



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

10/8/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 011-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, October 22, 2010

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Brady Rogers, City of Salem
Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Regional Representative

<paa> YA



FORM 2 HAND DELIVERED DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person electronic mailed

DATE
STAMP

DEPT OF

OCT 01 2010

LAND CONSERVATION AND DEVELOPMENT
For Office Use Only

Jurisdiction: **City of Salem**

Local file number: **CA 10-05**
Ordinance Bill No. 19-10

Date of Adoption: **September 27, 2010**

Date Mailed: **October 1, 2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 7/19/2010

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amendment to Salem Revised Code (SRC) Chapter 111 (Definitions) modifying the definition of "Livestock" to exclude the keeping of chickens from being considered as keeping livestock, except when they are being kept for commercial purposes

Does the Adoption differ from proposal? No.

Plan Map Changed from: **NA**

to: **NA**

Zone Map Changed from: **NA**

to: **NA**

Location: **City-wide**

Acres Involved: **NA**

Specify Density: Previous: **NA**

New: **NA**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 011-10 (18406) [16354]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: Brady Rogers *JBR*
Address: 555 Liberty Street SE, Rm 305
City: Salem, OR Zip: 97301

Phone: (503) 588-6173 Extension: 7408
Fax Number: 503-588-6005
E-mail Address: jbrogers@cityofsalem.net

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

Updated December 22, 2009

1 **ENGROSSED**

2 **ORDINANCE BILL NO. 19-10**

3 AN ORDINANCE RELATING TO KEEPING OF URBAN CHICKENS; ADDING SRC
4 50.710, AND AMENDING SRC 111.130

5 *The City of Salem ordains as follows:*

6 **Section 1.** The following SRC 50.710 is hereby added to SRC Chapter 50:

7 **SRC 50.710. Keeping of Chickens.**

8 (a) **Definitions.** As used in this section, the following mean:

9 (1) Approved inspector means a person who has received training by the City on the
10 standards for chicken facilities contained in this section, and has received a certificate
11 therefor.

12 (2) Chicken means the common domestic fowl (*Gallus gallus domesticus*) or its
13 young.

14 (3) Chicken facility means a combination of a coop and a runway.

15 (4) Commercial poultry operation means a farm that raises chickens for sale or the
16 production of eggs for profit.

17 (5) Coop means a structure providing roofed shelter for the chickens.

18 (6) Hen means an adult female chicken.

19 (7) Rooster means a male chicken, and includes a capon.

20 (8) Runway means a fully enclosed, fenced area connected to the coop.

21 (b) Except as provided in this section, no person shall keep chickens in the City unless a
22 license has been obtained therefor. No license is required for a commercial poultry
23 operation that is an allowed use under the City's land use regulations.

24 (c) **License.**

25 (1) **Terms; Conditions of License.** The license to keep chickens shall be valid for
26 three years from the date of issuance, and may be renewed for additional three year
27 terms. Every license shall be subject to the following conditions:

28 (A) A maximum of three hens per residence is allowed;

29 (B) Roosters are prohibited;

30

1 (C) Except when under the personal control of the licensee, chickens shall be
2 confined at all times within a chicken facility;

3 (D) No structure that houses chickens, either temporarily or permanently, shall
4 be located within twenty feet of any adjacent residence, or ten feet of the
5 licensee's residence;

6 (E) A chicken facility shall be located in the rear yard of the licensee's residence,
7 and shall comply with the setback requirements of the zone in which it is located;

8 (F) A chicken facility, and the premises where the chicken facility is located,
9 shall be maintained in a condition such that the facility or chickens do not produce
10 noise or odor that creates a nuisance for adjoining property.

11 (G) A chicken facility shall not exceed one hundred and twenty square feet.

12 (2) **Application.** An application for a license to keep chickens shall include the
13 following:

14 (A) The name and mailing address of the person to whom the license will be
15 issued;

16 (B) The address where the chickens will be kept, if different from the mailing
17 address;

18 (C) A certification by an approved inspector that the chicken facility meets the
19 standards in this section; and

20 (D) Payment of the application fee.

21 (3) **Issuance.** The application shall be reviewed by the City to determine if there is
22 any reason why the license should not be issued. If no reason is identified, the
23 applicant shall be notified that the application has been approved and the license
24 issued. If a reason is identified why the license should not be issued, the application
25 shall be denied, and the applicant shall be provided written notice setting forth the
26 reasons.

27 (4) **Renewal.**

28 (A) A licensee may apply for renewal of a license to keep chickens no later than
29 5:00 p.m. on the license expiration date. The application to renew a license shall
30

1 be accompanied by a certification by an approved inspector that the chicken
2 facility meets the standards in this section, together with the license renewal fee.

3 **(B)** A renewal application shall be reviewed by the City to determine if there is
4 any reason why the license should not be renewed. If no reason is identified, the
5 applicant shall be notified that the renewal has been approved. The renewal shall
6 be effective as of the expiration date. If a reason is identified why the license
7 should not be renewed, the renewal application shall be denied, and the applicant
8 provided written notice setting forth the reasons.

9 **(C)** A late fee shall be charged for any renewal application received after the
10 expiration date. The late fee shall be fifty percent of the amount of the renewal
11 fee. No renewal shall be granted if the application for the renewal is received
12 more than thirty days after the expiration date.

13 **(5) Grounds for Denial.** An application for a license to keep chickens or a renewal
14 of a license may be denied for any of the following reasons:

15 **(A)** Any inaccurate, misleading, or incomplete statement made on the application
16 for, or made in connection with, the license.

17 **(B)** Failure to comply with the conditions of a license issued pursuant to this
18 section.

19 **(C)** Failure to provide the certification by an approved inspector that the chicken
20 facility meets the standards in this section.

21 **(D)** Any other activity by the licensee that would present a reasonable doubt
22 about licensee's ability to perform and keep chickens without endangering public
23 health, safety, or welfare.

24 **(6) License Fees.** Fees for licenses to keep chickens and renewals shall be set by
25 resolution of the City Council. The fees shall be non-refundable.

26 **(d) Cease and Desist Orders; Permit Revocation; Civil Penalties; Enforcement.**

27 **(1) Cease and Desist Orders.** When a licensee has violated or continues to violate
28 the terms and conditions of a license to keep chickens issued pursuant to this section,
29 or any other provision of this section, the Director may issue an order that the licensee
30 cease and desist all such violations and command the licensee to immediately comply

1 with all requirements of the license or this section, and take such appropriate remedial
2 or preventive action as may be needed to properly address the violation.

3 **(2) Suspension or Revocation of Permit.**

4 (A) The Director may suspend or revoke a license if:

5 (i) The permit was issued in error;

6 (ii) Inaccurate, misleading, or incomplete information was used to obtain, or is
7 provided to the City in connection with, the license; or

8 (iii) The applicant is not complying with the terms of the license, or is
9 violating the provisions of this section;

10 (B) The Director shall issue a written notice to the licensee specifying the reason
11 for the suspension or revocation and provide a time certain, not to exceed ten
12 days, within which the licensee shall correct the reason for the suspension or
13 revocation. If the licensee corrects the deficiency within such ten day period, the
14 license shall be reinstated.

15 **(3) Civil Penalty.** Any licensee who fails to comply with the terms and conditions of
16 a license issued pursuant to this section, or any other provision of this section, any
17 licensee who fails to comply with a cease and desist order issued pursuant to this
18 subsection, or any person who keeps chickens without first obtaining the license
19 required by this section, shall be subject to a civil penalty, not to exceed \$2,000 per
20 violation. Each day that a violation continues shall constitute a separate violation.

21 **(4) Civil Penalties Against Agents.** Any person who acts as the agent of, or
22 otherwise assists, a person who engages in an activity which would be subject to a
23 civil penalty, shall likewise be subject to a civil penalty.

24 **(5) Reconsideration.** Any person aggrieved by any decision, action, or
25 determination, including cease and desist orders, made by the Director, may seek
26 reconsideration by filing a request for reconsideration with the Director within ten
27 days after notice of such decision, action, or determination has been provided to the
28 person. The notice shall set forth in detail the facts supporting the request for
29 reconsideration. The Director's decision, action, or determination shall remain in
30 effect during such period of reconsideration.

1 **(6) Appeal.** Any person aggrieved by an action of the Director issuing a cease and
2 desist order, revoking or suspending a license, or who is subject to a civil penalty may
3 appeal such action by filing a notice of intent to appeal with the City Recorder within
4 fifteen business days after notice of the Director's final decision after reconsideration
5 is deemed to have been received by the applicant under SRC 20J.110. The notice of
6 appeal shall satisfy the requirements of SRC 20J.110, and the appeal shall proceed as
7 a contested case under the procedures established in SRC 20J.240-20J.430.

8 Notwithstanding SRC 20J.270, the Director's decision, action, or determination shall
9 remain in effect during such period of the appeal.

10 **(7) Injunctive Relief.** The City may seek injunctive relief against any person who
11 has willfully failed to comply with the terms and conditions of a license issued
12 pursuant to this section, or willfully violated any other provision of this section, such
13 relief to be in effect for a period not to exceed ten years.

14 **(8) Remedies Not Exclusive.** The remedies provided by this subsection are
15 cumulative and not mutually exclusive and are in addition to any other rights,
16 remedies and penalties available to the City under any other provision of law.

17 **(e)** Any chickens that are not kept as provided in subsection (c) of this section or in
18 compliance with the terms and conditions of a license issued pursuant to this section shall
19 be deemed a public nuisance under SRC 50.800, and the owner or custodian shall be
20 given thirty days to rectify the conditions creating the public nuisance. If the owner or
21 custodian has not rectified the conditions within thirty days of the date the notice is
22 provided, the City may abate the nuisance, as provided in SRC 50.800-50.880.

23 **(f) Violation.**

24 **(1)** It shall be unlawful to keep chickens in the City, except as authorized by
25 subsection (b) of this section. A violation of this paragraph is a civil violation.

26 **(2)** It shall be unlawful to violate the terms of a permit issued pursuant to subsection
27 (c) of this section. A violation of this paragraph is an infraction, and shall be
28 punishable as follows:

29 **(A)** \$250 for the first violation.

30 **(B)** \$500 for the second violation.

1 (C) \$750 for the third violation, and the defendant shall be prohibited from
2 obtaining a license to keep chickens for a period of ten years.

3 (3) Violations of paragraphs (1) and (2) of this section are continuing, and each day
4 the violation continues shall constitute a separate offense.

5 **Section 2.** SRC 111.130 is amended to read:

6 **SRC 111.130. "L" Definitions.**

7 (a) **Land use action** means a zone change, conditional zone change, variance,
8 adjustment, conditional use approval, specific conditional use approval, planned unit
9 development approval at any stage requiring commission or council action, or any other
10 action requiring discretionary review by an administrative body, including appeals from
11 any of the foregoing.

12 (b) **Land use proceeding** means a proceeding on a zone change, variance, adjustment,
13 conditional use, specific conditional use, or planned unit development application; a
14 council or commission initiated zone change proceeding; a proceeding to designate
15 zoning classifications for a newly annexed area; or any other proceeding which will result
16 in a land use action unless dismissed.

17 (c) **Landscaped** means primarily devoted to the planting and preservation of trees,
18 shrubs, lawn and other organic ground cover, together with other natural or artificial
19 supplements to that primary use such as watercourses, ponds, fountains, decorative
20 lighting, benches, arbors, gazebos, bridges, rock or stone arrangements, pathways,
21 sculpture, trellises, and screens.

22 (d) **Lattice Tower** means a freestanding support structure which consists of a network of
23 crossed metal braces, forming a tower which is usually triangular or square in cross-
24 section.

25 (e) **Livestock** means:

26 (1) One or more members of any species of cattle, swine, sheep, goat, poultry, horse
27 or other equine, or llama, alpaca or related ruminant, or poultry, excluding chickens,
28 regardless of the purpose for which any of the foregoing may be kept; and

29 (2) of any species of rabbit, bee, or fur-bearing animal, or chicken kept for sale, for
30 sale of by-products, for livestock increase, or for value increase.

- 1 **(f) Loading space** means an off-street space or bay on the same lot or parcel with a
2 building or complex for the parking of a vehicle while loading or unloading passengers or
3 cargo.
- 4 **(g) Lot.** In addition to the meaning given in SRC 63.030, "lot" means any parcel or
5 contiguous unit of lots or other parcels under common or condominium ownership,
6 common life estate, or subject to a common leasehold for a term of at least 99 years.
- 7 **(h) Lot area** means the area in square feet or acres (43,560 square feet equals one acre)
8 of a horizontal plane bounded by the vertical extensions of the lot lines.
- 9 **(i) Lot coverage** means the percentage of lot area covered by structures other than
10 fences or by other structures no point of which is more than three feet above grade.
- 11 **(j) Lot depth** means the horizontal distance between the front and rear lot lines
12 measured at a point halfway between the side lot lines.
- 13 **(k) Lot, downhill** means a hillside lot which slopes downhill from the front lot line.
- 14 **(l) Lot, interior** means any lot other than a corner lot.
- 15 **(m) Lot line** means one of the property lines forming the exterior boundaries of a lot;
16 and includes a condominium unit ownership line where the underlying real property is
17 included in a unit.
- 18 **(n) Lot line, front** means:
- 19 (1) In the case of any lot having a front lot line designated pursuant to SRC
20 63.145(e), the line so designated;
- 21 (2) In the case of an interior lot having only one street frontage, the lot line
22 separating the lot from the street right-of-way; and
- 23 (3) In the case of any lot not covered by paragraphs (1) or (2) of this subsection, the
24 lot line which the architecturally designed front of the building faces.
- 25 **(o) Lot line, interior** means a lot line which is not adjacent to a street.
- 26 **(p) Lot line, rear** means:
- 27 (1) In the case of any lot having a rear lot line designated or determinable under SRC
28 63.145(g), the lot line so designated or determined; and
- 29 (2) In the case of any other lot, the lot line opposite and most distant from the front
30 lot line.

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(q) **Lot line, side** means any lot line which is not a front or rear lot line.

(r) **Lot, uphill** means a hillside lot which slopes uphill from the front lot line.

(s) **Lot width** means the horizontal distance between the side lot lines measured at right angles to the lot depth at a point halfway between the front and rear lot lines.

Section 3. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this 27th day of September, 2010.

ATTEST:

Kathy Hall
City Recorder

Approved by City Attorney: *le*

Checked by: B. Rogers

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TO: MAYOR AND CITY COUNCIL
THROUGH: *Linda Norris*
LINDA NORRIS, CITY MANAGER

September 20, 2010
3 (a)

FROM: VICKIE HARDIN WOODS, COMMUNITY DEVELOPMENT DIRECTOR *VHW*
SUBJECT: AMENDMENTS TO REVISED CODE CHAPTERS 50 AND 111
REGARDING THE KEEPING OF URBAN CHICKENS *BY B. ROBERTS*

ISSUE

Should the City Council enact Ordinance Bill No. 19-10 to amend SRC Chapter 50 to allow the keeping of up to three chickens, no roosters, under certain limited conditions, with required license; and amend SRC Chapter 111 to modify the definition of "livestock", thus removing the keeping of chickens, other than for commercial purposes, from regulation in the zoning code?

RECOMMENDATION

Staff recommends the City Council advance Ordinance Bill No. 19-10 to second reading for enactment; and set a date for a public hearing on this ordinance.

BACKGROUND

On July 12, 2010, an information staff report was presented to council with an attached draft ordinance. After consideration and debate council directed staff to return with a future report and ordinance based on the draft ordinance.

The original proposal combined with staff recommendations from the July 12, 2010 information staff report is summarized as follows:

1. Regulates chickens outside the zoning code. Allows up to three chickens per residence anywhere throughout the city under the following conditions:
 - a) Chicken coop/facilities must be licensed.
 - b) Roosters are prohibited.
 - c) Chickens to be confined at all times in chicken coop/facility.
 - d) Coop/facility must meet zoning and building code setbacks.
 - e) Coop/facility must be a minimum of 20 feet from all dwellings.
 - f) Coop/facility must be less than 120 square feet in size.
 - g) Coop/facility must be located in the rear yard of a residence.
 - h) Facility to be maintained in good condition and not create a nuisance.
 - i) Fines will be assessed for coop conditions that fall outside those stated in the ordinance; \$250 for the first fine, \$500 for the second, and \$750 for the third. After a third violation, the licensee will no longer be able to keep chickens.

2. Amends SRC 111.130(e) to exclude chickens from the defined list of outright "Livestock" in Salem Revised Code, and include chickens in the defined list of animals that can be kept for personal use and by-products.

FACTS AND FINDINGS

1. Modifying SRC 50 Property Maintenance Chapter as proposed in Ordinance Bill No. 19-10 will allow any residence to have up to three hens and no roosters with the appropriate license and under certain conditions. Enforcement actions would occur through the Property Maintenance Code.
2. Modifying the definition of "livestock" as proposed in Ordinance Bill No. 19-10 would intend to allow the keeping of chickens for noncommercial purposes throughout the city. The modification of this definition will prevent the two chapters of Salem Revised Code from being in conflict.
3. At the July 12, 2010 council meeting a question was raised about the definition of yards. It was staff's intent to require chicken coop/facilities to be placed in rear yards only. The definition of rear yard as used under Salem Zone Code can be found under SRC 111.260(c), and reads "A yard extending across the full width of the lot between the most rear main building and the rear lot line."
4. At the July 12, 2010 council meeting public testimony was given requesting that the chicken coop/facility not be required to be twenty feet from the home of the chicken owner; that only adjacent dwellings require the twenty foot setback of the coop/facility.

Staff recommends and plans to administratively regulate the ordinance under the following additional terms and conditions in addition to the specifications of the ordinance.

5. Fines for violation of the ordinance be set at the listed progressive levels, with the option of civil a penalty under SRC 20J.
6. The license period will be three years, with a \$50 license payment due each year on the anniversary date. Upon original application and on each renewal date, the coop/facility shall be inspected for compliance with this ordinance.
7. Inspections of the coop/facilities are to be performed by an outside vendor at the chicken owner's expense. Outside vendors performing coop inspection will be trained and approved by City staff and provided with a comprehensive check list for performing the inspection. A list of approved outside vendors will be provided to applicants. The vendors will not be agents or employees of the City, and will serve only to inspect a proposed chicken coop, and provide a certificate of approval to the applicant.
8. Staff will work toward an on-line licensing program, but a modified procedure for on-line or over the counter licensing be implemented until such time as on-line licensing is possible.
9. Licensing of certain activities is currently processed using the AMANDA computer system. All licenses issued by the City with the AMANDA computer system are subject to additional processing fees that will raise the annual cost of the \$50 license payment to \$67.50.

