legislative assembly convenes every two years, currently, in odd-numbered years. A possibility exists that a shorter Supplemental Session will be implemented. The League of Oregon Cities (LOC) is a statewide association of cities with membership open to all incorporated cities, the City of Tualatin is a member. The LOC is an advocate for City government and officials. LOC has nine policy committees that develop recommendations to the LOC Board of Directors on legislative policies and priorities for actions. The recommendations are compiled as a report and the LOC uses the report to lobby the state legislature.

Tualatin Legislative Priorities are: 1) Transportation funding, 2) Protection of urban renewal, 3) Protection of local control, 4) Labor – protecting City's rights, 5) Land Use - Big look task force and unincorporated areas, and 6) Quality of Life – parking and parks.

Ms. Christensen reviewed other City models, which included Tigard, Bend, and Cottage Grove, Oregon; Gardner, Kansas; Lynwood, California; and Clemson, South Carolina. In summary, other city models include: legislative agendas/platforms, city staff legislative liaisons, luncheons, city hall days with neighboring cities, writing to legislators, partnering with local universities, attending National League of Cities conference, and contract lobbyists.



City of Tualatin

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Approved By Tualatin City Council
Date 3-9-09
Recording Secretary McMill

TUALATIN CITY COUNCIL WORK SESSION MINUTES OF FEBRUARY 23, 2009

PRESENT: Mayor Lou Ogden (via phone), Councilors Chris Barhyte, Monique Beikman, Joelle Davis, Jay Harris, and Ed Truax; Sherilyn Lombos, City Manager; Brenda Braden, City Attorney; Mike McKillip, City Engineer; Kent Barker, Chief of Police; Dan Boss, Operations Director; Don Hudson, Finance Director; Carina Christensen, Assistant to the City Manager; Doug Rux, Community Development Director; Eric Underwood, Development Coordinator; Will Harper, Associate Planner; John Stelzenmueller, Building Official; Ginny Kirby, Recording Secretary

ABSENT: Donna Maddux* [* denotes excused]

*[Unless otherwise noted, **MOTION CARRIED** indicates all in favor.]*

A. CALL TO ORDER

Council President Barhyte called the work session to order at 5:02 p.m. He stated that the Consent Agenda would be reviewed first this evening, then recess to the Development Commission work session, then reconvene Council work session.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

Utility Undergrounding Policy Discussion

Mike McKillip, City Engineer, said after bringing a draft of the Utility Underground Master Plan to Council last April, Council directed staff to research viable options for undergrounding utilities. Staff did as directed and is back with four options:

1. underground utility ordinance similar to the City of Tigard;
2. utility fee;
3. undergrounding subsidy; and
4. a City of Tigard style ordinance non-excise tax.

If the City chooses to do a utility fee, based on the number of accounts, we would realize approximately \$84,000/year (7,000 subscribers - \$1.00/month fee). This would not add up quickly towards accomplishing projects that need to be done. Discussion followed. Mr. McKillip reiterated that staff is looking for feedback from Council on what direction to go.

Mayor Ogden questioned how long the City could legally hold onto monies collected before the money must be used; Ms. Braden said she didn't believe there was a set time limit. Mr. McKillip said we may get a general "push back" from contractors who feel this is not the economic time to be instituting a new fee. Councilor Beikman agreed with Mr. McKillip, that contractors probably wouldn't like a new fee at this time. It just doesn't seem appropriate timing now, but do keep this for the future. At some point it could just be a City-wide fee.

After further discussion, Council directed staff to come back in the future with a proposed City-wide ordinance for undergrounding. Implementation is not of highest priority unless we get new and expanded lands and have in place for the SW Concept Plan or Urban/Rural Reserves. Mr. McKillip said staff will come back to Council in the next 9 to 12 months with a draft ordinance for review.

Code Changes Identified After LUBA Decision on Single-Family Residential Issue

Doug Rux, Community Development Director, and Will Harper, Associate Planner. Mr. Harper noted the origin of the proposed amendments to the TDC is Oxford House discussions in the Fall of 2008, along with questions raised by neighbors and property owners regarding rental housing, garages, definition of family, on-site parking, etc.

The first issue addressed tonight is the definition of "family". Mr. Harper said what is proposed is removal of the current definition of family and replace it with the following: "Family – A person living alone or two or more related or unrelated persons living together in a single dwelling unit." This proposed definition of family has taken out the numbers and the defined relationships, and makes it very simple. It is not intended to work in a financial or property tax method, it is not meant to work in social or religious terms, but to work in a Tualatin zoning setting.

