

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 4
SERIES OF 2014**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING
SECTIONS 7-6-10, 7-6-120 AND 7-6-130 OF THE RIFLE MUNICIPAL CODE
REGARDING DOMESTIC FOWL AND ANIMALS.

WHEREAS, By Ordinance No. 13, Series of 2012, the City of Rifle repealed and reenacted the City's Animal Code located at Chapter 7, Article VI of the Rifle Municipal Code (the "RMC"); and

WHEREAS, in the interest of public health, safety, and welfare, the City Council desires to amend Sections 7-6-10, 7-6-120 and 7-6-130 to improve the oversight of the keeping and care of domestic fowl and animals in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 7-6-10 of the Rifle Municipal Code is hereby amended to include a definition for "domestic fowl", with additions shown in double underlined text:

Domestic fowl means only chickens or ducks and does not include geese, turkeys or other fowl.

Section 3. Section 7-6-120(a)(1) and (d)(2) of the Rifle Municipal Code is hereby amended to read as follows, with additions shown in double underlined text, and ~~strike through language is deleted~~:

Sec. 7-6-120. Restrictions on sale and possession of animals.

(a) Generally.

(1) It shall be unlawful for anyone to knowingly possess, harbor, keep, maintain or permit on any property within the City the following numbers of animals ~~when any of such animals are acquired after July 1, 2012~~:

a. More than one (1) potbellied pig;

b. More than three (3) rabbits;

c. More than five (5) exotic animals ~~or a combination of more than five (5) domestic and exotic animals~~;

d. More than ten (10) combined indoor domestic animals and exotic animals, such as domestic rodents, birds or reptiles, or more than six (6) outdoor domestic animals such as dogs or cats; or

e. More than two (2) litters of dogs or cats per year.

(d) Exceptions for certain animals.

(2) Ten (10) ~~chickens or ducks combined~~ domestic fowl may be kept subject to the restrictions set forth at Section 7-6-130 below. ~~For purposes of this Article, regulations pertaining to chickens shall apply equally to ducks.~~

Section 4. Section 7-6-130 of the Rifle Municipal Code is hereby amended to read as follows, with additions shown in double underlined text, and ~~strike through language is deleted~~:

Sec. 7-6-130. Domestic fowl ~~Chicken~~ regulations.

In addition to the restrictions established at Paragraph 7-6-120(d)(2) above, the keeping of domestic fowl ~~chickens or ducks~~ within the City shall comply with the following standards:

(1) Up to ten (10) ~~chickens and ducks~~ domestic fowl ~~combined~~ may be kept per single-family dwelling on lots greater than 5,000 square feet. Lots with less than 5,000 square feet are not permitted to have domestic fowl, nor are they permitted in duplexes, multi-family dwellings or complexes. Chicken coops and domestic fowl enclosures shall be considered a shed and must be 5 feet from the property line. ~~Up to ten (10) chickens and ducks combined may be kept per multi-family dwelling as a conditional use subject to the requirements of Sections 16-3-80, 16-3-120, 16-3-130 and Chapter 16, Article V of this Code; provided, however, that conditional use permit applicants desiring to maintain chickens and/or ducks at a multi-family dwelling shall only be required to send notice of the public hearing on such application in accordance with Paragraph 16-1-50(1) to all adjacent property owners. Publishing of notice pursuant to Paragraph 16-1-50(2), notice to mineral estate owners pursuant to Paragraph 16-1-50(4), and the required submittal of the names and addresses of all property owners within two hundred (200) feet pursuant to Paragraph 16-6-20(4) shall be waived. Applicants shall be required to submit the materials specified in Section 16-6-130 unless otherwise directed by the Planning Commission.~~

(2) Type of chickens. Only female chickens are permitted, and there is no restriction on chicken species.

(3) Enclosure requirements. ~~Chickens~~ Domestic fowl must be kept in enclosures or fenced areas at all times. During daylight hours, ~~chickens~~ domestic fowl may be allowed outside of their ~~chicken~~ enclosure in a securely fenced yard. The securely fenced yard must include a fence of at least six (6) feet tall that is also in compliance with the other fence requirements set forth in this

Code. During non-daylight hours, the ~~chickens~~domestic fowl shall be secured in an enclosure that is enclosed on all sides, including a roof and doors. Access doors must be able to be closed and locked at night. Opening windows and vents must be covered with predator- and bird-proof wire of less than one-quarter-inch openings.

(4) Waste removal. ~~Chickens~~Domestic fowl enclosures and the surrounding area shall be kept free of trash and accumulated droppings. Uneaten feed and waste shall be removed daily. Table scraps shall not be used as feed shall also be removed in a timely manner.

(5) Odor impacts. Odors from ~~chickens~~domestic fowl, ~~chicken~~ manure or ~~chickens~~domestic fowl-related substances shall not be perceptible at the property boundaries.

(6) Slaughtering of domestic fowl prohibited. Slaughtering or display of slaughtered domestic fowl on a residential property is prohibited.

INTRODUCED on March 5, 2014, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on March 19, 2014, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ___ day of _____, 2014.

CITY OF RIFLE, COLORADO

BY _____
Mayor

ATTEST:

City Clerk