Procedural Findings

1. Under SRC 110.070, any amendment to the Salem Zoning Code that amends, supplements, or changes only the text must be initiated either by the City Council or by the Commission by resolution. Council and/or the Planning Administrator must then fix a date for a public hearing before council and cause notice to be provided as required by the code.
2. ORS 197.610 and OAR 660-018-0020 requires that the Department of Land Conservation and Development receive notification of any proposed amendment to a local land use regulation at least 45 days prior to the first public hearing. Notice to the DLCD was received on July 16, 2010. This will allow the council and/or Planning Administrator to fix a date for a public hearing to take place on or after August 31, 2010. The first available council session after that date is September 13, 2010.



Brady Rogers
Compliance Services Administrator

Attachment A: Ordinance Bill No. 19-10

ORDINANCE BILL NO. 19-10

AN ORDINANCE RELATING TO KEEPING OF URBAN CHICKENS; ADDING SRC 50.710, AND AMENDING SRC 111.130

The City of Salem ordains as follows:

Section 1. The following SRC 50.710 is hereby added to SRC Chapter 50:

SRC 50.710. Keeping of Chickens.

(a) Definitions. As used in this section, the following mean:

- (1) Approved inspector means a person who has received training by the City on the standards for chicken facilities contained in this section, and has received a certificate therefor.
- (2) Chicken means the common domestic fowl (*Gallus gallus domesticus*) or its young.
- (3) Chicken facility means a combination of a coop and a runway.
- (4) Commercial poultry operation means a farm that raises chickens for sale or the production of eggs for profit.
- (5) Coop means a structure providing roofed shelter for the chickens.
- (6) Hen means an adult female chicken.
- (7) Rooster means a male chicken, and includes a capon.
- (8) Runway means a fully enclosed, fenced area connected to the coop.

(b) Except as provided in this section, no person shall keep chickens in the City unless a license has been obtained therefor. No license is required for a commercial poultry operation that is an allowed use under the City's land use regulations.

(c) License.

(1) Terms; Conditions of License. The license to keep chickens shall be valid for three years from the date of issuance, and may be renewed for additional three year terms. Every license shall be subject to the following conditions:

- (A)** A maximum of three hens per residence is allowed;
- (B)** Roosters are prohibited;
- (C)** The chickens shall be confined at all times within a chicken facility;

1 (D) No structure that houses chickens, either temporarily or permanently, shall
2 be located within twenty feet of any residence;

3 (E) A chicken facility shall comply with the setback requirements of the zone in
4 which it is located;

5 (F) A chicken facility, and the premises where the chicken facility is located,
6 shall be maintained in a condition such that the facility or chickens do not produce
7 noise or odor that creates a nuisance for adjoining property.

8 **(2) Application.** An application for a license to keep chickens shall include the
9 following:

10 (A) The name and mailing address of the person to whom the license will be
11 issued;

12 (B) The address where the chickens will be kept, if different from the mailing
13 address;

14 (C) A certification by an approved inspector that the chicken facility meets the
15 standards in this section; and

16 (D) Payment of the application fee.

17 **(3) Issuance.** The application shall be reviewed by the City to determine if there is
18 any reason why the license should not be issued. If no reason is identified, the
19 applicant shall be notified that the application has been approved and the license
20 issued. If a reason is identified why the license should not be issued, the application
21 shall be denied, and the applicant shall be provided written notice setting forth the
22 reasons.

23 **(4) Renewal.**

24 (A) A licensee may apply for renewal of a license to keep chickens no later than
25 5:00 p.m. on the license expiration date. The application to renew a license shall
26 be accompanied by a certification by an approved inspector that the chicken
27 facility meets the standards in this section, together with the license renewal fee.

28 (B) A renewal application shall be reviewed by the City to determine if there is
29 any reason why the license should not be renewed. If no reason is identified, the
30 applicant shall be notified that the renewal has been approved. The renewal shall

1 be effective as of the expiration date. If a reason is identified why the license
2 should not be renewed, the renewal application shall be denied, and the applicant
3 provided written notice setting forth the reasons.

4 (C) A late fee shall be charged for any renewal application received after the
5 expiration date. The late fee shall be fifty percent of the amount of the renewal
6 fee. No renewal shall be granted if the application for the renewal is received
7 more than thirty days after the expiration date.

8 **(5) Grounds for Denial.** An application for a license to keep chickens or a renewal
9 of a license may be denied for any of the following reasons:

10 (A) Any inaccurate, misleading, or incomplete statement made on the application
11 for, or made in connection with, the license.

12 (B) Failure to comply with the conditions of a license issued pursuant to this
13 section.

14 (C) Failure to provide the certification by an approved inspector that the chicken
15 facility meets the standards in this section.

16 (D) Any other activity by the licensee that would present a reasonable doubt
17 about licensee's ability to perform and keep chickens without endangering public
18 health, safety, or welfare.

19 **(6) License Fees.** Fees for licenses to keep chickens and renewals shall be set by
20 resolution of the City Council. The fees shall be non-refundable.

21 **(d) Cease and Desist Orders; Permit Revocation; Civil Penalties; Enforcement.**

22 **(1) Cease and Desist Orders.** When a licensee has violated or continues to violate
23 the terms and conditions of a license to keep chickens issued pursuant to this section,
24 or any other provision of this section, the Director may issue an order that the licensee
25 cease and desist all such violations and command the licensee to immediately comply
26 with all requirements of the license or this section, and take such appropriate remedial
27 or preventive action as may be needed to properly address the violation.

28 **(2) Suspension or Revocation of Permit.**

29 (A) The Director may suspend or revoke a license if:

30 (i) The permit was issued in error;

1 (ii) Inaccurate, misleading, or incomplete information was used to obtain, or is
2 provided to the City in connection with, the license; or

3 (iii) The applicant is not complying with the terms of the license, or is
4 violating the provisions of this section;

5 (B) The Director shall issue a written notice to the licensee specifying the reason
6 for the suspension or revocation and provide a time certain, not to exceed ten
7 days, within which the licensee shall correct the reason for the suspension or
8 revocation. If the licensee corrects the deficiency within such ten day period, the
9 license shall be reinstated.

10 (3) **Civil Penalty.** Any licensee who fails to comply with the terms and conditions of
11 a license issued pursuant to this section, or any other provision of this section, any
12 licensee who fails to comply with a cease and desist order issued pursuant to this
13 subsection, or any person who keeps chickens without first obtaining the license
14 required by this section, shall be subject to a civil penalty, not to exceed \$2,000 per
15 violation. Each day that a violation continues shall constitute a separate violation.

16 (4) **Civil Penalties Against Agents.** Any person who acts as the agent of, or
17 otherwise assists, a person who engages in an activity which would be subject to a
18 civil penalty, shall likewise be subject to a civil penalty.

19 (5) **Reconsideration.** Any person aggrieved by any decision, action, or
20 determination, including cease and desist orders, made by the Director, may seek
21 reconsideration by filing a request for reconsideration with the Director within ten
22 days after notice of such decision, action, or determination has been provided to the
23 person. The notice shall set forth in detail the facts supporting the request for
24 reconsideration. The Director's decision, action, or determination shall remain in
25 effect during such period of reconsideration.

26 (6) **Appeal.** Any person aggrieved by an action of the Director issuing a cease and
27 desist order, revoking or suspending a license, or who is subject to a civil penalty may
28 appeal such action by filing a notice of intent to appeal with the City Recorder within
29 fifteen business days after notice of the Director's final decision after reconsideration
30 is deemed to have been received by the applicant under SRC 20J.110. The notice of

1 appeal shall satisfy the requirements of SRC 20J.110, and the appeal shall proceed as
2 a contested case under the procedures established in SRC 20J.240-20J.430.

3 Notwithstanding SRC 20J.270, the Director's decision, action, or determination shall
4 remain in effect during such period of the appeal.

5 **(7) Injunctive Relief.** The City may seek injunctive relief against any person who
6 has willfully failed to comply with the terms and conditions of a license issued
7 pursuant to this section, or willfully violated any other provision of this section, such
8 relief to be in effect for a period not to exceed ten years.

9 **(8) Remedies Not Exclusive.** The remedies provided by this subsection are
10 cumulative and not mutually exclusive and are in addition to any other rights,
11 remedies and penalties available to the City under any other provision of law.

12 **(e)** Any chickens that are not kept as provided in subsection (c) of this section or in
13 compliance with the terms and conditions of a license issued pursuant to this section shall
14 be deemed a public nuisance under SRC 50.800, and the owner or custodian shall be
15 given thirty days to rectify the conditions creating the public nuisance. If the owner or
16 custodian has not rectified the conditions within thirty days of the date the notice is
17 provided, the City may abate the nuisance, as provided in SRC 50.800-50.880.

18 **(f) Violation.**

19 **(1)** It shall be unlawful to keep chickens in the City, except as authorized by
20 subsection (b) of this section. A violation of this paragraph is a misdemeanor.

21 **(2)** It shall be unlawful to violate the terms of a permit issued pursuant to subsection
22 (c) of this section. A violation of this paragraph is an infraction, and shall be
23 punishable as follows:

24 **(A)** \$250 for the first violation.

25 **(B)** \$500 for the second violation.

26 **(C)** \$750 for the third violation, and the defendant shall be prohibited from
27 obtaining a license to keep chickens for a period of ten years.

28 **(3)** Violations of paragraphs (1) and (2) of this section are continuing, and each day
29 the violation continues shall constitute a separate offense.

30 **Section 2.** SRC 111.130 is amended to read:

1 **SRC 111.130. "L" Definitions.**

2 (a) **Land use action** means a zone change, conditional zone change, variance,
3 adjustment, conditional use approval, specific conditional use approval, planned unit
4 development approval at any stage requiring commission or council action, or any other
5 action requiring discretionary review by an administrative body, including appeals from
6 any of the foregoing.

7 (b) **Land use proceeding** means a proceeding on a zone change, variance, adjustment,
8 conditional use, specific conditional use, or planned unit development application; a
9 council or commission initiated zone change proceeding; a proceeding to designate
10 zoning classifications for a newly annexed area; or any other proceeding which will result
11 in a land use action unless dismissed.

12 (c) **Landscaped** means primarily devoted to the planting and preservation of trees,
13 shrubs, lawn and other organic ground cover, together with other natural or artificial
14 supplements to that primary use such as watercourses, ponds, fountains, decorative
15 lighting, benches, arbors, gazebos, bridges, rock or stone arrangements, pathways,
16 sculpture, trellises, and screens.

17 (d) **Lattice Tower** means a freestanding support structure which consists of a network of
18 crossed metal braces, forming a tower which is usually triangular or square in cross-
19 section.

20 (e) **Livestock** means:

21 (1) ~~O~~ne or more members of any species of cattle, swine, sheep, goat, ~~p~~oultry, horse
22 or other equine, ~~or~~ llama, alpaca or related ruminant, or poultry, excluding chickens,
23 regardless of the purpose for which any of the foregoing may be kept; and

24 (2) ~~of~~ ~~A~~ny species of rabbit, bee, ~~or~~ fur-bearing animal, or chicken kept for sale, for
25 sale of by-products, for livestock increase, or for value increase.

26 (f) **Loading space** means an off-street space or bay on the same lot or parcel with a
27 building or complex for the parking of a vehicle while loading or unloading passengers or
28 cargo.

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(g) **Lot.** In addition to the meaning given in SRC 63.030, "lot" means any parcel or contiguous unit of lots or other parcels under common or condominium ownership, common life estate, or subject to a common leasehold for a term of at least 99 years.

(h) **Lot area** means the area in square feet or acres (43,560 square feet equals one acre) of a horizontal plane bounded by the vertical extensions of the lot lines.

(i) **Lot coverage** means the percentage of lot area covered by structures other than fences or by other structures no point of which is more than three feet above grade.

(j) **Lot depth** means the horizontal distance between the front and rear lot lines measured at a point halfway between the side lot lines.

(k) **Lot, downhill** means a hillside lot which slopes downhill from the front lot line.

(l) **Lot, interior** means any lot other than a corner lot.

(m) **Lot line** means one of the property lines forming the exterior boundaries of a lot; and includes a condominium unit ownership line where the underlying real property is included in a unit.

(n) **Lot line, front** means:

(1) In the case of any lot having a front lot line designated pursuant to SRC 63.145(e), the line so designated;

(2) In the case of an interior lot having only one street frontage, the lot line separating the lot from the street right of way; and

(3) In the case of any lot not covered by paragraphs (1) or (2) of this subsection, the lot line which the architecturally designed front of the building faces.

(o) **Lot line, interior** means a lot line which is not adjacent to a street.

(p) **Lot line, rear** means:

(1) In the case of any lot having a rear lot line designated or determinable under SRC 63.145(g), the lot line so designated or determined; and

(2) In the case of any other lot, the lot line opposite and most distant from the front lot line.

(q) **Lot line, side** means any lot line which is not a front or rear lot line.

(r) **Lot, uphill** means a hillside lot which slopes uphill from the front lot line.

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(s) **Lot width** means the horizontal distance between the side lot lines measured at right angles to the lot depth at a point halfway between the front and rear lot lines.

Section 3. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this _____ day of _____, 2010.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: B. Rogers

G:\Group\legal\Council\080910 Chicken ord.doc

September 20, 2010
3 (a)



DOCUMENT FILED

SEP 16 2010
CITY OF SALEM
CITY RECORDER

To Whom it May Concern:

The City of Portland has a long standing code that allows its residents up to three hens per property without a permit, or a larger flock with a permit. This has presented a tremendous opportunity for Portlanders to enjoy pets that contribute to sustainable food practices. I, myself, have three chickens at home in my backyard garden.

The privilege of having chickens in our city is something we encourage and promote. Through our "Urban Growth Bounty" program residents can enroll in classes on how to keep a backyard flock safe, sound and healthy. As our residents contend with a difficult economic climate, we are doing all we can to support programs and policy that allow residents to incorporate sustainability in everyday life. In that way, allowing urban chickens has never made more sense.

I'm confident that more cities can adopt similar amendments, and craft reasonable policies to ensure this is done without harm to residents or vital neighborhoods—Portland has had few complaints regarding urban chicken keeping. To the contrary, Portland boasts an annual "Tour de Coops" festival, where hundreds of residents purchase guidebooks and tour the city's most interesting backyard hen houses.

I absolutely encourage you to adopt local policies that encourage your residents to keep a small flock of hens in their backyards. Please feel free to contact me with questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Adams".

Sam Adams

Mayor

DOCUMENT FILED

SEP 16 2010

CITY OF SALEM
CITY RECORDER

Dear Mayor Janet Taylor,

We are fellows from the Northwest Institute for Social Change and we spent our summer making a five-minute documentary film about urban chicken keeping in Portland, Oregon.

Thanks for taking your time to watch our film *Urban Chickens*, which highlights the environmental benefits of keeping chickens in urban/suburban areas and promotes more sustainable lifestyles.

We hope that after watching *Urban Chickens* you consider passing an ordinance to allow chicken keeping in your municipality. We encourage you to consider the successful examples of other leading cities around the United States, such as New York, Chicago, and Los Angeles.

If you're interested in learning more, great places to start are:

- Urban Chicken Keeping Analysis, which highlights major U.S. city ordinances urbanchickens.org/files/Ordinance%20research%20paper.pdf
- Urban Farm Store www.urbanfarmstore.com
- Growing Gardens www.growing-gardens.org

Urban Chickens is also on Youtube. The link is: <http://www.youtube.com/watch?v=AxsPK3UbTjc>

Please also feel free to contact us personally for more information.

Sincerely,

2010 NWISC Fellows,
Colin Christopher, colinc20@gmail.com
Caroline Koehler Koehlecs@whitman.edu
Rachel Sklar resklar@gmail.com

Kathy Hall - Chickens in City Limits

From: <KARAU8021@comcast.net>
To: <citycouncil@cityofsalem.net>
Date: 8/23/2010 2:39 PM
Subject: Chickens in City Limits

DOCUMENT FILED

AUG 23 2010

CITY OF SALEM
CITY RECORDER

Dear City Council Members and Honorable Mayor:

We would like to voice our hope that you will DENY allowing chickens in the city limits. They are a "farm animal" and not a domestic pet!

We live in south Salem and our property borders the county. When we first moved here we had chickens from the neighbors on Croisen wandering in our yard for awhile. It did draw in the coyote's and before long, there weren't any more chickens in our yard.

I would hope you will vote against allowing people in the city limits to have chickens. It appears it would encourage other wild animals into the wooded neighborhoods. Last year we actually had a cougar that killed a neighbor's cat and was sighted at least two other times before it moved on. If we had chickens around here, it may have decided to linger a bit longer.

Thank you for your consideration.

Sincerely,

Lynne and Bob Karau
4055 Cloudview Drive S.
Salem, OR 97302

503-588-4114

Kathy Hall - A dubious honor

From: "valdean hollingshead" <rvhollin@msn.com>
To: "citycouncil" <citycouncil@cityofsalem.net>
Date: 8/18/2010 7:35 PM
Subject: A dubious honor

DOCUMENT FILED

AUG 19 2010

CITY OF SALEM
CITY RECORDER

Hello - Out of all the news fit to print U.S.A. Today (yesterday) honored Salem by reporting that the city had taken a vote on whether or not to allow chickens within the city limits (whether or not they realized Salem is the Capital of State remains to be seen). Congratulations on depending on an open forum - date yet to be announced - where citizens can voice their opinion on this matter. It is so reminiscent of the state legislature refusing to resolve issues that are controversial and referring them back to the voters. Whoever voted no to this, thank you. Perhaps you could refer this to all the citizens of Salem by ballot rather than the jam-packed meetings where whomever wishes speaks is never to be counted upon, and if one does speak the council does what it wishes regardless. Rather than listen to the vocal minority, it appears that the city council has made a decision prior to the "open" meeting.

It is difficult to believe that while the Cherriot bus issues, the building issues, the not-so-glib effort to rescue the mortgage issues surrounding the financing of a major "bad loan" condominium and the on-going lack of real jobs and real money engulf us all, this is worth the effort. It will be interesting to find out exactly how this came to be.

I will be there. I do not expect to do anything but wait and then not be heard. Perhaps we could move into the 21st century and once again talk about providing Wi-Fi services to Salem. I see that Keizer is now moving ahead with their plan for LAN. It seems to me that Salem also once entertained that idea but it has somehow fallen by the wayside. What happened? Wi-Fi has many advantages for business (both small and large) and is about to become what the old internet is now. Brazil, Connecticut, etc. have more access to wireless than Salem. Are we looking backwards or forwards?

Most disappointedly, R.V. Hollingshead, 3531 Hillview Dr. S.E. Salem Oregon 97302

September 20, 2010
3 (a)

Kathy Hall - City Ordinance Regarding Chickens in Residential Areas

From: <lindanbillw@comcast.net>
To: <jtaylor@cityofsalem.net>, <citycouncil@cityofsalem.net>
Date: 8/17/2010 9:29 PM
Subject: City Ordinance Regarding Chickens in Residential Areas

DOCUMENT FILED

AUG 18 2010

CITY OF SALEM
CITY RECORDER

We are south Salem residents and have noted that the City is considering allowing ownership of chickens in residential neighborhoods. We are opposed to that policy and ask that you not adopt it. Among other things, raising poultry requires storage, handling and dispersal of feed that can attract rodents. With houses close together, this could present health issues for neighbors.

