

BEFORE THE CITY COUNCIL OF THE CITY OF GASTON

ORDINANCE No. 2012-01

**AN ORDINANCE AMENDING THE CITY OF GASTON CODE RELATING TO
GENERAL REGULATIONS, CHAPTER 91, LIVESTOCK AND HOUSEHOLD
ANIMALS**

WHEREAS, Gaston City Code, General Regulations, Chapter 91, "Nuisances" regulates livestock and poultry, and

WHEREAS, citizens have asked for clarification regarding household pets, livestock and poultry within the City of Gaston incorporated limits.

THE CITY OF GASTON ORDAINS AS FOLLOWS:

SECTION 1.

Chapter 91 of the Gaston City Code is amended to repeal the existing text Section 91.16 in its entirety and to adopt the following text:

Section 91.16. LIVESTOCK, POULTRY and RABBITS

A. Keeping Livestock. Keeping livestock, including miniature livestock, is prohibited, except for keeping poultry and rabbits. Poultry and rabbits may be kept only on single family residential property and only consistent with the following standards:

1. If the keeper is in compliance with their livestock permit;
2. Livestock and poultry are limited as follows

Livestock Categories	Maximum Number of Livestock Allowed on a single Family Residential Property			Prohibited Livestock
	7,000 to 10,000 sq. ft.	Over 10,000 sq. ft. to 1 acre in area	Over 1 acre or larger in area	
Poultry: Chickens ducks	3	6	9	Geese, Guinea Fowl, Peacocks, Peahens, Roosters, Turkeys, Male Poultry
Rabbits	3	6	9	
Miniature Livestock	0	0	0	All Types
Standard Livestock	0	0	0	All Types

3. Livestock may not be bred;

4. Products generated by livestock, such as eggs, wool, Hides, or meat may not be sold from residential property;
5. Livestock may not be slaughtered or butchered on residential property;
6. Livestock must be contained consistent with the following standards:
 - a. All portions of an enclosure for the housing or shelter of livestock are to be located behind the front building plane of the dwelling;
 - b. All portions of the enclosure are to be located a minimum of 10 feet from any property line,
 - c. All portions of an enclosure must be kept and maintained in a clean and sanitary condition at all times to prevent any condition, which may be dangerous or detrimental to the health of the public or animals or constitute a nuisance.
 - d. The outdoor, open air portion of the enclosure must meet the relevant minimum square footage requirements set out below, able to provide the animals with the ability to feed, exercise and protect themselves from the elements as well as from other animals and be constructed in conformity with the city's land use regulations and all applicable building code.

Livestock Categories	Outdoor Portions of Animal Enclosure Minimum Square Footage
Poultry	20 square feet per animal
Rabbits	None
Miniature /Standard Livestock	All types prohibited

7. Food for livestock must be kept in waterproof containers having secure sides and lids and be located or kept behind the front building plane of the residence and a minimum of 10 feet from all property lines;
8. No more than one cubic yard of solid waste may be kept on the property at any one time and must be kept dry and be located behind the front building plane of the residence and a minimum of 10 feet from all property lines;
9. Poultry, miniature and/or standard livestock may not be classified as indoor animals;

B. Permitting. Prior to keeping livestock, a keeper must:

1. Submit a livestock permit on a form provided by the city demonstrating compliance with the standards of this subchapter. Incomplete permits will be denied;
2. Obtain permit approval from the City Council; and
3. Non-compliance with an approved permit will subject the keeper to citation and revocation of the permit.

C. Annexation Exceptions.

1. Standard Annexation. Property annexed to the city, the owners of which requested and were granted written approval by the city to keep livestock, may maintain the same quality and type of livestock on the property as requested and granted. This exception expires automatically if the property changes through a

land division, a change of use, or the approved livestock are absent continuously from the property for at least one year.

SECTION 2.

Chapter 91 is amended adding a new Section 91.19 adopting the following text:

Section 91.19 Limits on Household Pets. Dogs and cats may be kept on residential property subject to the limits of this section. Other household pets may be kept on residential property subject to the limitations of this section if they are primarily kept indoors, but standard and miniature livestock (including but not limited to horses, ponies goats, donkeys, swine, and cattle) and poultry may not be kept as indoor household pets.

A. No person may keep more than:

1. Three dogs on any property, unless the dogs are under six months of age and are the offspring of a resident female dog;
2. Three cats on any property unless the cats are under four months of age and are the offspring of a resident.
3. The number of rabbits, allowed by Section 91.16 by square footage on any property unless the rabbits are under two months of age and are the offspring of a resident female rabbit.

B. The Keeper shall comply with all federal, state and local laws applicable to the particular species.

Presented and Passed first reading on the ____ day of _____, 2012.

Presented and Passed the second and final reading on the ____ day of _____, 2012.

Votes in favor _____

Votes against _____

Enacted this ____ day of _____, 2012 by the City Council of the City of Gaston, Oregon.

Margaret Bell, City Recorder

Approved this ____ day of _____, 2012 by the Mayor.

Mayor