The second issue is parking for single-family residences. Mr. Harper noted current language of the minimum off-street parking requirements for a one family dwelling says "1.00 space per dwelling unit, in addition to the garage." The proposed amendment would remove the "... in addition to the garage." in the parking standards and clarify that attached garages are not a required element for residential uses.

Staff is proposing the City specify the minimum parking be increased from one off-street space to two off-street parking spaces for new single family residential. The proposed amendment also clarifies that an expansion of an existing single family residential use, such as an addition or space conversion, does not subject the residence to meeting the increased parking standard. In addition, it would clarify that a residential garage does not count as a required parking space unless approved in the Architectural Review process. Brief discussion followed and staff stated a draft ordinance will be brought to Council at the March 9 Council meeting.

Signs in Office Commercial (CO) Districts

Will Harper, Associate Planner, gave a PowerPoint presentation. He stated staff had been approached by Cushman Wakefield, representing the South Center development, with a request for a large directory sign at an entrance to the site. The requested directory sign would exceed the maximum 32 square feet currently allowed in the CO Planning District. Mr. Harper noted that due to the layout of the buildings and the land, it can be difficult to give adequate directions to customers on how to navigate through the interior roadway in this development.

The proposed directory sign for South Center is along SW Mohawk on the south side of the roadway. The roadway is wider and allows for a vehicle to stop and read a directory sign without impeding traffic. Councilor Davis asked if a sign directing motorists to the directory sign would be installed; Mr. Harper said that would be allowed.

Council President Barhyte expressed some reservations about the language in the proposed ordinance; he wanted to ensure that a directory sign did not impede traffic. Staff will add some language and bring back to Council March 9.

October

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 7:30a Chamber Networking @ Tualatin Community Park	2
3	4 6:00p CIC Meeting	5 6:00p TLAC @ Lib Comm Rm 7:00p TPAC Meeting, Council Chambers	6 Walk + Bike to School Day	7 5:30p Ribbon Cutting, Legacy Medical Group 18010 SW McEwan 6:45p ClackCo C-4 Mtg @ County Dev Svcs Bldg.	8 7:30a Chamber Networking @ MITCH Charter School, 19550 SW 90th Avenue	9
10	11 12p WCCC 5:00p Work Session 7:00p Council/TDC Mtg	12 11:30a Tualatin Candidate Luncheon @ Country Club 5:30p Ribbon Cutting, Country Financial, 8100 SW Nyberg Std, 300 6:00p TPARK @ Council Chambers	13 6:30p Gateway Selection Comm. Council Chambers	14	15 7:30a Chamber Networking @ Sterling Savings Bank, 8235 SW Tualatin-Sherwood Rd.	16 1-4p CWS 40-year Celebration (Durham Facility)
17 9a Fund Run-Make a Wish Tualatin HS	18 6:30p Gateway Selection Comm. Council Chambers (if necessary)	19 6:00p TAAC @ Council Chambers	20	21 7:00p Urban Renewal Advisory Committee, CANCELED	22 7:30a Chamber Networking @ Tualatin School House Pantry, 3550 SW Borland Road YAC Haunted House 7-10	23 8a-5p - 7th Annual Giant Pumpkin Regatta & Regatta Run; Tualatin Commons 10-2p Bulky Waste Day Allied - Wilsonville YAC Haunted House 7-10
24	25 5:00p Work Session 7:00p Council/TDC Mtg	26 6:30p Tualatin Tomorrow VIC Steering Committee @ Council Chambers	27 6:30p Gateway Selection Comm. Council Chambers (if necessary)	28 6p Special Work Session	29 7:30a Chamber Networking @ Meridian Park Orthodontics, 19255 SW 65th Ave, Suite 230 YAC Haunted House 7-10	30 YAC Haunted House 7-10
31						

