

ORDINANCE NO. 113

AN ORDINANCE AMENDING ORDINANCE NO. 50, GRANTING THE CITY COUNCIL AUTHORITY TO WAIVE CONDITIONAL USE PERMIT REQUIREMENTS REGARDING CHICKENS, DUCKS, GEESE AND OTHER SIMILAR FOWL AND SMALL ANIMALS.

Dunes City does ordain as follows:

Section 1. The purpose of this amendment is to modify those provisions of the city zoning ordinance which requires its citizens to obtain conditional use permits before situating chickens, ducks, geese, rabbits and other similar fowl and small animals on their premises. The City Council has determined that the owning of small numbers of ducks, chickens, geese, rabbits, or other similar fowl or small animals seldom presents a problem, the present fee cannot be justified, and therefore the City seeks to establish a process which would remove from the conditional use process, citizens who own fowl or small beast similar to those described above from this requirement as specified below, under those conditions. This ordinance does not contemplate excluding "livestock" from the conditional use process.

Section 2. Section 4 - III - 6, on Page 7 of the Dunes City Zoning Ordinance is amended, as follows:

Animal husbandry including:

1. The raising, tending or breeding of cattle, horses, sheep, goats, bees, poultry, fur bearing animals and swine for purposes of domestic use. Such animal husbandry shall not be part of or be conducted in conjunction with any livestock, sales yard, slaughter house, or animals by-products business. Such use shall include but not be limited to the raising of small fowl, animals for show, competitions, or projects sponsored or directed by a school, club, or other social/educational activity.

2. The City Council by resolution may eliminate from the conditional use process small numbers of small animals and fowl.

3. If the City Council should determine that an individual owns and maintains small animals and fowl on their premises in a number equal to or less than the number exempted by City Council from the conditional use process, but the animals are creating a nuisance, the City Council shall have the power and authority to notify the applicant that they must apply for a conditional use permit. The owners shall then immediately be obliged to apply for a conditional use permit, and shall stand before the City Council in that process, as though they had not yet acquired the offending small animals and/or fowl, and were seeking permission to do so. They shall be subject to all of the requirements of

Section 4 of the Dunes City Zoning Ordinance and subject to all of the requirements of Section 9 - IX of the Dunes City Ordinance.

Passed by the Dunes City Council of Lane County, Oregon, this 8th day of January, 1988⁷ by the following vote.

Aye 6

Nay 0

Absent 0

Approved by the Mayor this 8th day of January, 1988⁷


Dunes City Mayor

ATTEST:


BETTY STOCKING
City Recorder

RESOLUTION

RESOLUTION NO. 1-8-87A

Whereas, it has come to the attention of the Dunes City Council that the Dunes City Zoning Ordinance requires the citizens to obtain conditional use permits before situating upon their premises chickens, ducks, geese, rabbits, and other similar fowl and small animals, and

Whereas, the City Council does take note of the fact that the overwhelming majority of people who acquire these small animals, do so in ways so as not to offend or trespass upon the rights of neighbors, and

WHEREAS, it appears to the City Council that persons wishing to own the above described fowl or small animals in numbers of fourteen (14) or less should not be required to apply to the City Council for a conditional use permit, and

THE CITY OF DUNES CITY DOES THEREFORE RESOLVE THAT

Citizens wishing to situate upon their premises ducks, geese, chickens, rabbits, other similar fowl, and small animals in a sum total numbering fourteen (14), or less, shall be exempted from a conditional use permit process in Dunes City.

It is so resolved by the City Council this 8th day of January, 1987, by the following vote:

Ayes 5

Nays 1

Abstains Mayor

Approved by the Mayor this 8th day of January, 1987.

James E. ...
Dunes City Mayor

ATTEST:

Betty Stocking
BETTY STOCKING
City Recorder