Please reject this idea. Traditional pet ownership is one thing communities accept but poultry belong in rural areas and not in close together residential areas. Thank you.

Bill and Linda Warren

Kathy Hall - menu

From: "john jenssen" <jwjenssen@msn.com>
To: "citycouncil" <citycouncil@cityofsalem.net>
Date: 8/16/2010 10:17 AM
Subject: menu

DOCUMENT FILED

AUG 16 2010

CITY OF SALEM
CITY RECORDER

From today's Statesman Journal:

"Councilors will decide whether to advance an ordinance regarding the issue of chickens within city limits to a second reading for enactment and set a date for a public hearing on the ordinance.

If approved, changes would be made to city code to allow the keeping of up to three hens, no roosters, under certain conditions with a required license."

Read more: <http://www.statesmanjournal.com/article/20100816/NEWS/8160330/Council-to-revisit-chickens-in-city#ixzz0wn0axYB3>

Please do not advance this issue any further via Council: put it to a city-wide vote. I think the issue has become a large enough concern that Salem voters need to decide whether to change the current ordinance.

In response to previous messages I have sent, some of you have expressed your opposition to allowing chickens in Salem's yards. Thank you for both your responses and position.

Let's let the voters decide this one.

Respectfully,

John W. Jenssen

Kathy Hall - Backyard chickens

From: <ShprdCr@aol.com>
To: <khall@cityofsalem.net>
Date: 9/12/2010 1:28 PM
Subject: Backyard chickens

DOCUMENT FILED

SEP 13 2010
CITY OF SALEM
CITY RECORDER

Hello, I am unable to attend the upcoming meeting for backyard chickens. Please help us get our chickens for better, healthier eggs and healthier chickens.

Blessings
Carol Shepherd

Kathy Hall - Chickens

From: "bourdeau" <bourdeau@comcast.net>
To: <khall@cityofsalem.net>
Date: 9/12/2010 2:09 PM
Subject: Chickens
CC: "Barbara Palermo" <salemchickens@yahoo.com>

DOCUMENT FILED

SEP 13 2010

CITY OF SALEM
CITY RECORDER

My name is Virginia Bourdeau- I live in West Salem. I wish to encourage the city council, and particularly my West Salem representative Dan Clem, to support the chicken ordinance. There are far more positives for the city and the environment from a citizenry who are in touch with their food sources. Vote local and green. Vote for backyard chickens.

Thank you, Virginia Bourdeau
503-588-4075

Kathy Hall - I support Chickens in Salem & so should Dan Clem

DOCUMENT FILED

From: Ken Hill <gispro01@yahoo.com>
To: <khall@cityofsalem.net>
Date: 9/12/2010 2:33 PM
Subject: I support Chickens in Salem & so should Dan Clem

SEP 13 2010
CITY OF SALEM
CITY RECORDER

I live in ward 8 in West Salem and I support the chicken keeping ordinance and I encourage all councilors to vote yes on this ordinance. Particlarly Dan Clem who is my representative and who has always voted no, even though his neighborhood association supports the ordinance. Please vote yes for the chicken keeping ordinance and vote to represent your wards citizens not your own interests. I have been disgusted by the fact that even though the majority of his constituents want the chicken keeping ordinance, he has voted no several times; which does not represent the will of the majority of his ward. Again I say vote for what your ward wants not your own interests. Please vote YES for chickens.

K Hill
west Salem resident

Kathy Hall - Chickens in the backyard

DOCUMENT FILED

From: Raeleen Boykin <espresso4u4u@gmail.com>
To: <khall@cityofsalem.net>
Date: 9/12/2010 2:44 PM
Subject: Chickens in the backyard

SEP 13 2010
CITY OF SALEM
CITY RECORDER

Hi,

I am unable to attend, as I will be out of town, but please, we really need to get back to doing what makes sense and that is to grow our own fruits and vegetables, plus raising chickens, so we can have our own farm fresh eggs. Don't punish people because the population has gotten so large, that we have to live in the city, we still need the foundation of our country honored, which is being self sufficient, not having to waste gas to go buy the things we can grow at home. We also give our children and grandchildren something to do, something to appreciate and something from the past that is wholesome, that brings families together, which is so needed in this day and age. I understand not having roosters in the city, I didn't like them on our farm, as a kid either because they woke me up to early, but hens are good pets, they are quiet, sleep at night, unlike the dogs in our neighborhood who bark all night long, so let me say, "Go chickens in the backyard", please don't stifle this request from residents any longer, you will see it will be a good thing.

Raeleen Boykin
3760 Cooley Dr NE
Salem, OR
503 581-3351

Kathy Hall - In favor of legalizing the keeping of chickens in Salem

From: Robin Buchholz <s0mesmater@gmail.com>
To: "khall@cityofsalem.net" <khall@cityofsalem.net>
Date: 9/12/2010 3:36 PM
Subject: In favor of legalizing the keeping of chickens in Salem

DOCUMENT FILED

SEP 13 2010

CITY OF SALEM
CITY RECORDER

Please include this email in the public record for the hearing on September 20th, as my daughter and I are unable to attend in person. We would greatly benefit from raising our own chickens. The organic eggs would benefit my daughter who has a health condition where she has to have organic, natural as possible food. the compost the chickens would help produce would benefit our garden, where we raise a lot of our own food. The small amount of noise their clucking would generate would be far less then my neighbors dogs, and the kids in the neighborhood that continually scream while running around. (Not to mention the loud music). I fully support this ordinance and ask that it be passed.

Robin and Jessica Buchholz
3289 Keen Ave NE
Salem, OR 97301

Kathy Hall - Re: Chicken Ordinance - City of Salem

DOCUMENT FILED

From: Elsa Lumby <elsalumby@gmail.com>
To: <khall@cityofsalem.net>
Date: 9/12/2010 7:04 PM
Subject: Re: Chicken Ordinance - City of Salem

SEP 13 2010
CITY OF SALEM
CITY RECORDER

Hello,
Just wanted to say I am in favor of the upcoming ordinance to allow chickens within the city of Salem.
Thank you,
Melody Lumby

From: Guruka Khalsa <khalsachiro@rejuvme.com>
To: <khall@cityofsalem.net>
Date: 9/12/2010 8:41 PM
Subject: backyard chickens

DOCUMENT FILED

SEP 13 2010

CITY OF SALEM
CITY RECORDER

I hope you will support this very sensible and sustainable ordinance and not weigh it down with licensing fees beyond the reach of Salem's lower middle class families. I think the license should cost much less than what one would spend on eggs in a year.

Thank you for at last working out this ordinance. We should encourage self reliance.

Guruka K. Khalsa,
Chiropractic Physician
South Salem resident

Kathy Hall - For Chicken Ordinance

From: Linda Newell <newell_l@hotmail.com>
To: <khall@cityofsalem.net>
Date: 9/12/2010 11:37 PM
Subject: For Chicken Ordinance

DOCUMENT FILED

SEP 13 2010
CITY OF SALEM
CITY RECORDER

We are writing this email to demonstrate our strong support of the Salem Chicken Ordinance. It is time for the City of Salem to allow urban hens. The recent Salmonella outbreak that came from factory egg production is very disturbing to us as consumers. We want more control over our food choices which includes producing our own healthy eggs as well as the organic fruits and vegetables grown in our yard.

Linda Newell, Ward 1
Robert Chapman

From: <mmyatt@ix.netcom.com>
To: <khall@cityofsalem.net>
Date: 9/13/2010 7:36 PM
Subject: Chicken ordinance

I will be unable to make the Sept 20 meeting but would like to have my voice heard in favor of chickens in the city of Salem. Thank you.

Mary Myatt, South Salem

Leave room in your garden for angels to dance.

DOCUMENT FILED

SEP 14 2010
CITY OF SALEM
CITY RECORDER

From: Colleen Spedale <cspedale@willamette.edu>
To: <khall@cityofsalem.net>
Date: 9/15/2010 1:48 PM
Subject: Chicken Proposal

DOCUMENT FILED

SEP 15 2010

CITY OF SALEM
CITY RECORDER

Dear City Council Members,

I wholeheartedly support the proposal to allow folks within the city limits to keep chickens (no roosters). Although I currently live outside the city limits and can have as many chickens - and roosters - as I like, I believe that people who've chosen to live in the city should also have access to the fresh eggs that they can raise themselves. In these days when so many of us are seeking a healthier lifestyle, growing gardens and supporting our local businesses as much as possible, it only makes sense that raising a few hens should be a part of this. I sell eggs to co-workers and friends and, in the recent scare over salmonella in eggs, have found a heightened interest in locally-raised, sustainably produced eggs. Cities to the south and north of us have managed to navigate this question quite gracefully, and I've been pleased to find hens existing peacefully alongside their urban neighbors. Surely Salem can do the same.

I strongly urge you to quickly adopt a hens-in-the-city ordinance for the benefit of all Salem residents.

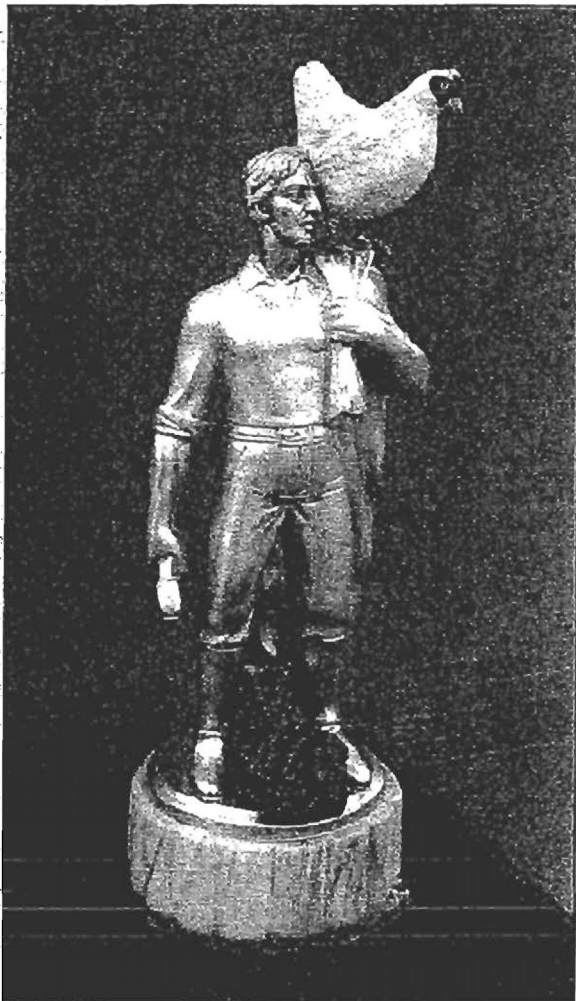
Many thanks,

Colleen Spedale
Salem, Oregon 97317

DOCUMENT FILED

SEP 15 2010
CITY OF SALEM
CITY RECORDER

A Case for Backyard Chickens in Salem (Oregon's Capital City)



By

**Chickens In
The Yard**

Sept. 2010

The Oregon Pioneer sits atop our capital building and is said to represent the spirit of our early settlers Well, they had chickens and we want them too!

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Introduction

As people grow more concerned about the economy, the environment, food safety, emergency preparedness, and animal welfare, they are returning to the basic skills their grandparents understood well – vegetable gardening, canning food, and raising chickens. In response to citizens’ requests, many municipalities across the country have adopted ordinances allowing residents to keep a limited number of egg-laying hens as pets.

According to the Worldwatch Institute, there is an Urban Chicken Movement underway that has “... swept across the United States in recent years” and it began right here in the Pacific Northwest ([Appendix A](#)).

Our request is not unreasonable or unusual. Cities across the country, large and small; allow a limited number of backyard hens. For example, chickens are allowed in Seattle, Chicago, Denver, Madison, Fort Collins, Vancouver, and New York. In fact, according to Newsweek Magazine, more than 65% of major U.S. cities now have chicken-keeping ordinances ([Appendix B](#)).

In Oregon, nearly every city has relaxed its zoning regulations to allow residents to enjoy a few backyard chickens (see chart below). We, the people of Salem would like the same opportunity enjoyed by our friends in neighboring communities.

Chicken-Keeping Policies in Oregon
(Revised August 19, 2010)

Oregon Cities	# Hens Allowed	Setback from Property Line	Distance from Adjacent Dwellings	Minimum Lot Size	Comments
Astoria	Unlimited				
Beaverton	4		20'		Ordinance passed unanimously on 8/16/10, takes effect Sept. 20, 2010.
Bend	4	15'	25'	6,000 sq ft	Requires a \$100 Farm Animal Permit.
Cannon Beach	4	15'	15'		
Corvallis	Unlimited				Even roosters are permitted.
Dallas	5	10'			Adopted ordinance in January 2010.
Eugene	2	10'	25'		Citizens currently working to increase number of hens allowed.
Forest Grove	4		20'	5,000 sq ft	
Gresham	3	10'	25'		Adopted ordinance in December 2009 - Requires \$50 permit which is good for two years.
Klamath Falls					
Lake Oswego	Unlimited				
Lincoln City	Unlimited				
Portland*	3				
Springfield	4				

* Multnomah County enforces the chicken ordinance for the city of Portland. If you have less than 4 chickens, the only requirement is that you keep no roosters and do not let hens roam freely. If you want 4 or more hens, you have to apply for a \$31 "special animal facility" permit and abide by further restrictions including property line setbacks, etc. People with 3 or less chickens who do not care for them properly and receive valid complaints can be made to get the permit and follow a more stringent set of rules.

Salem Revised Code

Currently, Section 146.020 of the Salem Revised Codes lists land uses permitted in Single Family Residential zones (Appendix C). Any use *not* on this list is considered unlawful, based on its omission. Chickens are not listed. This, and the fact that chickens are defined as livestock in Section 111.130, Section (e), of the Salem Revised Code, makes keeping chickens inside the city illegal (Appendix D). Yet, according to Section 146.030, Special Uses, city residents can keep a potbelly pig weighing up to 100 pounds (Appendix E). We think it's unreasonable that you can keep a 100-pound pig, or a vicious dog, roaming cat, and assorted other animals, but not a 3-pound bird that provides nutritious eggs year-round.

Proposed Ordinance

The residents of Salem have brought this issue to the attention of City Council numerous times in recent years. The proposed chicken-keeping ordinance failed by a narrow vote in October 2009, despite overwhelming support from the community and a recommendation by city staff to adopt the ordinance. We are pleased that the Salem City Council has agreed to reconsider the issue and we are grateful for the opportunity to provide input and address any concerns.

If adopted, the proposed ordinance drafted by city staff would be the most restrictive in the state, including online registration, annual fees, and inspections. While we have agreed to most of these stipulations, the proposed ordinance has significantly deviated from our original agreement over time. We respectfully request that the following minor revisions be made:

Fees & Inspections: We originally agreed to a \$50 permit the first year and \$25 to renew in subsequent years. The purpose of this fee was to cover the cost of the inspections, yet now we are expected to pay for inspections in addition to this fee. We also agreed to an initial inspection (required to get the permit) and one follow-up inspection two years later. However, the most recent version of the ordinance requires a fee of \$67.50 *every* year. We think one inspection is adequate, especially since no other city requires inspections.

Most cities allow backyard chickens with no fee but there are a few that do charge for a permit. In Bend, it cost \$100 to keep four hens – but this is a one-time fee and you get *four* hens, not three, which means you get another 250 eggs per year. In Gresham, a \$50 permit is good for *two* years. And in Portland, a \$31 permit is only required if you want *more than* three hens.

Coop's Location: We agree that coops should be at least 20' from residential structures, but this should not include the chicken-owner's house. In fact, it's best to keep the hens as close as possible so we can keep a watchful eye on our pets, ensure their safety, and reduce any impact on others. If there were any problem, we would be the first to know about it, not the neighbors, which is how it should be.

Coop size: The July 12th report stated that "coops" must be less than 120 square feet. The report defines "coop" as the roofed shelter, not the chicken run. However, the latest version of the ordinance now states that the "coop/facility" must be less than 120 square feet. The chicken run is a pen made of wire for exercising the birds, not a building, and should not be included in this requirement. We ask that the wording be changed back to the July 12th version.

Definition of Livestock



Chickens are a dual purpose animal. They can be raised for profit, or treated like pets. Because hens are small, harmless, friendly, entertaining, and easy to care for – they make wonderful pets. Three small hens aren't "livestock" any more than a vegetable garden is a farm.

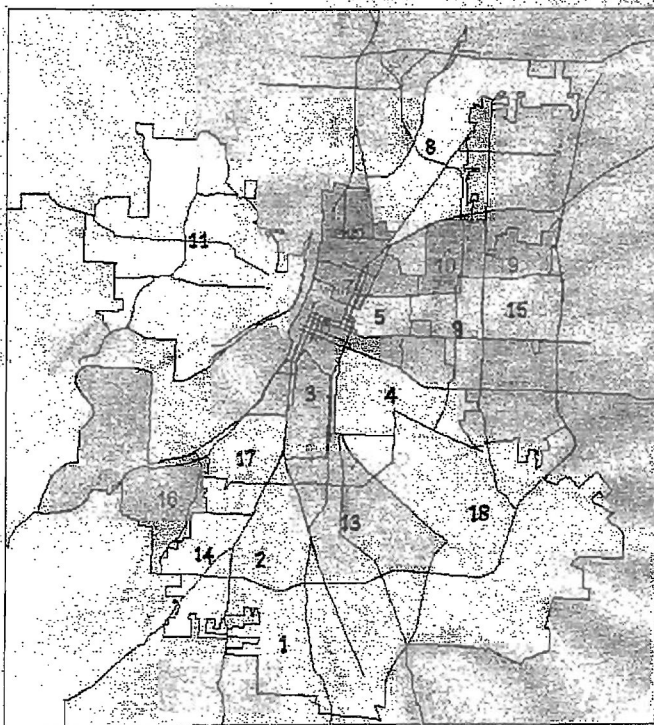
According to section 111.130(e) in the revised code, the city's definition of livestock includes poultry ([Appendix D](#)). City Staff has recommended this definition be changed to exclude the keeping of backyard hens for non-commercial purposes. We agree for the following reasons:

1. The State Department of Agriculture excludes chickens from its definition of livestock and we believe the City's definition should match the state's definition ([Appendix F](#)).
2. According to Oregon Revised Statute 609.140(1), any dog that harms livestock can be euthanized. It's unlikely that dogs will harm chickens because we have stipulated that the birds be enclosed within a backyard facility at all times. But in the event this should occur, we urge council to modify the definition of livestock so that dogs would be protected.
3. If chickens remain as livestock, then enforcement of a chicken ordinance would fall under the land use section of the Salem Revised Code. Therefore, any modification to the ordinance would require review by the Planning Commission and a state-mandated 45-day waiting period. It would be much easier and more efficient to remove chickens from the city's definition of livestock and allow them as pets, which could then be enforced under the nuisance section of the city's code and easily modified.