2010

November

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1	2 Election Day 6:00p TLAC @ Lib Comm Rm 7:00p TPAC Meeting, Council Chambers	3	4 4:00-6:30p Chamber Business Showcase @ Grand Hotel 6:45p ClackCo C-4 Mtg @County Dev Svcs Bldg.	5 7:30a Chamber Networking Sponsored by TTSD Foundation; Location TBA	6
7	8 12p WCCC 5:00p Work Session 7:00p Council/TDC Mtg	9 6:00p TPARK @ Council Chambers	10	11 Veterans Day Holiday CITY OFFICES CLOSED	12 7:30a Chamber Networking Sponsored by Chamber Board; Location TBA	13
14 Council Retreat	15 Council Retreat	16 6:00p TAAC @ Council Chambers	17 12:00p Core Area Parking District Board, Council Chambers	18	19	20 10-2:00p Yard Debris Drop Off Grimm's Fuel
21	22 5:00p Work Session 7:00p Council/TDC Mtg	23 6:30p Tualatin Tomorrow VIC Steering Committee, Council Chambers	24	25 Thanksgiving Holiday CITY OFFICES CLOSED	26 Thanksgiving Holiday CITY OFFICES CLOSED	27
28	29	30				

2010

December

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1	2 6:45p ClackCo C-4 Mtg @ County Dev Svcs Bldg.	3 7:30 - 10:00a Holiday Chamber Mixer @ Wilsonville Costco 6pm - Starry Nights Holiday Lights	4
5	6	7 11:00a Chamber Holiday Luncheon and Auction @ Country Club 7:00p TPAC Meeting, Council Chambers	8	9	10 7:30a - 9:30a Employee Appreciation Breakfast	11
12	13 6:00p CIC Meeting 12p WCCC 5:00p Work Session 7:00p Council/TDC Mtg	14	15 6:30p Tuatatin Tomorrow VIC Meeting, Library Community Room	16	17	18
19	20	21	22	23	24 Christmas Holiday CITY OFFICES CLOSED	25
26	27	28	29	30	31 New Year's Day Holiday CITY OFFICES CLOSED	
						2010

SPECIAL WORK SESSION ITEMS

PowerPoint?

1. Citizen Involvement Ad Hoc Committee

2.

3.

4.

5.

WORK SESSION ITEMS

PowerPoint?

1. Economic Gardening / Economic Development Update
2. PTA-09-03 Historic Regs (Comm. Dev.) *(tentative)*
3. Stoneridge discussion (5pm)
- 4.
- 5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. YAC Update
2. Commuter Rail Update
- 3.

CONSENT CALENDAR ITEMS

1. Meeting Minutes
- 2.
- 3.
- 4.

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other

PowerPoint?

1. PMA-09-03 Zone Change from RL to MC (cont'd from Oct. 11, 2010)
- 2.
- 3.

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1. Development Agreement for Legacy Health Systems
- 2.
- 3.
- 4.
- 5.

EXECUTIVE SESSION ITEMS

- 1.

NOTE: HOLIDAY GREETING TAPING WITH TVCTV

WORK SESSION ITEMS

PowerPoint?

1. _____
2. _____
3. _____
4. _____
5. _____

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. Human Rights Day/Week Proclamation
2. _____
3. _____

CONSENT CALENDAR ITEMS

1. Meeting Minutes
2. _____
3. Dog Park Rules (Comm Svcs)
4. _____

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other

PowerPoint?

1. PTA-09-09 CUP List of Uses Residential (*Legislative*) (Comm. Dev.) (*tentative*)
2. _____
3. _____
4. _____

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1. Resolution Awarding Gateway Artist Contract (Comm. Dev.)
2. Ordinance adopting TVFR Fire Code (Eng)
3. _____
4. _____
5. _____

EXECUTIVE SESSION ITEMS

1. _____

WORK SESSION ITEMS

PowerPoint?

1. Future Urban Renewal Areas Discussion (Comm. Dev.) *[tentative]*
- 2.
- 3.
- 4.
- 5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. YAC Update
2. Tualatin Tomorrow - TTC
- 3.

CONSENT CALENDAR ITEMS

1. Meeting Minutes
2. Resolution Canvassing Results of November Election
3. Award Contract to Public Involvement Consultant (tentative)
- 4.

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other

PowerPoint?

1. Establishing Recovery Agreement – 124th/Myslony (Other) (Eng.)
- 2.
- 3.

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

- 1.
- 2.
- 3.
- 4.
- 5.

EXECUTIVE SESSION ITEMS

- 1.

WORK SESSION ITEMS

PowerPoint?

1.

2.

3.

4.

5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. Swearing-in of Mayor and Councilors / Reception in Library Community Room (after mtg)

2. YAC Update

3.

CONSENT CALENDAR ITEMS

1. Meeting Minutes

2. Resolution – Establishing regular meetings of Council and Advisory Committees

3.

4.

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other

PowerPoint?

1.

2.

3.

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1.

2.

3.

4.

5.

EXECUTIVE SESSION ITEMS

1.