

ORDINANCE #415

AN ORDINANCE REGULATING LIVESTOCK, FOWL, AND CHICKENS IN THE CORPORATE LIMITS OF THE TOWN OF YACOLT AND REPEALING ORDINANCE #401 AND ANY OTHER TOWN OF YACOLT ORDINANCES IN CONFLICT HEREWITH.

WHEREAS: The Town Council of Yacolt, Washington, is in regular session this 4<sup>th</sup> day of March, 2002; and

WHEREAS: All members of the Town Council have had notice of time, place, and purpose of said meeting; and

WHEREAS: The Town Council is of the opinion that it would be in the best interest for the Town to adopt this Ordinance; and

NOW THEREFORE: BE IT ORDAINED BY THE TOWN COUNCIL OF YACOLT, WASHINGTON, as follows:

**SECTION 1:** Definitions. As used in this ordinance:

“At large” means to be off the premises of the owner and not under control of either the owner or a person authorized by the owner.

“Chicken” means the common domestic fowl (*Gallus gallus*).

“Fowl” means domesticated birds such as turkeys, ducks, geese, swans, quail, pheasants, peacocks, pigeons and any other bird similar in nature and size.

“Livestock” means domesticated animals such as horses, mules, donkeys, ponies, oxen, cattle, llamas, goats, sheep, swine and any other animal similar in nature and size.

“Owner” means any person possessing, harboring, keeping, having an interest in, or any person having control or custody of an animal. In a household setting, the owner is presumed to be the head of the household.

“Person” means any individual, partnership, corporation, or other legal entity.

**SECTION 2:** It is unlawful for any person to keep or maintain any livestock or fowl, as defined herein, within the corporate limits of the Town of Yacolt unless previous permission has been granted by the Town of Yacolt.

**SECTION 3:** It is unlawful for any person to keep or maintain chickens within the Town without first securing written permission from the Town Council of the Town of Yacolt, Washington. No more than eight chickens will be allowed per household. Any person in violation of this section shall be notified in writing. If conformity to this section is not reached within thirty days of receipt of the written notification, a civil penalty will be assessed.

**SECTION 4:** Chickens shall be kept within an enclosure or structure adequately built and maintained to prevent escape. Chickens shall be reasonably sheltered. Enclosures and structures, which provide confinement and feeding areas for such animals, shall be located not less than fifty (50) feet from any neighboring dwelling and must meet applicable zoning requirements.

**SECTION 5:** Should two adjoining neighbors find said keeping of chickens a nuisance, and each provide a written complaint, the Town of Yacolt shall have the authority to recall its permission for the keeping of said chickens. The Town Council reserves the right to rescind its permission for the keeping or maintaining of chickens by written notice to the owner or custodian of the chickens for violation of the terms of any part of this Ordinance.

**SECTION 6:** It is unlawful for any person being the owner or custodian of any livestock, fowl or chickens to permit such livestock, fowl or chickens to be at large upon any public street, highway, or public place, or upon the private property of another within the Town.

**SECTION 7:** Participants in a recognized youth development or animal-husbandry program such as FFA or 4H may make written request to the Town Council for the keeping of fowl for a specified time.

**SECTION 8:** It shall be unlawful for any person to permit or allow the leading or riding of any livestock on private property or Town property such as parks, parkways, sidewalks or using any part thereof for a bridle path. It shall, however, be lawful for any person to permit or allow the leading or riding of any livestock on private property or Town property for special events such as parades with prior written permission from the Mayor of the Town of Yacolt, Washington.

**SECTION 9:** Any person in violation of the terms of any part of this Ordinance shall be assessed a civil penalty of not less than fifty dollars (\$50) nor more than one hundred dollars (\$100) plus legal fees.

Compliance with the regulations of this Ordinance must be achieved no later than April 12, 2002.



The Ordinance shall take effect immediately upon adoption and publication according to law.

Passed by the Town Council of the Town of Yacolt, Washington on this 4<sup>th</sup> day of March, 2002.

AYES Tindall-Ellis, Case, Smith, Messer, Mason

NAYS None

ABSENT None

MAYOR *Jan Robertson* ATTEST *Brenda Finnegan*

I hereby certify that this is a true and correct copy of Ordinance #415 as read before the Council and passed on the date herein mentioned and passed according to law.

ATTEST *Brenda Finnegan*  
Brenda Finnegan, Clerk/Treasurer