Community Support

The city of Salem overwhelmingly supports the chicken ordinance, evidenced by the following:

1. A petition with 1,232 signatures from Salem residents over the age of 18 who support our proposal.
2. Endorsement by the following local organizations:
 Marion-Polk Food Share
 St. Vincent de Paul Society
 Center for Sustainable Communities at Willamette University
 Oregon Tilth
 Friends of Marion County
3. An inspection of the public record revealed the vast majority of correspondence received by the City on this issue was in favor of the ordinance. At 16 public meetings where chickens were discussed between February 2009 and August 2010, the number of persons in favor of the ordinance consistently far outweighed those opposed.
4. Endorsement by 13 of Salem's 19 neighborhood associations, including all of the *largest* ones. According to The Department of Community Services, these represent over 85% of Salem households.



Neighborhood	Councilor Ward(s)
So. Gateway	4
ELNA	6
Faye Wright	3, 4
Morningside	2, 3
Northgate	5
SCAN	2, 7
SEMCA	2, 3, 4
SESNA	2
So. Salem	7
Sunnyslope	7
NESCA	6
West Salem	8
NEN	1, 2, 6

Never before has a proposed ordinance required the endorsement of every neighborhood association. Still, CITY went to great lengths to educate the public and recruit support. The fact that 13 out of 19 neighborhoods voted for the ordinance is more than adequate to prove sufficient public support exists for our proposal.

The 13 neighborhoods that support a chicken ordinance are highlighted in yellow.

Code Enforcement

We gathered letters from public officials in various chicken-friendly cities, all of whom state that allowing residents to keep a few pet hens has benefited their communities.

Written testimony from mayors, city commissioners, and code compliance officers are included in Appendix G of this packet. These statements prove that chicken ordinances do not create the type of problems some fear. Allowing residents a small number of egg-laying hens has *not* created a financial burden for these cities, spurred fighting among neighbors, presented a noise, odor, or rodent problem, reduced property values, or posed a public health threat. In fact, public officials in cities where backyard chickens have been permitted for years, view it as a beneficial, community-building and self-sustaining activity that they promote and encourage. What better indication can there be, then the experiences of other cities with similar demographics to Salem, that report a positive and successful experience?

Eugene, a city comparable in size to Salem and where hens are allowed, received just 11 chicken-related complaints in 2008. The City of Madison receives just 10 complaints a year and describes the enforcement burden as minimal. In our neighboring capital city, Olympia, Washington, the number of complaints dwindled to less than five *after* they passed the ordinance to allow chickens, according to Code Compliance Officer, Georgia Sabol (Appendix G).



Salem received 29 chicken-related complaints in 2008. Even Portland, a city nearly *four times larger* than Salem and known to have more chickens per capita than any other U.S. city, receives just 10 more complaints than we currently do here in Salem.

We believe Salem receives nearly three times as many complaints as cities of equal size, where chickens are permitted, because our current ordinance is ambiguous. This results in people keeping chickens illegally and without guidelines to follow, resulting in complaints that the city must respond to.

We believe a clearly written ordinance that permits a limited number of egg-laying hens and specifically prohibits roosters will result in less confusion and fewer complaints, ultimately costing the city less time and money.

Odor

The fear of odor problems caused by backyard chickens is unwarranted. Chickens themselves do not smell. It's only their feces that have the potential to stink, which is also true of feces from dogs, cats, or any other animal that leaves waste in the yard. But unlike dogs and cats, who leave waste on the lawns of their neighbors or in public places, chicken waste would be confined to the coop in the backyard of the owner because we have stipulated that the hens be enclosed at all times.

It's also important to realize that the maximum number of chickens allowed is just three. Three small hens weigh less than 15 pounds collectively, and generate less waste than one average dog. For those of you who are not aware, potbelly pigs weighing 100 pounds are currently allowed in the city. This animal produces 30 times more waste than a chicken and you don't get the benefit of eggs.

Furthermore, chicken manure is a highly valued fertilizer that can be used in the garden, whereas waste from dogs and cats cannot because of the parasites and human diseases it can harbor.

According to Dr. Hermes, Oregon State University Extension Poultry Specialist, "*Once added to the compost or tilled into the soil, the odor-causing compounds are no longer able to cause objectionable odors.*" This statement is an exact quote taken from his letter ([Appendix H](#)).

The reason people fear an odor problem is because their only experience with chickens (if they have any at all), is a farm or commercial poultry operation. In these situations, chickens are viewed as a commodity and are raised with the intention of profit from meat or egg production. Under *those* circumstances, hundreds, if not thousands, of chickens are often kept in crowded conditions with poor ventilation or regular cleaning. As a result, ammonia can build up and these facilities can stink.

On the contrary, people who want to raise 3 hens as pets in the city are not looking to make a profit. They want eggs laid by healthy, happy chickens that they treat like pets. Three small birds housed at least 20' from adjacent dwellings and in close proximity to the owner's home, are extremely unlikely to create an odor problem for neighbors.

Noise

Only roosters crow loudly, not hens. Hens never crow and are generally quiet animals, with the exception of announcing the arrival of a freshly hatched egg. This sound is short-lived, lasting a few minutes and takes place once every 24 to 36 hours, and *never* occurs at night. Some hens are more vocal than others, depending on the breed, but there is no comparing the sound of a cackling hen to dogs that can bark all night long, power tools, lawn mowers, garbage trucks, motorcycles, wild crows, kids playing, car alarms, sirens, airplanes, trains, and the myriad of other loud noises frequently heard in the neighborhood.

Impact on Animal Shelters

We have taken steps to ensure that local animal shelters are not inundated with unwanted hens and mis-sexed roosters, as some have claimed.

Hens are always wanted because they provide eggs, fertilizer, and are gentle creatures that make great pets. If a family can't keep them for any reason, they are easily relocated using Craig's List, postings at local farm stores, or through CITY's website.

There are steps that can be taken to avoid improperly sexed roosters and we will encourage people to exercise those precautions. For the small percentage of those that do turn out to be roosters, we have a rooster relocation program in place and ready to go. A local farmer who re-homes roosters for the residents of Portland has agreed to do the same for us. Oregon is a very agricultural state and there is no shortage of farmers who are happy to take in breeding roosters.

Please refer to the three letters in [Appendix I](#) for more details about this program.

Property Values

Declining property values is another myth associated with chicken-keeping in the city.

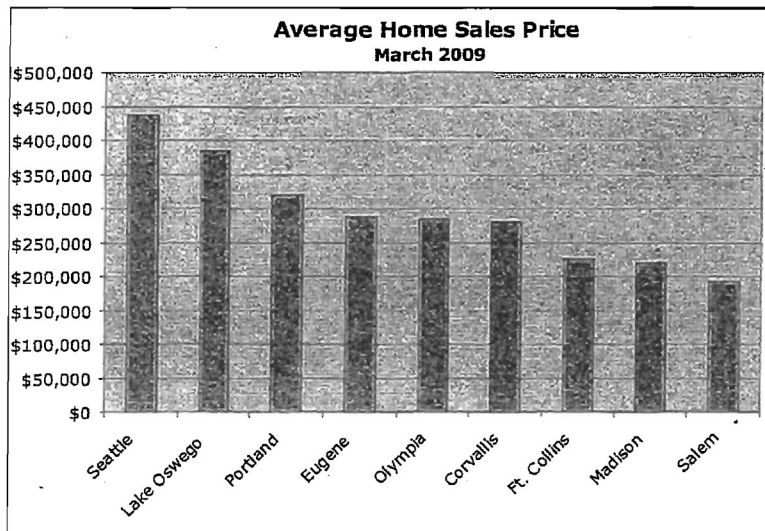
Again, this is an unsubstantiated claim based on fear, not facts. A small backyard flock made up of three small hens treated like pets are about as different from a commercial operation or farm as you can get. City coops are typically small, clean, and attractive because people love their pets and live in close proximity to them. In fact, urban hen-keepers are so proud of their coops, they hold annual coop tours to show them off!

There is absolutely no evidence to indicate that keeping pet hens, as laid out in our proposal, would have any negative impact on real estate values whatsoever.

In the following charts you can see that as of March 2009, the average sales price of homes in eight chicken-friendly cities is *higher* than homes in Salem. You can clearly see that the average sales price of homes in cities with demographics similar to ours, but that allow chickens, all have higher average sales prices than here where chickens are not allowed.

In [Appendix J](#) you will find a letter from Jane Leo, Portland Metropolitan Association of Realtors, stating that in her 14 years with that organization, she has never heard of an instance where chickens were associated with lower property values. There, you will also find a letter from a local realtor.

It's simply *not* true that urban chicken keeping has a negative impact on property values. The statistics prove it.



City	Average Sales Price
Seattle, WA	\$437,247
Lake Oswego, OR	\$384,709
Portland, OR	\$319,911
Eugene, OR	\$287,507
Olympia, WA	\$284,401
Corvallis, OR	\$281,000
Ft. Collins, CO	\$225,924
Madison, WI	\$219,620
Salem, OR	\$193,005

Homes in cities (demographically similar to Salem, Oregon) that allow backyard chickens have an average sales price that is higher compared to homes here, where chickens are currently not allowed. Clearly, backyard chickens do *not* lower property values. (Source: <http://realestate.aol.com>)

Public Health

The notion that three birds confined to an enclosure in a backyard will somehow create a public health threat is also unwarranted. If it were true, others cities wouldn't permit it.

From time to time we hear about a potentially deadly pathogen capable of jumping from one species to another. Bird flu and swine flu are the most recent examples. Fortunately, neither of these perceived threats have materialized.

The type of Avian Influenza that is contagious to humans has not been found in North America. Bird flu is spread by contact with the contaminated feces of wild birds, primarily migratory waterfowl. Unlike rural farm birds, which might co-mingle with migratory birds or drink from a shared pond, "backyard chickens" will be kept in an enclosed pen where contact with migratory birds is unlikely.

OSU Poultry Extension Specialist, Dr. Jim Hermes, states "*Bird flu of the type noted in the media has not been diagnosed in the whole of the Western Hemisphere and may not ever find its way here*" and "*chickens are relatively healthy animals.*" Please refer to his letter in [Appendix H](#).

Dogs and cats can spread parasites, bacteria, fungi and viruses to humans. Rabies is an example of a viral infection that can be transmitted to people from the saliva or bite of a dog. Cat Scratch Fever is a bacterial infection passed to people by cats. Each year,

25,000 cases are diagnosed in the U.S. Ringworm, a highly contagious fungal infection, can be transmitted to humans by touching an infected animal's fur or skin and is common in stray kittens that roam freely. Roundworm, hookworm, tapeworm, and Giardia are intestinal parasites that can be passed to humans from pet waste. There are also a number of tick-borne diseases that can be brought home from dogs and cats like Lyme disease and Rocky Mountain spotted fever. Chickens can actually keep your yard healthier because they *eat* ticks and insects.

Keep in mind, too, that bird diseases like Exotic Newcastle, West Nile, or avian influenza can infect different types of birds, not just chickens, including common pet birds like parrots, finches, and cockatiels. There are also diseases people can catch from hamsters, reptiles, and other common pets. But regardless of this, people will continue to love and care for all kinds of pets because they enrich our lives, provide companionship, teach responsibility, entertain us, and in the case of chickens, provide eggs!

Dr. Emilio DeBess, Oregon's Public Health Veterinarian, stated "*People are not at risk of developing influenza by having a domesticated bird at home (not wild). If a client has a wild bird at home, the chances of a virus mutation and the possibility of jumping species, (given that the bird has influenza) are minimal*" ([Appendix K](#)). Also, researchers at Johns Hopkins University concluded that backyard flocks are four times less likely to contract bird flu (http://www.hsus.org/farm/news/ournews/small_flocks_lower_bird_flu_risk.html).

Pests & Rodents



Chickens do not attract insects, they eat them! They love to eat all types of bugs, including those that can carry human diseases like mosquitoes and ticks. They also eat slugs that would otherwise harm garden crops, especially here in the northwest. Rather than attract flies, they eat fly larvae (maggots) before they can grow up to become adult flies. In his letter, Dr. James Hermes, OSU Poultry Extension Specialist, supports our claim that if chickens have access to fly larvae, flies will never become a problem. He also states that chickens do not attract rodents and that a small number of hens can be a great addition to any urban family backyard ([Appendix H](#)).

A chicken pen is not likely to attract rodents or wildlife unless chicken feed is spilled or not stored properly. This same thing holds true for dog or cat food, garbage, and composters.

To many of us, chickens are a natural extension to our gardens. They are world-class recyclers. Within 24 hours, they turn garden scraps, bugs, and weeds into one of two things we can use, eggs and fertilizer.

Sustainability

More and more people are interested in living a more sustainable lifestyle and reducing their carbon footprint. Local governments encourage citizens to reduce their consumption of resources, use fewer pesticides, and be more self-reliant. A small number of egg-laying hens allow us the opportunity to do just that. Political obstacles should not impede the very same lifestyle local government promotes.

People who have backyard hens are less likely to use harmful chemicals and pesticides in their gardens. Instead, they desire their yard to be healthy and environmentally friendly. They consider chickens an extension of their gardens because they eat weeds and bugs and provide fertilizer.

Organic gardeners seek natural fertilizer to enhance their garden soil as they grow fresh fruits and vegetables. Chicken manure is one of the most efficient natural fertilizers providing essential nutrients to build the soil. Backyard hens provide a very local source of fertilizer that is easily composted, without any transportation costs. According to Dr. Jim Hermes, OSU Extension Specialist, "*Chicken manure is a great addition to sustainable urban gardens*" (Appendix H).



Backyard chickens eat grass clippings and food scraps, thus keeping these products out of the local landfill by reusing them on site.

We are encouraged to eat locally, reducing the need to transport food long distances. What better place to start than the availability of food right in the back yard!

Becoming a more sustainable community becomes easier with the availability of eggs from backyard hens. Local citizens can contribute their surplus eggs to local food banks, or neighbors, feeding the hungry with healthy, locally produced food. In fact, the Marion-Polk Food Share is among our strongest supporters (Appendix L).

Food Safety & Animal Welfare

There is a growing desire among consumers to regain some control over the food we serve our families. Food recalls have become common and people are concerned about the safety of their food and the welfare of the animals that provided it.



Not only are home-grown eggs fresher, tastier, and more nutritious than store-bought eggs, they are also less likely to contain *Salmonella*. Store-bought eggs are often shipped from out-of-state, and can be legally sold when they are as old as 45 days. Studies show home-grown eggs are also more nutritious (<http://www.motherearthnews.com/Real-Food/2007-10-01/Tests-Reveal-Healthier-Eggs.aspx>).



Chickens raised for profit in battery cages.



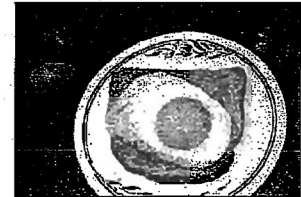
Chickens raised as backyard pets

Chickens that are raised as pets, rather than for profit, are less crowded, less stressed, treated better, and therefore less susceptible to disease. Given the recent recall of over 380 million eggs contaminated with *Salmonella*, it's no surprise that people are interested in producing as much of their own food as possible.

Economic Benefits

Many of our older family members have shared stories about how chickens saved the family during the Great Depression. Given our current economic situation, keeping a few backyard hens has never been more practical.

Food prices continue to rise. The unemployment rate is at a record high and Oregon is among the worst. Homes are being foreclosed on at an alarming rate. As a result, the Marion-Polk Food Share reports a record high in the need for emergency food boxes ([Appendix L](#)). A readily available source of eggs saves money, energy, and time. The initial cost of a small chicken coop and pen will quickly pay for itself. Members of our group are willing to donate time, labor, and material to help families in need get started.



After the initial coop investment, three hens cost very little to maintain, especially if you supplement their diet with weeds, grass clippings, bugs, and kitchen and garden scraps. In return, three hens will provide approximately 65 dozen eggs per year for a cost of about \$2/dozen. For the equivalent in fresh, locally-produced eggs that came from happy, healthy chickens (as opposed to factory farms), you would pay \$6 per dozen at the Farmer's Market or health food store. Chickens will save you additional money on fertilizer, pesticides, and gasoline.

Backyard chickens also create interesting business opportunities. Oregon Business Magazine and the Register-Guard have recently reported on the highly successful businesses known as urban farm stores that cater to the needs of backyard homesteaders. In fact, these businesses are one of the few that are thriving in this economy.

Additionally, unemployed construction workers are grateful for the work they've been finding building backyard chicken coops. Urban farm schools are popping up everywhere turning a profit by teaching city dwellers how to grow gardens, can food, and raise chickens. Even the business of chicken babysitting has made CNN Money headlines lately.

Emergency Preparedness

In these uncertain times, it is especially important that people be prepared for an emergency. Government officials encourage us to be prepared in the event of a fire, flood, earthquake, civil unrest, or any other situation, stating that in such an event we are likely to be on our own for the first few days or possibly weeks. When disaster strikes, it can hinder transportation or help from arriving in a timely fashion. Having a year-round source of high-protein, nutritious eggs readily available can provide critical food in a time of need.



During heavy snow/ice storms and floods like we experienced in 2008, there could be damage to buildings and infrastructure such as bridges and highways. As a result, it can be difficult to get to the store and scarcity of food items on store shelves can occur. Local egg-producing hens will help our community be more food self-sufficient when emergencies occur.

The American food system is dependent on centralized processing plants and transportation. A more diversified food system can provide more security by letting citizens grow crops and raise animals they know and enjoy. That way, if the food system should fail, we will be able to feed our selves and our neighbors (Backyard Poultry, vol. 3, no. 6, pg 16).

There is no denying that, as a nation, we would be better off if we were less reliant on outside resources. This holds true for cities, neighborhoods, and families as well.

Educational Opportunities

Raising three small hens in the backyard is a tremendous opportunity for parents to teach young children about the responsibility that comes with caring for a pet, and something about where the food they eat *really* comes from. This is something a dog or cat cannot do. And because of their small size and friendly demeanor, hens can be easily handled by young children without the fear of being bitten.

By keeping a few hens, children will also learn about sustainability and recycling because they will see first-hand how grass clippings, bugs, weeds, and kitchen scraps fed to chickens are turned into delicious eggs. They will also see how straw bedding and waste from the chickens improves garden soil that, in turn, produces fruits and vegetables. Instead of just hearing the phrase "reduce, reuse, recycle" they will actually *experience* it.





City kids will have the opportunity to participate in 4-H or FFA programs like their more rural friends. A 3-pound hen is very practical because it is small, inexpensive to raise, and very easy to care for. It is much more practical for city life than a 100-pound potbelly pig, which is currently allowed in residential zones.

