

## Chickens-in-city debate continues

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Chickens might someday need permits to become legal residents of Salem.

Domestic fowl aren't welcome in most Salem neighborhoods because of zoning restrictions. Pro-chicken activists, however, have made headway in their efforts to allow homeowners to keep a few birds.

One idea suggested by Salem City Councilor T.J. Sullivan: requiring chicken owners to buy a \$25 annual permit and submit to an inspection of their chicken coops in order to keep three hens.

Permits are one of several ideas to allow chickens to co-exist with neighbors.

The issue has ruffled feathers in Salem for months. Sullivan, who represents South Salem's Ward 4, has been approached by constituents in the grocery store and given an earful of opinions.

"It wasn't that people didn't want chickens," Sullivan said. "It was this idea that (regulation) would become a complaint-driven process."

Making backyard birds legal has been mulled at Salem City Council meetings, off and on, for nearly three years. It's created consternation about how to please people who raise chickens, basically as pets and for eggs, versus the rights of other property owners.

Comments from residents in favor of inviting chickens into Salem neighborhoods have surpassed those critical of the idea, Salem city officials said.

Other people are perplexed that the city would consider allowing barnyard animals near homes. Critics have expressed concerns about how the city would address potential nuisances, such as odors wafting from coops, rodents attracted by poultry feed, and animal pens placed near property lines.

"There are good reasons to allow the limited keeping of chickens, and there are a lot of good reasons not to," said Vickie Hardin Woods, the city's community development director. The matter has absorbed a lot of time and attention, she said.

People calling for an end to the poultry ban are pleased by recent developments, which indicate city leaders might be warming to the idea.

"It's been slow and it's been difficult, but it's definitely inching toward

### Chicken complaints

Salem city officials collect data on neighborhood complaints, including problems with domestic fowl.

2007: Twenty-four chicken and rooster complaints.

2008: Twenty-eight chicken and rooster complaints.

2009 to date: Four chicken and rooster complaints.

Complaints about other farm animals in the city are less common. During the past few years, there has been three complaints about pigs, two complaints about sheep, and one complaint about a cow.

Source: City of Salem

### Timeline

December 2006: Several families urge Salem City Council to consider loosening regulations for keeping chickens and other domestic fowl in residential areas. Councilors ask city staff members to review the ordinances

February 2007: A Northeast Salem resident makes an attempt to rezone her property so the family can keep their pet chickens and ducks. After racking up \$4,000 in city fees, the resident fails in her attempt to have the land rezoned and the birds are given to new homes.

April 2007: The council decides to keep the poultry ban. A city report notes that odor, dust, flies and noise are potential problems with keeping chickens near homes. One of the backyard bird fanciers

progress," said Barbara Palermo, a member of Chickens in the Yard, or CITY.

Palermo and other members of CITY have packed city council chambers on several occasions. At a council meeting in May, nearly 100 proponents for chickens showed up. CITY has discussed offering classes to help new chicken owners get started.

Changing zoning rules is the first step to Palermo's goal of making hens part of Salem's landscape.

On Monday, Salem City Council agreed to send a recommendation to the planning commission that would remove rules regarding the keeping of "non-commercial chickens" from zoning ordinances. This would require tweaking the city's definition of livestock.

Raising chickens commercially still would be regulated by zoning.

The planning commission will have to hold a public hearing and approve the council's recommendation. The public hearing probably won't be until August or September.

There's yet another layer of bureaucracy before chickens can strut in residential zones.

Salem would create a new section of city code — likely under health and sanitation rules — to regulate chickens.

Sullivan has suggested charging chicken owners a \$25 annual fee for a permit, which could be purchased online.

The pro-chicken faction doesn't have a problem with the proposed permit. The \$25 fee seems reasonable when compared to the \$100 annual charge that had been contemplated, Palermo said.

Funds raised from selling permits would pay for an inspection program to check the location and condition of chicken coops.

The inspectors would be private contractors, such as Castle Inspection Service, a nationwide company that hires and trains inspectors. A private contractor could do the coop inspections cheaper than city employees, Sullivan said.

Inspectors would photograph the coop and document its location, sending the information to the city.

If the city later found problems, fines could be imposed on chicken owners to encourage compliance. The first offense could result in a \$250 fine.

Other details, such as requiring setbacks for coops from adjoining properties, still need to be hammered out by city officials.

Many cities allow residents to raise a limited number of chickens. Portland and Seattle, for example, allow three hens per home. Cities usually forbid roosters because of their crowing.

complains that the city rules effectively "make criminals out of 11-year-olds with pets."

March 2009: A larger, organized group decides to put chickens back on the city's agenda. Chickens in the Yard, or CITY, argues that it's time for the city to do away with the ban. CITY members cite the many communities that currently allow chickens in urban areas. Councilors discuss the issue, but postpone taking any action and ask city staff members to bring back more information.

May 2009: Pro-chicken activists fill council chambers to argue their case at a public hearing. Proponents say a plan to only allow the birds to be kept on residential lots 10,000 square feet or larger is too restrictive. The typical lot size in Salem is between 4,000 and 5,500 square feet.

June 2009: The chicken issue takes a new turn. Salem City Council agrees to send a recommendation to the planning commission that would remove rules regarding the keeping of "non-commercial chickens" from zoning ordinances. The proposed change will require the planning commission to hold a public hearing in August or September to gather public comments. Salem City Councilor

T.J. Sullivan suggests a new set of city rules and permits, rather than zoning codes, are a more appropriate means to regulate small flocks.

Source: Staff reports

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