For many of us, our grandparents had victory gardens, knew how to can food, and raised their own chickens. But this valuable knowledge seems to have skipped a generation and we are anxious to bring it back so that our children will not be so far removed from these basic skills that they think food comes only from the grocery store.

We cherish the opportunity to teach our kids how to be more self-reliant instead of depending solely on others for their sustenance. We value the opportunity to teach our children to have less of an impact on the earth than we have.

Water & Air Quality

An average hen produces 0.0035 cu ft of manure per day whereas a 100-lb pig (the size currently allowed in the City of Salem) produces 0.109 cu ft per day. (<http://extension.oregonstate.edu/catalog/pdf/em/em8649.pdf>)

According to the FDA, an average dog generates 3/4 of a pound of manure a day that cannot be composted because of the harmful bacteria and parasites (hookworms, roundworms, and tapeworms) that can infect humans. This waste is considered a major source of bacterial pollution in urban watersheds. (<http://www.pacshell.org/projects/petwasteinfo.htm#facts>).

Dog waste contains higher concentrations of nitrogen and phosphorus than cows, chickens, or pigs and is a major contributor of excessive nutrients that flow into ground and surface waters through runoff from city sidewalks and lawns. (www.csld.edu/Downloads/Sussman_2008_DogParks.pdf).

Not only do chickens produce less waste, most people who keep chickens in the city also have a garden and therefore compost their chicken manure. If composted and added to the garden, the water quality impact would be virtually nothing. Chickens also reduce the need for pesticides because they eat bugs and weeds, further reducing the potential for water pollution.

When the city of Fort Collins, Colorado adopted a chicken-keeping ordinance, they first conducted thorough research which included the possibility of increased methane gas emissions. It was concluded that backyard hens would not significantly impact methane gas emissions ([Appendix M](#)). There is no reason to believe that this would be any different in Salem.

Community-Building Events

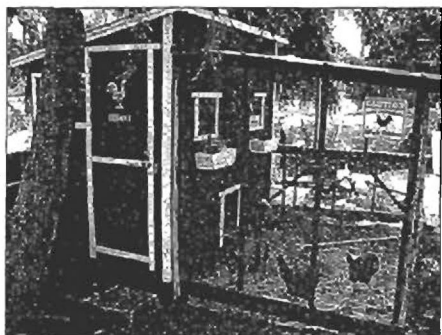
Unlike commercial poultry operations or rural farms, people in the city who keep chickens as pets keep them in attractive enclosures they are proud of. In fact, in many chicken-friendly cities residents hold annual coop tours to show them off. In Portland, Seattle, Austin, Las Vegas, and Madison, chicken enthusiasts participate in a variety of chicken-related events, including tours, classes, and clubs, adding fabric and educational opportunities to their communities.



We are eager to do the same in Salem. Members of CITY plan to host coop tours, chicken-raising classes, and coop-building workshops. We also plan to conduct a "Habitat for Hens" event to provide donated labor and coop materials for a family in need of a helping hand. A local hatchery (Farwest Hatchery) has agreed to donate feed and chicks to help the family get started. Several agencies have asked to collaborate with us on these events, helping to build a stronger, more cohesive community.

Attractive and inexpensive pre-made chicken coops are available on various websites for those who are not able to build their own. Books on coop construction can be checked out at the local library and free coop building instructions are available on the internet. Our website www.Chicken-Revolution.com has links to these resources.

Below are pictures of stationary coops and chicken tractors commonly found in the city:



A "chicken tractor" – a bottomless coop with wheels on the front that allow it to be easily moved around the yard like a wheelbarrow.

Chickens can fertilize different parts of the yard, and hunt for bugs, while remaining enclosed.

Conclusion

During our two-year effort to legalize backyard chickens in Salem, we've talked to many people about this issue. The overwhelming majority think it's a great idea and support the ordinance. We have found that the minority few who oppose it, do so for one of three reasons:

- A. They are completely unfamiliar with chickens. I've had many conversations with people who say it's a bad idea "because of the roosters." When I explain that roosters are not needed to produce eggs, they are often shocked. Some will say they oppose the ordinance because "chickens will attract pests like cockroaches." Again, they do not understand that chickens eat bugs rather than attract them. If they are unfamiliar with these basic chicken facts, you have to wonder what else they are incorrect about.
- B. Their only experience with chickens is large-scale, raised-for-profit, commercial operations or farms. We've encountered a few people who adamantly oppose chickens because they know how smelly and filthy chicken coops can be because they used to live near a poultry facility. Yes, when hundreds or thousands of chickens are crammed into a giant barn or warehouse and treated like nothing more than egg-laying machines, it can be quite unpleasant. Urban hen-keepers do not support or condone this. This is exactly what we are working to avoid!
- C. Unfortunately, some people associate raising chickens with poverty. Sharon Astyk (Casabon's Book) sums up this bias nicely when she writes:

"Among the basic subsistence activities legislated against by towns, cities and housing developments are:

1. Clotheslines instead of dryers. Reason: Looks poor. Might suggest you can't afford a dryer. Plus, you might see underwear that isn't your own. This is a major cause of sin.

2. No livestock, but large pets are acceptable. Reason: Ostensible reasons are health based, a few even broadly grounded in fact, real reason is that pets, which have no purpose other than companionship and cost money, are broadly a sign of affluence, while livestock are a sign of poverty, because they provide economic benefits.

3. No front yard gardens. Reason: The lawn is a sign of affluence - you have money, leisure and water enough to have a chunk of land, however tiny, that doesn't produce. It creates in many neighborhoods a seemingly contiguous, but basically sterile and safe seeming "public" green space that is actually privatized and not very green. Gardens, on the other hand, have dirty wildlife and bugs in them, and might grow food, which is bad because it implies you can't afford it."

Appendix A



U.S. City Dwellers Flock to Raising Chickens

Submitted by Ben Block on October 6, 2008 -- 08:30.

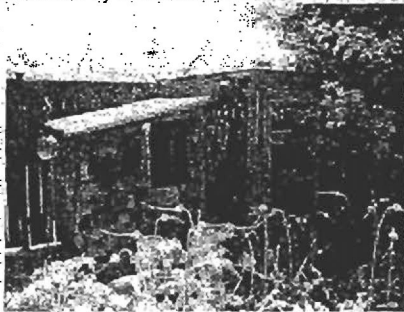


Photo Courtesy Growing Gardens

At July's Tour De Coop, about 600 people visit, on average, 17 backyard chicken farms in Portland, Oregon, during the annual event organized by urban agriculture group Growing Gardens.

In the backyard of a suburban home in Denver, Colorado, 22 chickens are hiding out from the law.

They arrived when a member of BackyardChickens, an online forum, ordered the birds in the mail this past May. "I actually get my chicks in today hopefully, and I am worried that animal control will be at the post office waiting for me with hand-cuffs," the new poultry farmer wrote.

An underground "urban chicken" movement has swept across the United States in recent years. Cities such as Boston, Massachusetts, and Madison, Wisconsin, are known to have had chickens residing illegally behind city fences.

But grassroots campaigns, often inspired by the expanding movement to buy locally produced food, are leading municipalities to allow limited numbers of hens within city limits.

Cities such as Anne Arbor, Michigan; Ft. Collins, Colorado; and South Portland, Maine have all voted in the past year to allow residents to raise backyard poultry. "It's a serious issue - it's no yolk," said Mayor Dave Cieslewicz of Madison, Wisconsin, when his city reversed its poultry ban in 2004. "Chickens are really bringing us together as a community. For too long they've been cooped up."

Raising backyard chickens is an extension of an urban farming movement that has gained popularity nationwide. Home-raised livestock or agriculture avoids the energy usage and carbon emissions typically associated with transporting food.

"Fresh is not what you buy at the grocery store. Fresh is when you go into your backyard, put it in your bag, and eat it," said Carol-Ann Sayle, co-owner of five-acre (two-hectare) farm in Austin, Texas, located within walking distance from the state capitol. "Everyone should have their own henhouse in their own backyard."

"Buying local" also provides an alternative to factory farms that pollute local ecosystems with significant amounts of animal waste - which can at times exceed the waste from a small U.S. city, a government report revealed last month. In the United States alone, industrial livestock production generates 500 million tons of manure every year. The waste also emits potent greenhouse gases, especially methane, which has 23 times the global warming potential of carbon dioxide.

Meanwhile, advocates insist that birds raised on a small scale are less likely to carry diseases than factory-farmed poultry, although some public health officials are concerned that backyard chickens could elevate avian flu risks.

Chicken: The 'Buy Local' Mascot

After the trend first gained popularity in London, England, with the invention of the "eglu" chicken house about ten years ago, large numbers of city dwellers began to raise chickens in the U.S. cities of Seattle and Portland, said Jac Smit, president of the Urban Agriculture Network. "It's no longer something kinky or interesting," Smit said. "The 'chicken underground' has really spread so widely and has so much support."

Within the past five years, the trend has expanded to cities where raising hens was already legal, including Los Angeles, San Francisco, and Chicago. "Chicken has become the symbol, a mascot even, of the local food movement," said Owen Taylor of New York City, who knows of at least 30 community gardens that raise poultry, mostly for their eggs. One Brooklyn home has raised upward of 50 hens. "We're the biggest city in the country, so to have it here I think blows people's minds."

K.T. LaBadie, a University of New Mexico graduate student, was born into a family that grew its own fruits and vegetables. So when she moved to Albuquerque and met a friend who was raising his own chickens, poultry was a logical progression in her own home. She began with two hens, and now she has four.

"It felt like a good compliment to our backyard gardening. We get compost from the chickens that goes back into the vegetable beds," LaBadie said. "And there's really nothing better than harvesting tomatoes and peppers from your garden and being able to make an omelet with it using a meal that was based in your backyard."

The spread of backyard chickens has promoted spin-off businesses that cater to the local market. Some communities are relying on mobile slaughterhouses to manage and distribute the poultry meat, according to Smit. "It's no longer huge slaughterhouses doing millions [of birds]. It's a guy driving around on a truck, visiting neighborhood to neighborhood," he said. "And it's not chickens only.... Duck, turkey, and quail are particularly attractive."

In Portland, Oregon, residents have organized a farming cooperative [video] to raise hens for egg production. "The money is used to maintain the cooperative. It's not necessarily organized to be a profit-sharing venture," said Debra Lippoldt, executive director of Growing Gardens, a Portland urban agriculture advocacy group.

Public Health Concerns

If avian influenza eventually evolves to infect humans, experts fear that backyard chickens will be vectors of the disease. Government officials have threatened to ban free-range chickens in cities in Thailand, Indonesia, and Hong Kong, where bird flu has spread in the past. Governments around the world are also concerned that wild fowl will infect backyard chickens, leading to calls for similar bans in the Canadian province of British Columbia and in Australia.

But several public health officials argue that homegrown poultry are not a disease threat if the chickens are properly maintained. "Make sure the roof of the pen has a solid cover to protect birds from fecal matter that may drop from birds flying overhead," said University of California at Davis poultry specialist Francine Bradley in a statement released in 2005, at the peak of avian flu concerns. "We always tell people, don't let anyone near your birds who doesn't need to be there [due to fears of people carrying the virus]."

Sustainable farming advocates insist that backyard chickens are less of a concern than factory-farmed poultry, which the Pew Commission on Industrial Farm Animal Production has said poses serious risks of transmitting animal-borne diseases to human populations, especially due to the prevalence of antimicrobial resistance.

"When it comes to bird flu, diverse small-scale poultry farming is the solution, not the problem," the international sustainable agriculture organization GRAIN concluded in a 2006 report.

For urban poultry farmers, a more relevant health issue is whether the chickens, which many owners consider to be pets, can survive urban wildlife, even in New York City. "It's awful how often flocks are decimated by raccoons or hawks or possums," said Owen Taylor, who runs the City Farms livestock program, an extension of the sustainable food organization Just Food.

As the backyard chicken movement spreads, urban farmers are finding new ways of experiencing city living, whether their chickens are pets or dinner. "Raising chickens on a backyard stoop, especially if you have children, is agreeable," Smit said. "How you convince the kids you'll cut its neck and eat it is another thing."

Ben Block is a staff writer with the Worldwatch Institute. He can be reached at bblock@worldwatch.org.

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Appendix B

Newsweek

The New Coop de Ville

The craze for urban poultry farming.

Jessica Bennett
NEWSWEEK

For Brooklyn real-estate agent Maria Mackin, the obsession started five years ago, on a trip to Pennsylvania Amish country. She, her husband and three children, now ages 17, 13 and 11 sat down for brunch at a local bed-and-breakfast, and suddenly the chef realized she'd run out of eggs. "She said, 'Oh goodness! I'll have to go out to the garden and get some more,'" Mackin recalls. "She cooked them up and they were delicious." Mackin and her husband, Declan Walsh, looked at each other, and it didn't take long for the idea to register: Could we have chickens too? They finished their brunch and convinced the bed-and-breakfast owner, a Mennonite celery farmer, to sell them four chickens. They packed them in a little nest in the back of their Plymouth Voyager minivan and headed back to Brooklyn.

The family has been raising chickens ever since, in the backyard of their brick townhouse in an urban waterfront neighborhood called Red Hook. Every Easter, Mackin orders a new round of chicks, now from a catalog that ships the newborns in a ventilated box while they are still feeding from their yolks. When they are grown, she offers up their eggs and occasionally extra chickens, when she decides she's got too many, to friends and neighbors, and sells a portion to a local bistro, which touts the neighborhood poultry on its Web site. She gives the chicken manure, a high-quality fertilizer, to a local community garden in exchange for hay, which she uses to pad the chickens' wire-fenced coop. Occasionally, she kills and cooks up a chicken for dinner, though, she says, her chickens are egg layers and aren't particularly tasty. "We joke and call ourselves the Red Hook Poultry Association," says the former social worker, who at one time housed 27 chicks inside her kitchen for six weeks. "Sometimes people are like, 'This is really kind of weird.'"

As it turns out, Mackin is hardly an anomaly, in New York or any other urban center. Over the past few years, urban dwellers driven by the local-food movement, in cities from Seattle to Albuquerque, have flocked to the idea of small-scale backyard chicken farming, mostly for eggs, not meat, as a way of taking part in home-grown agriculture. This past year alone, grass-roots organizations in Missoula, Mont.; South Portland, Maine; Ann Arbor, Mich.; and Ft. Collins, Colo., have successfully lobbied to overturn city ordinances outlawing backyard poultry farming, defined in these cities as egg farming, not slaughter. Ann Arbor now allows residents to own up to four chickens, while the other three cities have six-chicken limits, subject to various spacing and nuisance regulations.

That quick growth in popularity has some people worried about noise, odor and public health, particularly in regard to avian flu. A few years back in Salt Lake City, which does not allow for backyard poultry farming, authorities had to impound 47 hens, 34 chicks and 10 eggs from a residential home after neighbors complained about incessant clucking and a wretched stench, along with wandering chickens and feathers scattered throughout the neighborhood. "The smell got to be unbelievable," one neighbor told the local news. Meanwhile, in countries from Thailand to Australia, where bird flu has spread in the past, government officials have threatened to ban free-range chickens for fear they are contributing to outbreaks. (In British Columbia, where officials estimated earlier this year that there are as many as 8,000 chicken flocks, an avian flu outbreak four years forced the slaughter of more than 17 million birds.)

But avian flu has not shown up in wild birds, domestic poultry or people in the United States. And, as the Washington-based Worldwatch Institute (an environmental research group) pointed out in a report last month, experts including the Pew Commission on Industrial Farm Animal Production have said that if we do see it, it'll be more likely to be found in factory-farmed poultry than backyard chickens. As GRAIN, an international sustainable agriculture group, concluded in a 2006 report: "When it comes to bird flu, diverse small-scale poultry farming is the solution, not the problem."

Many urban farmers are taking that motto to heart. In New York, where chickens (but not roosters, whose loud crowing can disturb neighbors) are allowed in limitless quantities, there are at least 30 community gardens raising them for eggs, and a City Chicken Project run by a local nonprofit that aims to educate the community about their benefits. In Madison, Wis., where members of a grass-roots chicken movement, the Chicken Underground, successfully overturned a residential chicken ban four years ago, there are now 81 registered chicken owners, according to the city's animal-services department. "There's definitely a growing movement," says 33-year-old Rob Ludlow, the Bay Area operator of BackyardChickens.com and the owner of five chickens of his own. "A lot of people really do call it an addiction. Chickens are fun, they have a lot of personality. I think people are starting to see that they're really easy pets and they actually produce something in return."

Because chickens can be considered both livestock and pet, farming them for eggs or keeping them as pets is unregulated in major cities like New York and Los Angeles. But it isn't legal everywhere. According to one recent examination by urban-agriculture expert Jennifer Blecha, just 65 percent of major cities allow chicken-keeping, while 40 percent allow for one or more roosters. (Hens don't need roosters to lay unfertilized eggs.)

Chicken slaughter, meanwhile, tends to fall under a separate (and generally stricter) set of regulations, though they're not always enforced. Most cities that allow chicken farming limit the number to four or six per household, so many urban farmers aren't raising enough chickens to slaughter and sell anyway, though they may cook up a meal or two at home. If they want to slaughter more, there are mobile slaughterhouses in places like Washington state that will do the dirty work for you: USDA-approved refrigerated trucks will pull right up to your doorstep.

Chicken farmers are finding each other on sites like [TheCityChicken.com](#), [UrbanChickens.org](#) and [MadCityChickens.com](#). [BackyardChickens.com](#) logs some 6 million page views each month and has some 18,000 members in its forum, where community members share colorful stories (giving a chicken CPR), photos (from a California chicken show), even look to each other for comfort. "I am worried that non-BYC people won't understand why a 34-year-old woman would cry over a \$7 chicken," writes a Stockton, N.J., woman, whose chicken was killed by a hawk.

Over at [UrbanChickens.org](#), which launched this year, founder K. T. LaBadie, a master's student in community planning, provides updates on city ordinances, info about local chicken-farming classes and coop tours and has been contacted by activists hoping to overturn chicken bans around the nation. In Albuquerque, where she lives with her husband and four chickens, Gloria, Switters, Buffy and Omelet, residents can keep 15 chickens and one rooster, subject to noise ordinances, as well as slaughter the chickens for food. In July, LaBadie wrote in detail of her first killing: she and her husband hung the bird by its legs, slit its throat, plucked its feathers and put it on ice. Then they slow-cooked it for 20 hours. "It's not pretty, it's kinda messy, and it's a little smelly," she writes. "But it's quite real."

Meanwhile, at [MadCityChickens.com](#), the Web site created by the Madison Chicken Underground, chat-line operator Dennis Harrison-Noonan has turned his chicken love into a mini-business: he's sold 2,000 design kits for his custom-made playhouse chicken coop, which retails for \$35. "It's really not that crazy to think that people are doing this," says Owen Taylor, the urban livestock coordinator at Just Food, which operates the New York Chicken Project. "Most of the world keeps chickens, and they've been doing so for thousands of years."

Historically, he's right. During the first and second world wars, the government even encouraged urban farming by way of backyard "Victory Gardens" in an effort to lessen the pressure on the public food supply. (Until 1859, there were 50,000 hogs living in Manhattan, according to Blecha.) "It's really only been over the last 50 years or so that we've gotten the idea that modernity and success and urban spaces don't involve these productive animals," Blecha says.

There are a host of reasons for the growing trend. "Locavores" hope to avoid the carbon emissions and energy consumption that come with transporting food. Chicken owners and poultry experts say eggs from backyard chickens are tastier and can be more nutritious, with higher levels of supplements like omega-3 fatty acids. Their production cost is cheap: you can buy chickens for as little as a couple of dollars, and three hens will likely average about two eggs a day. You can also use their waste to help revitalize a garden. "There've been recalls on everything from beef to spinach, and I think people want to have peace of mind knowing their food is coming from a very trusted source," says LaBadie. "As gas prices go up, and people realize how food is connected to oil and transportation, they are bound to realize they can get a higher quality product cheaper if they get it locally."

Keeping a chicken is relatively easy, too, assuming you don't get too attached. (That's a talk Mackin says she had with her kids early: these chickens aren't pets.) They'll eat virtually anything, pork products, string cheese, even

Chinese takeout," she laughs, and they feed on bugs and pests that can ruin a garden. They can withstand harsh weather conditions. (In one oft-told tale, a Maine woman lost her chicken in a blizzard and found it, a day later, frozen solid with its feet stuck straight in the air. She thawed it and administered CPR. The chicken made a full recovery.) And much like New Yorkers, not much bothers chickens grown in urban environments. "[Those] raised in a really controlled environment like factory farms are very fragile, both physically and emotionally," says Blecha, who lives in St. Paul, Minn., with her partner and six chickens. "My chickens, I mow the lawn a foot away from them and they don't even look up from their pecking."

But even urban chickens, who can live more than five years, can die easily from predators like dogs or possums, catching a cold or sometimes for no apparent reason at all. Once, one of Mackin's chicks got stuck in a glue trap. She drowned it, to put it out of its misery. "That was really sad," she says. (Mackin doesn't name her chickens, for that very reason.)

But the overall experience seems to be positive for everyone. "We have people calling weekly to say, 'This is really cool,'" says Patrick Comfort, a spokesman for Madison's animal-services department, where the chicken ban was reversed in 2004. "Chicken people love it, the neighbors don't care, we have no complaints." Minneapolis enthusiast Albert Bourgeois sums up the appeal. "Chickens are really fun pets," he says. His flock is named Cheney, Condi, Dragon, Fannie and Freddie. The next one, he says, will be Obama.

URL: <http://www.newsweek.com/id/168740>

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Appendix C

Current City Ordinance in Salem Single Family Residential Zones

146.020. PERMITTED USES. The following uses, when developed under the general development standards in this zoning code applicable to the RS district and to all such uses, generally, are permitted in the RS district:

- (a) One single family dwelling, other than a manufactured home, per lot;
- (b) One duplex on a corner lot;
- (c) Manufactured homes in manufactured dwelling parks developed pursuant to SRC chapter 123.
- (d) Planned unit developments approved under SRC chapter 121.
- (e) The following agricultural uses:
 - (1) Agricultural production - crops (01) with no retail sales area;
 - (2) Timber tracts (081);
 - (3) Forest nurseries and tree seed gathering and extracting;
- (f) Playgrounds and parks.
- (g) Public buildings and structures, such as libraries and fire stations.
- (h) Rights-of-way for:
 - (1) Electric service lines;
 - (2) Gas mains, oil and gas transmission lines;
 - (3) Communications lines;
 - (4) Water lines; and
 - (5) Sewer lines.
- (i) Transit stop shelters.
- (j) Public utility structures and buildings such as pump stations and reservoirs, radiomicrowave-relay stations, telephone substations, and electric substations.
- (k) Accessory uses and structures such as:
 - (1) Customary residential accessory buildings and structures for private use of the property and its occupants.
 - (2) A private garage or parking area;
 - (3) Storage for not more than one commercial vehicle per dwelling unit.
 - (4) Sleeping quarters for domestic employees of the resident of the main building;
 - (5) Guest houses and guest quarters not in the main building provided such houses and quarters are and remain dependent upon the main building for either kitchen or bathroom facilities, or both, and the guest facilities are used for temporary lodging and not as a place of residence;
 - (6) Swimming pools for private use;
 - (7) Home occupations;
 - (8) The taking of boarders or leasing of rooms by a resident family, providing the total number of boarders and roomers does not exceed two in any dwelling unit;
- (l) The following transitional uses. Where the side of a lot abuts property other than a street or alley in any C or I district, and the entire lot is within 165 feet of the C or I district:
 - (1) One duplex on a lot of 7,000 square feet or more;

Appendix D

Such term does not include the lease or rental of a dwelling unit or the rental of guest rooms on the same premises.

(g) **Hotel** means any building containing six or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests. (Ord No. 13-90; Ord No. 31-96; Ord No. 59-2000)

111.100. "I" Definitions.

(a) **Interested person** with respect to a land use action means any person or organization, or the duly authorized representative of either, having a right of appeal pursuant to SRC 114.200(a).

(b) **Interior lot.** See "lot, interior."

111.110. (Reserved for "J" definitions)

111.120. (Reserved for "K" definitions)

111.130. "L" Definitions.

(a) **Land use action** means a zone change, conditional zone change, variance, adjustment, conditional use approval, specific conditional use approval, planned unit development approval at any stage requiring commission or council action, or any other action requiring discretionary review by an administrative body, including appeals from any of the foregoing.

(b) **Land use proceeding** means a proceeding on a zone change, variance, adjustment, conditional use, specific conditional use, or planned unit development application; a council or commission-initiated zone change proceeding; a proceeding to designate zoning classifications for a newly annexed area; or any other proceeding which will result in a land use action unless dismissed.

(c) **Landscaped** means primarily devoted to the planting and preservation of trees, shrubs, lawn and other organic ground cover, together with other natural or artificial supplements to that primary use such as watercourses, ponds, fountains, decorative lighting, benches, arbors, gazebos, bridges, rock or stone arrangements, pathways, sculpture, trellises, and screens.

(d) **Lattice Tower** means a freestanding support structure which consists of a network of crossed metal braces, forming a tower which is usually triangular or square in cross-section.

(e) **Livestock** means one or more members of any species of cattle, swine, sheep, goat, poultry, horse or other equine, or llama, alpaca or related ruminant, regardless of the purpose for which any of the foregoing may be kept, and of any species of rabbit, bee, or fur-bearing animal kept for sale, for sale of by-products, for livestock increase, or for value increase.

(f) **Loading space** means an off-street space or bay on the same lot or parcel with a building or complex for the parking of a vehicle while loading or unloading passengers or cargo.

Appendix E

- (2) Community or neighborhood club buildings, including swimming pools and similar recreation facilities, when operated by a nonprofit community club.
- (m) Residential home.
- (n) Child day care homes and babysitting.
- (o) Adult day care home.
- (p) On-site response actions in accordance with applicable law to discharges of oil and releases of hazardous substances, pollutants, and contaminants. (Ord No. 53-83; Ord No. 5-84; Ord No. 146-84; Ord No. 149-84; Ord No. 16-85; Ord No. 17-88; Ord No. 71-91; Ord No. 28-92; Ord No. 2-93; Ord No. 18-94; Ord No. 32-2000)

146.030. SPECIAL USES. (a) The following uses, when restricted, developed and conducted as required in SRC chapter 119, are permitted in the RS district:


- (1) Funeral service (726) except crematories.
 - (2) Public golf courses (7992).
 - (3) Membership sports and recreation clubs (7997) having golf courses.
 - (4) Elementary and secondary schools (821).
 - (5) Religious organizations (866).
 - (6) Boat and recreational vehicle storage area.
 - (7) Zero side yard dwellings.
 - (8) Two family shared housing.
 - (9) Public automobile parking areas.
 - (10) Manufactured homes on individual lots.
 - (11) Bed and breakfast establishments.
 - (12) Adult day care center.
 - (13) Keeping of a miniature swine.
 - (14) Residential Sales/Development Office.
 - (15) Existing wildlife rehabilitation facility.
 - (16) Construction of a replacement single family dwelling unit on an individual lot.
 - (17) Antennas attached to existing or approved structures.
 - (18) Parking for Special Activities at High Schools with Community Parks.
 - (19) Cottage Housing.
- (b) In lieu of establishing any use listed in subsection (a) of this section as a special use under SRC Chapter 119, the developer may elect to apply for conditional use approval pursuant to SRC Chapter 117 or 118. See SRC 119.010. (Ord No. 149-84; Ord No. 16-85; Ord No. 17-88; Ord No. 13-90; Ord No. 3-91; Ord No. 10-91; Ord No. 81-92; Ord No. 2-93; Ord No. 67-93; Ord No. 18-94; Ord No. 48-94; Ord No. 16-95; Ord No. 82-96; Ord No. 57-2000; Ord No. 25-2004; Ord No. 30-05)

119.030. through 119.040. Reserved for Expansion.

119.050. VETERINARY SERVICES FOR ANIMAL SPECIALTIES. Where permitted as a special use, veterinary services for animal specialties (SIC 0742) shall meet the following additional use and development standards:

(a) Except as provided in subsection (b) of this section, all operations shall be conducted within completely enclosed and soundproof buildings.

(b) Outside runs for dogs and other animals shall be operated only between the hours of 7:00 a.m. to 6:00 p.m., with an attendant present on the premises. Outside runs shall be located at least 60 feet from every property zoned or used for residential purposes. Outside runs shall be screened from adjacent properties and streets by a sight-obscuring fence, wall, or hedge.

 **119.070. KEEPING OF MINIATURE SWINE.** Where permitted as a special use, not more than one miniature swine of the species *Sus scrofa bittatus* (commonly known as a "potbellied pig") per dwelling unit may be kept provided the following conditions are met and maintained:

(a) The animal is less than 100 pounds in weight;

(b) The animal is less than 18 inches in height at the shoulder;

(c) The animal is spayed or neutered as evidenced by a veterinarian's certificate, which certificate shall also certify the species of the animal, its age, shoulder height and weight when spayed or neutered. (Ord No. 67-93)

119.080 WILDLIFE REHABILITATION FACILITY. Where permitted as a special use, a wildlife rehabilitation facility shall meet the following additional use and nonvariable development standards:

(a) Commercial activities such as breeding or raising wildlife for sale or trade, or the sale or trade of animal products shall be prohibited.

(b) If a dwelling is used for wildlife rehabilitation, the total floor area used for wildlife rehabilitation shall not exceed 25 percent of the habitable space of that dwelling.

(c) No structural alterations shall be made to any dwelling which would be inconsistent with future use of the building exclusively as a dwelling.

(d) Proper sanitation must be maintained at all times. Property sanitation includes, but is not limited to:

(1) Not allowing wildlife waste to adversely affect the health of the wildlife itself, property residents, or neighbors.

(2) Taking necessary steps to ensure odors are not detectable beyond property lines.

(3) Storing of all wildlife food in rodent- and pest-resistant containers.

(4) Butchering, processing, or maintaining live or dead animals or fowl on-site as food for wildlife being rehabilitated shall be conducted entirely within an enclosed building.

(e) Inspection of all cages and wildlife facilities by the Oregon Department of Fish and Wildlife and federal agencies as required.

(f) All wildlife must be naturally occurring in Oregon as defined in ORS Chapter 496.

(g) Current and continuing licensing by the state of Oregon as a wildlife rehabilitator or conducting wildlife rehabilitation under the supervision of a licensed rehabilitator.

Appendix F

Information for animal owners in Oregon



[Definition of livestock](#)

[Keeping exotic animals](#)

[Travel with animals within US](#)

[Animals legal in Oregon](#)

[Livestock loose on my property](#)

[Traveling with pets outside US](#)

[Certificate of Vet Inspection](#)

[Livestock transportation](#)

[Disposal of dead animals](#)

[ODA State Veterinarian](#)

[Dead livestock identification](#)

[Pasture Permit](#)

[Found "exotic" animals](#)

[Rabies vaccination questions](#)

Definition of livestock

"Livestock" refers only to:

- cattle, (but does not include bison, or yak)
- horses, mules, donkeys, asses, (all equidae)
- sheep and goats, and
- all swine except potbellied pigs and feral swine

Animals legal in Oregon

Which animals are not legal to keep in Oregon? Check the [Oregon Department of Fish and Wildlife Integrity Rules](#).

Certificate of Vet Inspection

What is a "Certificate of Veterinary Inspection", when and why do I need one?

Disposal of dead animals

Any dead domestic animal within one-half mile of any dwelling or within one-fourth mile of any running stream of water must be disposed of within 15 hours (ORS 601.140). The owner may choose to bury it, burn it, move it farther from the dwelling or stream, or have it hauled away by commercial rendering company or a commercial carcass pickup service.

If buried, no part of the body shall be nearer than four feet to the natural surface of the ground and every part of such body shall be covered with quicklime and by at least four feet of earth. (ORS 601.090(7))

Exemptions

If the carcass is more than one-fourth mile from a running stream of water or more than one-half mile from any dwelling, and on the owner's property, the owner is not required to take any action.

Note: The Oregon Department of Environmental Quality may have requirements or recommendations for burial near wells, septic systems, or streams. Contact them at 503-229-5696.

Appendix G



Office of Mayor Sam Adams
City of Portland

February 25, 2009

Mayor Janet Taylor and Members of the Salem City Council
555 Liberty St. SE, Room 220
Salem, OR 97301

Dear Mayor Taylor and Members of the Salem City Council,

The City of Portland has a long-standing code that allows its residents up to three hens per property without a permit. We also have a permit process to consider larger home flocks. This has presented a tremendous opportunity for Portland families to engage in sustainable food practices, and enjoy eggs from their flock. I personally have two chickens at home in my back yard.

Responsible chicken-keeping in our city is something we encourage and promote. To meet the challenge of our current economic climate, we are doing all we can to support programs and policies that encourage residents to incorporate sustainability in everyday life. In that way, allowing urban chickens—an economical source of an everyday food staple—has never made more sense. Residents can also enroll in classes through our Urban Growth Bounty program and learn how to keep a backyard flock safe, sound and healthy.

I'm confident that more cities can craft reasonable policies to ensure urban chicken keeping is allowable, while minimizing impacts on neighbors. I absolutely encourage you to adopt the proposed amendment and allow Salem residents to keep backyard chickens.

Please feel free to contact me with questions or concerns.

Sincerely,

Mayor Sam Adams

CC: Chickens in the Yard (C.I.T.Y.)



CITY OF
PORTLAND, OREGON
OFFICE OF PUBLIC SAFETY

Randy Leonard, Commissioner
1221 S.W. 4th Avenue, Room 210
Portland, Oregon 97204
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randy@ci.portland.or.us

November 19, 2008

Mayor Taylor and Members of the Salem City Council
555 Liberty St SE, Room 220
Salem, OR 97301

Dear Mayor Taylor and Members of the Salem City Council,

The City of Portland has allowed its residents up to 3 hens per property for many years. To my knowledge, we have not experienced any significant problems relating to reduced property values or threats to public health as a result of the hens co-existing with city residents.

Citizens of Portland enjoy having chickens as pets as well as the eggs they provide. As a City Commissioner, I feel it is important to provide this option to our citizens and see no reason why the citizens of Salem should not enjoy the same opportunity.

I have reviewed the proposed amendment drafted by citizens of Salem and find it fair and reasonable.

Given the current economic conditions and the growing trend to live a more sustainable lifestyle, keeping a few backyard hens has never been more practical. Thus, I urge you to adopt the proposed amendment to allow Salem residents to enjoy this privilege.

If I can help address your concerns or help in any way, please feel free to contact me.

Respectfully,

Commissioner Randy Leonard

Chickens in an urban setting

Georgia Sabol <gsabol@ci.olympia.wa.us>

Thursday, March 12, 2009 7:51:06 AM

To: "salemchickens@yahoo.com" <salemchickens@yahoo.com>

Our city council decided to allow hens in the City of Olympia six or seven years ago. As I said over the phone, it would be difficult to go back and find out exactly how many chicken complaints per year prior to allowing them. I am sure that since hens are allowed we have fewer complaints, I'd say five or less per year. The complaints are mostly about roosters crowing. We've had several complaints about someone having too many hens.

I believe that we now receive fewer complaints because the "chicken advocates" were good about educating new owners care of their hens. It seems that we never get complaints about hens out wondering loose anymore. Good fences (pens) do make good neighbors.

I also should mention that we in code enforcement were not keen on the chickens being allowed. However, that attitude has completely changed.

Georgia Sabol
Code Enforcement Officer
Community Planning & Development
360-753-8393

Chickens - City of Eugene

From: MCDONALD Janis K (Janis.K.MCDONALD@ci.eugene.or.us)
Sent: Wed 1/07/09 9:57 AM
To: getaholdofBP@hotmail.com
Cc: MCKERROW Mike J (Mike.J.MCKERROW@ci.eugene.or.us)

Hello Barbara,

Here is the information you requested:

We had 11 chicken-related complaints in 2008. All of these were prompted by the presence of a rooster(s). One also included sanitary/odor issues and house proximity to the adjacent property line, two included the issue of more than two hens.

If possible, we will try to call the property owner right away to get something done about the rooster noise. We send an Order to Correct requiring the rooster(s) be gone as soon as possible, maximum 5 days, or civil penalties may be levied. Our enforcement notifications go to the property owner, with a copy to the tenants. When talking with the owner and/or tenant, we will ask that they keep the rooster inside/contained during the interim to try and stop the noise quickly. They are usually gone soon after making contact. In many cases the residents got 'chicks' that had been sexed incorrectly and one/two turned out to be a rooster. We do get calls about just the hens too, usually to confirm how many are permitted, or what the other regulations are; some neighbors will try to work out small problems to avoid filing a written complaint against their neighbor. In 5 of the cases we needed Spanish-speaking assistance, either by someone in the household or by staff.

Our zoning regulations were adopted by the Lane County Commissioners for all property within the Urban Growth Boundary of the City of Eugene, so these regulations apply beyond the city limits.

Our regulations may be found on our website: www.eugene-or.gov
Select Resources at the top menu, Eugene Code, and scroll down to Chapter 9, then Section 9.5250, which is titled Farm Animals.

Hope this is helpful.

Janis McDonald
Land Use Inspector
City of Eugene
682-8452

Keeping of chickens in the City of Madison

From: **Tucker, Matthew** (MTucker@cityofmadison.com)
Sent: Fri 1/30/09 11:52 AM
To: getaholdofbp@hotmail.com

Barbara-

You had asked for a brief summary in regard to our Zoning Code enforcement experience relative to our ordinance allowing the keeping of chickens in the City.

Our enforcement practice is primarily based upon the submission of a complaint, which results in the creation of an inspections case. Generally, we receive less than 10 complaints in a typical calendar year. The majority of complaints relate to roosters being on site, too many chickens on site, or coops/shelters/enclosures that are placed too close to neighbors homes or property lines. It is not uncommon for us to discover that the person(s) keeping the chickens has not obtained the required city license, which is a simple issue to resolve.

I would say the enforcement burden of managing this ordinance is fairly minimal, as we put the majority of the responsibility for compliance on the party desiring to keep the chickens. Our mission is to educate folks on the regulations first, and save more significant enforcement action where voluntary compliance is not achieved. I cannot specifically recall any cases where a municipal citation was issued or a case was referred to the City Attorney's office for prosecution. Voluntary compliance is usually the result of any orders sent.

Also, please note, the City recently revisited our "keeping of chickens" ordinance. The legislative file with the bulk of pertinent information may be found at this link:
<http://legistar.cityofmadison.com/detailreport/?key=12318>

Feel free to call or reply with any questions.

Matt Tucker

Zoning Administrator

Department of Planning and Community and Economic Development

Building Inspection Division, City Of Madison

215 Martin Luther King, Jr. Blvd.

PO Box 2984

Madison, WI 53701-2984

608/266-4569 PH

mtucker@cityofmadison.com

<http://www.cityofmadison.com>



Office of the Common Council

Aldersperson Marsha Rummel

210 Martin Luther King, Jr. Boulevard, Room 417
Madison, Wisconsin 53703-3345

PH 608.266.4071

FAX 608.267.8669

Textnet 866.704.2340

www.cityofmadison.com/council/district06

February 23, 2009

Mayor Janet Taylor
555 Liberty Street SE, Room 220
Salem, OR 97301

Salem City Council Councilors
555 Liberty Street SE, Room 220
Salem, OR 97301

Dear Mayor Taylor and City Councilors:

I understand that the City of Salem is considering legislation that would allow residents to keep up to five hens in single-family zones. I am writing to share Madison's experience with urban chickens.

In May 2004, the Common Council of Madison, Wisconsin adopted an ordinance allowing up to four chickens to be kept in single-family residential districts, with the same provisions (no roosters, no slaughtering, etc.) that Salem's proposal includes. Our ordinance has not proved to be problematic or costly in terms of enforcement. Madison, a city with a population of over 200,000, receives only about ten chicken-related complaints a year. In fact, it has been so non-controversial that in June 2008, I was pleased to introduce an amendment allowing chickens to be kept in all residential districts. That amendment was adopted in September 2008, with the following additional provisions:

- Keeping of up to four chickens on a lot with up to four dwelling units.
- The applicant for a license notifies all residents within 200' of the lot.
- Not more than 50% of the residents notified object within 14 days of notification.

Interest in urban chicken-keeping is growing around the country. Residents appreciate having the opportunity to participate in growing their own food and keeping a domestic animal that provides satisfaction to so many. In this era of concerns about food safety and the financial squeeze on families during this recession, allowing chickens is a win-win situation.

I hope you allow residents to keep chickens!

Sincerely,

Aldersperson Marsha Rummel
Madison Common Council, Sixth District



April 27, 2009

Barbara Palermo
Chickens in the Yard (C.I.T.Y.)
Salem, Oregon
Letter Emailed: [saalemchickens@yahoo.com]

Dear Ms. Palermo,

I am responding to your phone and email requests for information about keeping chickens in Lake Oswego.

LAKE OSWEGO
REDEVELOPMENT
AGENCY (LORA)

CITY OF
LAKE OSWEGO

380 A Avenue
P.O. Box 369
Lake Oswego
Oregon 97034

(503) 635-0235
Fax (503) 697-6594
www.ci.oswego.or.us

Question: *It is my understanding there is no limit to the number of chickens people can have in Lake Oswego. Is that correct? Can you please tell me what policies are in place regarding keeping chickens?*

Answer: The City's Community Development Code, LOC 31.02, [Animals and Fowl], pertains to the keeping of chickens within the City of Lake Oswego. It does not establish a maximum number of chickens allowed on a site; however, it does address possible negative impacts to neighbors by establishing what conduct is prohibited and regulated from animals and from their keepers. (Please see high-lighted sections of the attached "Animals and Fowl" regulation). Chickens are not regulated as a "use" within Lake Oswego zone districts, and therefore, are allowed in each zone district.

Question: *Has Lake Oswego's current "Animals and Fowl" policy proven to be an enforcement problem? How many complaints are on record?*

Answer: I have worked for the City since October, 2008, and I have not received any complaints against livestock. Also, I reviewed the City's Complaint Log since 2005 and was not able to find a complaint case filed against livestock.

Question: *Do people generally do a good job of keeping their chickens (e.g. treat them as pets, etc)?*

Answer: I have received 3 or 4 inquires from parents about keeping chickens at their home. All of these inquiries were related to educating their children about the raising of fowl for eggs as a food source.

Please give me a call (ph. 503-699-7473) or send me an email [byoungblood@ci.oswego.or.us] if you have questions or otherwise need additional information.

Thank you,

Bill Youngblood
Bill Youngblood
Code Enforcement Specialist



THE TOWNSHIP OF CRANBURY

23-A NORTH MAIN STREET
CRANBURY, NEW JERSEY 08512

DAVID J. STOLFI
Mayor

609-395-0909 FAX 609-395-8861

Members of the Township Committee

WINTHROP COOY
DAVID COOK
RICHARD STANNARD
DAVID J. STOLFI
JAMES TAYLOR



CRISTINE SMELTZER
Township Administrator/Chief Financial Officer
KATHLEEN R. CLOWNSHAW, R.M.C.,
Clerk
DENISE MARABELLO
Assistant Administrator/Deputy of Finance
JERRY THORNE, C.P.W.M.,
Public Works Manager

August 22, 2010

Per your request I am writing to share Cranbury Township New Jersey's experience with backyard/home agriculture. I have served as Cranbury's zoning official for over 25 years. During this entire period Cranbury has permitted its residents unlimited agricultural use of any property in all zoning districts. In fact Cranbury encourages Home Agriculture and our Ordinance 150-11 Uses Permitted in All Zones establishes and protects the right to both commercial and home agriculture. Our definition 150-7 Home Agriculture specifically includes poultry. I am aware of several residents keeping chickens however I am not aware of any complaints associated with backyard/home agriculture during my tenure. Allowing residents this use of their property has not added cost nor has it been an enforcement burden. In fact, in these current stressful economic times, I am pleased that Cranbury has chosen to permit our citizens this opportunity to practice a simple, low-impact, self-sufficient lifestyle that is fostered by our Home Agriculture Ordinance.

I encourage you to adopt the backyard or home agriculture ordinance so that your community members can enjoy the benefits of backyard agriculture.

If I can address any of your concerns, feel free to contact me.

Respectfully,

Jeffrey K. Graydon
Zoning Official

(609) 655-0470



WILLAMETTE
THE FIRST UNIVERSITY IN THE WEST
900 STATE STREET
SALEM, OR 97301

PROFESSOR JOE BOWERSOX
DIRECTOR, CENTER FOR SUSTAINABLE COMMUNITIES
DEMPSEY ENDOWED CHAIR IN ENVIRONMENTAL POLICY
WILLAMETTE UNIVERSITY
900 STATE STREET
SALEM, OR 97301
503-370-6220
JBOWERSO@WILLAMETTE.EDU

January 7, 2009

Mayor Janet Taylor &
City of Salem Council Members
555 Liberty St SE
Room 220
Salem OR 97301

Dear Mayor Taylor and City of Salem Council Members,

The Center for Sustainable Communities at Willamette University would like to encourage the City of Salem to join many other cities across the country in permitting individual households to raise limited numbers of chickens. In doing so, Salem would join other Oregon cities, including Portland, Corvallis, Eugene, Gresham, Beaverton, Hillsboro and Milwaukie. With proper regulation prohibiting the presence of roosters and mandating proper enclosures, these cities have demonstrated that chickens can indeed be kept in urban and suburban environments and not adversely affect public health, livability, or property values. In fact, as these cities have demonstrated, allowing residents to raise chickens can improve the diet, pocket book, and sustainability of individual households.

Residential chickens have been shown to offer many benefits:

- 3 hens can lay an average of 2 eggs per day (without the presence of a rooster). During our current economic downturn, these eggs can provide a valuable and economical source of protein to families;
- Chicken waste is a great fertilizer for backyard gardens;
- Chickens offer a means of natural pest control in an enclosed yard – eating aphids, grubs and other numerous garden pests. This reduces the needs for chemicals, and helps keep our urban watersheds clean of substances toxic to aquatic species;
- Chickens provide children and their families with a great opportunity to learn about being responsible and caring for animals, as well as an appreciation about where our food comes from.
- Hens are quiet and go to sleep once the sun goes down.

In these tough economic times, the Center encourages the Salem City Council to adopt the draft ordinance developed by the group "Chickens in the Yard." Modeled after successful ordinances in effect in cities across the country, we believe the ordinance facilitates the benefits noted above while protecting public health and safety.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Joe Bowersox

Director, Center for Sustainable Communities



470 Lancaster Drive NE | Salem, OR 97301 | www.tilth.org | PH 503.378.0690 | FX 503.378.0809 | organic@tilth.org

To the Mayor and Councilors of Salem;

As the garden coordinator for Oregon Tilth, I am writing in support of "Chickens in the Yard."

Oregon Tilth is a 501(c)(3) non-profit dedicated to supporting and promoting sustainable agriculture through education, research, organic certification and advocacy. The Organic Education Center, a project of Oregon Tilth, is a land-based resource hub for biologically sound, backyard gardening and farming. Each year, our organic demonstration garden plays host to hundreds of community members who convene to learn more about the ease and abundance of growing their own food.

In recent seasons, we've witnessed a groundswell of interest in backyard homesteading and hands-on living in the urban centers of the Pacific Northwest. Chickens are an integral and important part of this movement for a number of reasons:

1. Chickens provide a consistent and healthy source of food for the family. Eggs are a valuable treasure to the backyard homesteader.
2. Chickens can be a great source of fertility for the garden. Poultry manure is high in Nitrogen, and helps to create rich, natural compost, further diminishing the need to buy expensive (and possibly harmful) fertilizers.
3. Chickens are expert bug hunters, controlling unwanted and damaging garden pests. Again, this service reduces the gardener's need to buy inputs, like pesticides.
4. Chickens make extraordinary pets. They are a pleasure to watch and require relatively minimal care. People of all ages are inspired to raise chicks, from peepers to egg producers, and as such, chickens add an interesting and educational dimension to the neighborhood.

Overall, keeping chickens in the backyard is an endeavor that connects an urban population to its food source. It creates a sense of self-sufficiency both through the production of food, and through the provision of helpful services, such as pest control and soil fertility.

Oregon Tilth is encouraged to know that the city of Salem values the diversity of a productive, and sustainable, urban landscape. We hope you give due consideration to the motion brought forth by Chickens in the Yard.

Sincerely,

Conner Voss
Demonstration Garden Coordinator
Oregon Tilth
503.798.8906
conner@tilth.org

December 5, 2008

Mayor Janet Taylor
555 Liberty St. SE
Salem, Oregon 97301

RE: Keeping Chickens in Salem

Dear Mayor Taylor,

I've been asked to write a letter concerning the keeping of chickens in Salem. I base my comments on my profession and experience. For eleven years I've taught Environmental Conservation and Sustainability at Oregon State University. I constantly encourage my students to "Rethink" their lifestyle to become more sustainable. For the long term sustainability of our culture, the world's resources, and economic viability, we must think more sustainably.

"Buying Local" has become a mantra of the sustainability movement in the Willamette Valley. The most "local" of all food is produced at home. Vegetable gardens, fruit trees, berry bushes, all help reduce consumption of resources, reduce synthetic chemical use, keep local communities viable, and almost as a bonus the taste of home grown food is awesome.

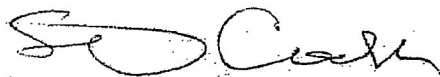
But in addition to my profession, proselytizing for sustainability, I have a practical side, having a blue collar background, I live a frugal lifestyle. Producing food at home saves money, it is as simple as that.

Most of my life I've had chickens around. I like chickens. They are much more fun to watch than a sleeping cat. Mine all have names—Helen (she sleeps next to my lawn chair), Buffy (a buff orpington), Sexy (a golden sexlink) etc. They have unique personalities. But enough silliness. They also lay eggs. People keep chickens for their eggs. As a bonus they consume organic kitchen scraps, reducing the garbage load of society. Finally, chicken manure is a high-nitrogen fertilizer. In one day food scraps become fertilizer. Many people have compost piles and one problem with a compost pile is that it attracts "disease vectors" (as a Corvallis Public Works employee explained to me). With chickens, edible organic waste is consumed the day it is put out, thus reducing these "disease vectors" (disease vector is pronounced "RAT").

Chickens eating fresh organic food, including grass, produce eggs with a bright orange, high beta carotene yolk, so the eggs not only taste better, they are better for you. I've also sold surplus eggs for five years and paid for all of my feed, so they even pay their way.

In conclusion, I encourage you to help the people of Salem help themselves to become more sustainable by allowing them to keep chickens.

Sincerely,



Steve Cook, PhD
Sr. Instructor of Geosciences, OSU
Proud owner of a flock of backyard chickens

Appendix H

DEPARTMENT OF
ANIMAL SCIENCES



James C. Hermes, PhD
Extension Poultry Specialist
Associate Professor

112 Withycombe Hall
Corvallis OR, 97331-6702

Tel: (541) 737-2254

Fax: (541) 737-4174

email:
james.hermes@oregonstate.edu

January 26, 2009

To: Troy Bissell

Re: Questions on Urban Chickens

There is great interest in recent years in raising a few hens in urban settings. In fact, most cities in Oregon and nationwide allow a few chickens (usually between 3 and 6) within their city limits. Hens can be a great addition to a backyard with only minimal management required. Their care requirements are no more than that of dogs or cats with the advantage that hens produce eggs for the family and their manure can be used to enhance the compost pile and is an excellent fertilizer for the garden. When considering chickens in urban areas the concerns usually center around five areas: Noise, Odor, Flies, Rodents and Disease. However, these concerns are typically not a problem in small flocks of hens when they are managed appropriately. I will address each of these concerns.

Noise: Hens are relatively quiet animals. They cluck and cackle but these noises are usually confined to a few minutes a day most often following egg laying. It is the rooster that makes annoying crowing noises most of the day. It is a misconception that the rooster is needed in a flock of hens. Hens will lay perfectly well without the presence of a rooster so in an urban environment roosters are usually not allowed. As urban pets go, a barking dog is far more annoying than cackling hens.

Odor: As with any animal, odors are a potential problem and of course chickens are no different. However, when well managed, odor is not a problem, which can also be said of well managed dogs and cats. With regular cleaning, the litter from a small chicken pen is a valuable addition to any compost container or an excellent fertilizer for a garden. Once added to the compost or tilled into the soil, the odor causing compounds are no longer able to cause objectionable odors. This is a great addition to any small "sustainable" urban garden.

Flies: Probably the most common misconception is that flies increase when chickens are present. This is true when chickens are raised in cages, unable to scratch around in the litter. However, chickens that are housed in floor pens are able to find and eat any fly larvae (maggots) before they develop into flies. Flies lay eggs in high moisture manure or other decaying matter. When the manure is collected regularly for the compost and the chickens have access flies never develop into a problem. Once again, a poorly managed backyard with some dogs or cats can also have problems with flies.

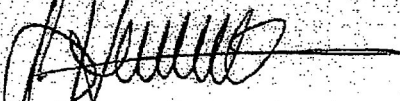
Rodents: Mice and rats can be associated with poultry operations. Their presence is usually the result of spilled feed which the rodents seek out and find. However, if feeding is done carefully with minimal spillage and feed is stored in metal or plastic containers instead of bags, rodent populations are controlled. In addition, rodent control efforts such as trapping or baiting are necessary to keep their numbers low. Once again, dog or cat feed stored improperly will have the same result, increased rodent populations.

Diseases: Chickens are relatively healthy animals. Being birds, their diseases rarely cross into mammalian populations. Recent concerns expressed in the media suggest that "Bird Flu" is of concern with chickens. While there are potential disease problems with all animals major problems are rare and "bird flu" of the type noted in the media has not been diagnosed in the whole of the Western Hemisphere and may not ever find its way here. Typical hygiene methods of hand washing and isolation of these flocks are very effective in reducing these concerns.

Small numbers of hens can be a great addition to any urban family backyard. They provide enjoyment to the whole family, they produce eggs for the family and fertilizer for the garden. The problems are minimized by proper management and should cause no more problems than those raised by the presence of dogs or cats.

I hope that I have answered your questions concerning chickens in an urban setting.

Kindest regards,



James C. Hermes, Ph.D.
Extension Poultry Specialist
Department of Animal Sciences
OSU

Appendix I



To: City of Salem, City Council
From: Terry Cain, Farwest Hatchery - Owner
Date: September 12, 2010
RE: Salem Chicken Ordinance

I am a local hatchery owner, who will most likely be providing a good share of Salem residents with chicks, once they are legal to be kept. I would like to address a few of the aspects of keeping chickens in one's backyard.

I've personally been in the poultry industry for more than 30 years. Farwest Hatchery sells approximately 177 different breeds. Of which, I recommend only a few for the urban backyard owner. The birds I recommend carry the traits that are best suited for urban life: adapt to confinement, quiet, not flighty, disease resistant, human social able, hardy and good egg producers.

All the breeds I would recommend for the urban owner would also come from our own feather-sexed breeder stock. Feather-sexed stock carries the Long Feather Rooster gene which gives us the ability to distinguish males from females based upon the pin feather pattern on the wings of newly hatched chicks. Farwest Hatchery's reputation will stand upon our ability to sex these chicks with 98% accuracy. In talking with both, rural and urban chicken owners, we know there is a concern in purchasing (from feed stores and out of state hatcheries) pullets (hens) and receiving many cockrels (males).

We also have several breeds which can be color sexed. Color sexed chicks can be identified as male or female when they hatch simply based upon their color.

The old and standby method of vent sexing, actually looking at the genitals, is also our third method.

Between our 3 methods we can almost guarantee the sex of our chicks. When we know the chicks will be going to an urban owner, we will cater to their special sexing needs to greatly reduce the risk of introducing roosters to the cities.



We exhibited recently at the Oregon State Fair. The interest in urban chickens is overwhelming. These sentiments came not only from Salem residents but also from folks visiting from all over the country. We have heard story after story of how the backyard chicken has been a good thing. Many of the stories we heard carried a similar theme from moms, dads, and grandparents.

"I've got 3 chickens and the children are playing in the backyard. My children have never wanted to play in the backyard."

"My husband is building a chicken coop with our sons. My husband has never built anything with his sons."

"Our family sat down together for dinner tonight for a meal prepared with our own eggs. The children took special interest in the meal because they had participated in the process from feeding chicks to gathering eggs to preparation."

If it takes 3 chickens in the backyard to bring families back together then,
"God bless the chicken".

In closing, thank you for your consideration in the matter of the urban backyard chicken ordinance. We at Farwest Hatchery believe there are a lot more important things to worry about than chickens in the backyard. Remember, they are in our backyard too.

Sincerely,

A handwritten signature in cursive script that reads "Terry J. Cain". The signature is written in dark ink and is positioned above the printed name of the owner.

Owner / Manager

Friday, August 13, 2010 4:05 PM
From: "robert@urbanfarmstore.com" <robert@urbanfarmstore.com>
To: "Barbara Palermo" salemchickens@yahoo.com



Garden, Pet and Homestead

To Whom It May Concern,

As the owner of a successful Oregon small business catering to urban chicken keepers and the author of an upcoming book on the subject, I would like to add my experienced voice to the debate concerning keeping chickens in Salem.

It has been brought to my attention that there is a particular concern about unwanted roosters and hens. While this is potentially a problem, we have found it relatively easy to set-up a humane relocation program through our store. Unwanted chickens are brought in by customers (and non-customers alike) on Sundays in boxes. From there, they are picked-up by a part-time employee who re-sells the roosters and hens, with the roosters going to country flocks and breeders. He shelters unsellable but otherwise healthy chickens for the duration of their lives on his farm where they assimilate into his own large, free range flocks. In both scenarios, he medicates the birds to protect his flock, rendering them unfit to be eaten for several weeks, which is really not a big concern because the laying breeds that backyard enthusiasts keep are not very appropriate for eating for a variety of reasons. Likewise, they are not suitable for fighting.

We are so happy with this arrangement, and confident that it can be expanded, that we would welcome birds from the Salem area for keepers in need who are willing to make the drive. I would also be happy to consult with a local store or individual to set something up for your area.

I should also mention that our store runs free bi-monthly chicken keeping education classes that have helped hundreds of people learn what to expect and how to avoid common, usually minor, problems. We would welcome our friends from the valley to these classes and I'd also consider doing one or two down there.

In closing, it has been my experience that urban chicken keeping is a fun, easy, humane and educational hobby. It has connected thousands of suburbanites and urbanites with where their food comes from while providing a low-cost, high-quality source of food. I strongly support home poultry keeping wherever appropriate.

If you have any further questions, please contact me through the store.

Sincerely,

Robert Litt

Urban Farm Store
2100 SE Belmont Street
Portland, Oregon 97214
Phone (503) 234-7733
www.urbanfarmstore.com



1313 Main Street
Dallas, OR 97338

July 22, 2010

To Whom It May Concern:

I have been involved in providing baby chicks to local residents since 1997. Over that time, we have sold more than 20,000 newly hatched pullets. One might assume that some of those reside in Salem.

Annually, we host Chick Day, The Poultry Event of the Year, on the first Saturday in April. This is a family event, where children accompany parents or grandparents to see, hold, and perhaps pick up some chickens for their family flock. Those same families come back year after year in a ritual that has become a rite of spring. Unlike livestock, chickens are relatively easy to keep in the most basic of structures, allowing even young children to experience the simple act of caring for another living being while developing an appreciation for our food supply.

Although many would question the motives behind an organization that claims to know what's best for Salem from 3000 miles away, let me address some of the concerns raised by those folks in Vermont. This comes from experience, not theory.

Most hatcheries guarantee 90% accuracy in sexing chicks. I have found that the better hatcheries exceed 95% overall. Just this morning, a customer mentioned to me that he had gotten one rooster in the batch of 24 chicks he had purchased this year. I consider that ratio typical. For those who want full assurance of their chicken's sex there are several popular breeds whose gender is linked to the color of the feathers, making identification straight forward and positive.

In our area, unwanted hens or the few roosters that sneak through are easily dealt with by posting on our public bulletin board or on Craigslist. Roosters are usually passed on to those who butcher chickens to feed their families. There is no shortage of people who can use a fresh, young meat bird. We've observed this for years among the less fortunate. It has recently broadened to include anyone who wants to feel more connected to their food supply.

I'm pleased to be a resident of Dallas, which earlier this year overwhelmingly approved residents' right to keep up to five hens inside the city. I recently spoke with Commissioner Brian Dalton, who explained that their decision was based upon a *presumption of competence* of those who wish to keep chickens responsibly. If a few residents prove incompetent to do so, the city will deal with resolving those issues at that time. What an inspiring thought, that citizens should be allowed the opportunity to prove they can act responsibly before being treated otherwise.

Seven months into Dallas's new chicken code, I have heard no one crying for its amendment or repeal. Few of us are surprised.

Regards,

Jon Hendersen
President

503-831-1222

Appendix J

Ted Shepard - Fwd: Urban chickens and property values in Portland

From: "Dan Brown" <fortcollinshens@gmail.com>
To: "Ted Shepard" <tshepard@fecgov.com>
Date: 8/12/2008 4:18 PM
Subject: Fwd: Urban chickens and property values in Portland

Ted,

Here are some comments from Jane Leo at the Portland Metropolitan Association of Realtors in regard to the impact of urban chickens on property values. Please include this in our documentation.

Regards,

Dan

----- Forwarded message -----

From: Jane Leo <J.Leo@pmar.org>
Date: Mon, Aug 11, 2008 at 2:36 PM
Subject: RE: Urban chickens and property values in Portland
To: Dan Brown <fortcollinshens@gmail.com>
Cc: Michelle Jacobs <mjacobs@febr.org>

Dan--In response to your request for comment regarding the impact of chickens in a residential zone in the City of Portland, I can only iterate comments made during our telephone conversation. Chickens can be found in both older and newer Portland neighborhoods. City code, available at www.portlandonline.com, regulates the distance the livestock area must be from residential units and the gender of the chickens. Roosters are forbidden. During my 14-plus years with the Portland Metropolitan Association of Realtors, I have not had a conversation with any member in which the discussion centered around chickens negatively impacting the desirability of a neighborhood nor housing values.

Best regards,

Jane Leo
Governmental Affairs Director
Portland Metropolitan Association of Realtors
Direct Phone Line: 503/459-2163

From: Dan Brown [mailto:fortcollinshens@gmail.com]
Sent: Friday, August 08, 2008 12:55 PM
To: Jane Leo
Subject: Urban chickens and property values in Portland

Jane,

Thank you very much for talking with me about the effects of urban chickens on property values in Portland, OR. There have been some concerns raised about the possible impact on property values of

file://C:\Documents and Settings\tshepard\Local Settings\Temp\GW100001.HTM

8/20/2008

This unofficial copy was downloaded from CityDocs at <http://www.ci.portland.or.us/citydocs>.
For additional information or an official copy, please contact City Clerk's office at (503) 221-6513.

September 14, 2010

To Whom it May Concern:

As a REALTOR®, I'm acutely aware of home and property trends and values. There definitely is a growing awareness nationwide, and within the Salem area, for more green and sustainable options in the way people utilize their resources and property. From my client interactions, it is clear that people want to have greener more sustainable options not only to save energy/money, but to be more self-sufficient, and environmentally responsible. These options not only benefit the people involved directly, but overall influence the community, nation and ultimately the world in positive ways.

Because of this growing need and desire for greener ways of living, and my own personal values in this area, I went through the educational process to secure my Green designation through the National Association of REALTORS®. This has attracted a new client base I am serving, and learning along with. Modes of green and sustainable products and activities are constantly evolving as people seek new ways of living in tune with their values.

As I view homes with my clients, I notice many people taking advantage of their residential lots to do more than grow lawns and flowers. I see many gardens in front yards, pepper plants and tomatoes put between roses and pansies, and lawns replaced with edible landscaping. It is evident that people are using their yards to grow food... This helps them not only save money, but provides many other benefits: connection to their property, their food source and their neighbors.

Many communities around the nation are allowing property owners to take this green, self-sustainable process even further by allowing homeowners to have a few backyard chickens. This is becoming the rule rather than the exception. These communities and their progressive stand on green and sustainable living attract citizens with those values. People with this increased awareness and value system tend to be better educated and have higher incomes. So it is natural to see that property values in these communities tend to be higher.

I work with many people relocating to our area. I get asked many questions about our city and how progressive we are with recycling programs and more. While the city is doing many wonderful things, one thing that is missing is the ability of people to have a few backyard hens like they do in other Oregon communities.

It is my hope, as a REALTOR®, with the Green designation, that I will be able to tell people contemplating coming to our area that Salem is as progressive a place to live as other communities that are nearby. While the word "green" may represent certain trends or fads - it is not a trend or a fad to feed one's family clean, affordable food. As I work with people in real estate, I have learned that having the opportunity to have a few backyard hens is something that home owners in our area would like to explore as a means for living a greener more sustainable life.

Nannette Martin, REALTOR®
ABR®, e-PRO®, GREEN, SFR
Broker Licensed in Oregon
Prudential Real Estate Professionals

Appendix K

From: **Emilio E DEBESS** (emilio.e.debess@state.or.us)
Sent: Wed 10/28/09 10:36 AM
To: Barbara Palermo (getaholdofbp@hotmail.com)

Hello Barbara,
Thank you for your question and concern.

This genus has one species, influenza A virus. Wild aquatic birds are the **natural hosts** for a large variety of influenza A. Occasionally, viruses are transmitted to other species (jumping species) by mutation.

The statement was made after the reporter asked as to the origin of influenza viruses.
As for the public, significant mutations have to happen **in wild birds** to pass it on to other animals and humans.

People are not at risk of developing influenza by having a domesticated bird at home (not wild).
If a client has a wild bird at home, the chances of a virus mutation and the possibility of jumping species, (given that the bird has influenza) are minimal.

Let me know if that helps so I can send it out to the vet listserv
Thank you

>>> "Barbara Palermo" <getaholdofbp@hotmail.com> 10/28/2009 10:15 AM >>>
Hi Dr. DeBess,

A recent article in the Oregonian newspaper quotes you as saying "Birds are basically the origin of all flu viruses, historically, and they can get any and all flu viruses." Could you please explain what you meant by that. People seem to be worried that your statement means birds present a high public health threat, which I don't think is what you meant. In terms of flu viruses, can you say that people are any more likely to catch the flu from a bird than any other means? Aren't the chances of getting sick from a dog or cat greater than from a bird?

Thank you,
Barbara

Ferret gets swine flu from its owner, a first

By Jacques Von Lunen, Special to The Oregon...

October 20, 2009, 3:47AM

It appears that certain pets can catch swine flu from their owners.

Oregon just registered its first case of a natural human-animal transmission of the H1N1 virus. Actually, it may be the first such recorded case anywhere, said Emilio DeBess, Oregon state public health veterinarian.

A ferret, whose owner had shown flulike symptoms, tested positive for swine flu on Oct. 8.

The owners took the ferret to a veterinary clinic in Portland on Oct. 5 (DeBess said the clinic asked not to be identified.) The animal had severe respiratory illness and showed many of the symptoms people associate with the flu: fever, weakness, coughing and sneezing.

After hearing that the owner suffered from flu symptoms just before the ferret got sick, the treating veterinarian called DeBess, whose responsibilities include serving as a consultant to Oregon vets.

DeBess asked the vet to send in a sample of the ferret's nasal secretions. It was tested at an Oregon State University lab, which found genetic markers for the strain of H1N1 that's infecting humans. A lab of the U.S. Department for Agriculture confirmed the finding on Oct. 9.

This came as little surprise to DeBess. Ferrets, which are sensitive toward respiratory illness, have been used in labs to see how the flu will affect people, he said. But this may be the first case anywhere of a ferret catching the flu from its owner, without the help of lab technicians, he said.

The ferret is recovering.

DeBess put the staff at the clinic on "fever watch" after the test results came in. No one at the clinic had gotten sick as of last week, he said.

Ferret owners need to be careful during flu season. And that goes both ways. If you have a ferret that's sneezing and coughing, wash your hands a lot and definitely take it to a vet. If you are sick with flulike symptoms, handle your ferret sparingly. Don't cough or sneeze near it.

The same is true for birds, DeBess said. Birds are basically the origin of all flu viruses, historically, and they "can get any and all flu viruses," he said. However, no cases of birds contracting H1N1 are documented in this country.

In the past five years the flu virus has mutated into a strain called H3N8, which infects dogs. It's not known to transmit to humans. No known strain infects cats, and neither cats nor dogs can carry H1N1.

Appendix L

Because no one should be hungry.



January 22, 2009

Mayor Janet Taylor and City of Salem Council Members
555 Liberty St. SE, Room 220
Salem, OR 97301

Dear Mayor Taylor and City Council Members:

Please accept this letter in support of the citizen based initiative to permit individual households to raise backyard hens within the City of Salem. The group has done an exemplary job of researching the issue and presents a strong and timely proposal for your consideration. We encourage Salem to follow the lead of other innovative communities in Oregon, including Portland, Corvallis, Eugene, Gresham, Beaverton, Hillsboro, and Milwaukie, that have passed ordinances that allow backyard hens within city limits.

Since 1987, Marion-Polk Food Share has been "leading the fight to end hunger" as the nonprofit regional food bank serving Marion and Polk counties. As the regional food bank, we provide centralized food collection and distribution, as well as fundraising and capacity building support, for our 80 member agency network. Last fiscal year, we provided 4.8 million pounds of emergency food and distributed 69,892 food boxes and 989,041 meals.

In Salem the need is especially great. Last year, within the city, we distributed 34,279 food boxes and served over 350,000 meals through 43 member agencies. Approximately 15,000 Salem households, representing 44,000 individuals reached out for emergency food assistance. A total of 3,336 *new households* in Salem received a food box (up 26% from the previous year). This represents the highest number of local residents we have seen coming for help in the 21 years of our existence.

As President of Marion-Polk Food Share, I am aware of the local and nationwide movement in support of backyard hens as a means to increase household self-sufficiency and reduce hunger. Recently we have worked with a dietician to put together a list of the most nutritious "core" food box items. Eggs are on this list for the quality nutrition they provide, especially for children.

At my house in rural Marion County, I raise 6 hens. I know firsthand how simple and clean it can be to raise chickens, and I benefit from having enough eggs for my family, as well as a weekly surplus that I donate to the local food pantry. At the Food Share, we see great hope in educating low-income community members about how to raise a few backyard hens to improve their nutrition and increase self-sufficiency. We envision households with not only enough for themselves, but with the potential to provide many dozen eggs each year to their local food pantry.

On behalf of the Food Share, and those we serve, I encourage you to pass an ordinance to allow backyard hens in Salem. It is another step we can take in our fight to end hunger in our community. If you have any questions, please call me at 503-581-3855, ext. 306 or e-mail rhays@foodbanksalem.org.

Sincerely,

Ron Hays
President

1060 Salem Industrial Drive NE Salem, Oregon 97301 P: 503 581-3855 F: 503 588-4277 www.foodbanksalem.org

Tuesday, January 06, 2009

To City of Salem staff and Council members:

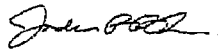
I am writing to express my strong support for raising chickens in residential areas within the city limits of Salem. A proposal to change this code is coming before you, and a deliberative and democratic process will determine the outcome of such a change in policy. What I am advocating for, as a garden project manager for Marion Polk Food Share, is to ensure the long-term sustainability of our community through myriad of ways, including community gardening, urban farming, and teaching a future of food growing that includes keeping hens. The cost-benefit of such an endeavor is one that favors the community, the neighborhood, and the home, from the constant supply of high protein food, to the production of appreciable quantities of highly concentrated manure, to the destruction of countless insects and consumption of kitchen and table scraps.

Marion Polk Food Share has a continuing interest in the building of partnerships that lead to the betterment of our community's health, self-reliance and sustainability. I see an opportunity to create neighborhood connections that bring people out of the woodwork, people that are interested in engaging in a process of getting back to the basics. More specifically, I see the development of sustainable models for keeping hens to be included in our growing foundation of food security curriculums, lessons of which will be delivered throughout and within neighborhoods in the coming years. Marion Polk Food Share itself has been considering small-medium and large scale production of eggs, and this change will only increase our capacity to meet our mission, which is to end hunger in Marion and Polk counties.

Thank you for your time and consideration. I will leave you with a quote from, "Five Acres and Independence," by M.G. Kains.

"The best way to be successful with poultry is to start with a few hens, give them good care and comfortable quarters, and—keep both eyes open. By this I mean that one should study the matter in a practical way by familiarizing him/herself with the habits and requirements of his/her fowl..."

Sincerely,



Jordan Blake – Garden Project Manager



Because no one should be hungry.
1660 Salem Industrial Drive NE
Salem, Oregon 97303

Appendix M

Methane

ATTACHMENT 4

From: Lucinda Smith, Senior Environmental Planner, Department of Natural Resources
To: Cameron Gloss
Date: June 6, 2008
Subject: City Council, Meeting of June 3, 2008, Follow-up to Question

I understand that a question was raised at the June 3 City Council meeting about the potential impact of urban hens on air quality, especially greenhouse gas emissions.

The U.S. EPA Web site on methane emission sources (<http://www.epa.gov/methane/sources.html>) states that methane emissions from non-ruminant animals is insignificant:

"Livestock enteric fermentation. Among domesticated livestock, ruminant animals (cattle, buffalo, sheep, goats, and camels) produce significant amounts of methane as part of their normal digestive processes. In the rumen, or large fore-stomach, of these animals, microbial fermentation converts feed into products that can be digested and utilized by the animal. This microbial fermentation process, referred to as enteric fermentation, produces methane as a by-product, which can be exhaled by the animal. Methane is also produced in smaller quantities by the digestive processes of other animals, including humans, but emissions from these sources are insignificant."

The U.S. EPA INVENTORY OF U.S. GREENHOUSE GAS EMISSIONS AND SINKS: 1990-2006

(April 2008; USEPA #430-R-08-005) states that ruminant animals are the major emitter of methane because of their unique digestive systems. Ruminant animals have the largest methane emissions of all animals. The report calculates the methane emissions from beef cattle, dairy cattle, horses, sheep, swine and goats; it does not even consider chickens. (See http://epa.gov/climatechange/emissions/downloads/08_Agriculture.pdf)

Most likely, the impacts of increased urban chickens in Fort Collins would be insignificant on local greenhouse gas emissions, even before considering the net carbon impact which would factor in reduced organic food scrap decomposition and other potential benefits.



The End!

City of Salem
Community Development Department
555 Liberty Street SE, Room 305
Salem, OR 97301

HAND DELIVERED

Dept. of Land Conservation & Dev.
ATTN: Plan Amendment Specialist
635 Capitol St NE, Suite 150
Salem OR 97301-2540