

**BEFORE THE BOARD OF COMMISSIONERS
FOR MARION COUNTY, OREGON**

In the Matter of Regulating the Keeping of Chickens)
on Land Inside Urban Growth Boundaries)
Under Marion County Jurisdiction)

ORDINANCE NO. 1357

THE MARION COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Title

This ordinance shall be known as the Marion County Backyard Chickens Ordinance.

SECTION 2. Purpose

The purpose of this ordinance is to establish regulations for the keeping of chickens on residentially zoned property located in the urban growth boundary areas of Marion County. This ordinance establishes standards and enforcement authority.

SECTION 3. Definitions

- (a) "Chicken" means the common domestic fowl (*Gallus gallus domesticus*) or its young.
- (b) "Coop" means a cage or roofed enclosure in which chickens are kept.
- (c) "Chicken run" means an outdoor enclosed or fenced area where chickens feed or exercise.
- (d) "Hen" means a female adult chicken.
- (e) "Rooster" means a male adult chicken.

SECTION 4. Standards

The keeping and raising of chickens shall be allowed on properties zoned Single-Family Residential (RS) or Urban Development in the urban growth boundary areas of Marion County subject to the following conditions and limitations:

- (a) A resident of a single-family dwelling or duplex in the Single-Family Residential or Urban Development Zone may keep hens on the lot on which the resident resides.
- (b) The maximum number of hens allowed shall be six, except in the Woodburn or Silverton Urban Growth Boundary where the maximum is three.

- (c) Hens are allowed only in a fully fenced rear yard.
- (d) Hens shall be confined at all times within a coop, pen or chicken run, except when under the personal supervision of an owner or custodian.
- (e) A coop shall not exceed 120 square feet in area or 10 feet in height.
- (f) There shall be a minimum six square feet of run space per hen.
- (g) A chicken coop shall be set back at least three feet from any building on the subject property and 25 feet from any residence on a neighboring property.
- (h) Chicken feed must be kept secure from pests.
- (i) All animal byproducts and waste must be collected and removed on a regular basis, allowing the storage of one sealed 20 gallon container.

SECTION 5. Prohibitions

- (a) Roosters are prohibited.
- (b) No sales of eggs, chickens, chicks, slaughtered chicks or chickens, or fertilizer are allowed.

SECTION 6. Enforcement Responsibility and Authority

- (a) Upon receipt of a complaint, this ordinance shall be enforced pursuant to Marion County Code ("MCC") Chapter 1.25.
- (b) Chickens that are not kept as provided in Section IV of this Ordinance shall be deemed a public nuisance under Marion County Code Chapters 1.25 and 8.10.

SECTION 7. Severability and Savings Clause

Should any section or portion of this ordinance be declared invalid for any reason, that declaration shall not affect the validity of any other provision of this ordinance. All other sections or portions of this ordinance shall remain in full force and effect.

SECTION 8. Effective Date

This ordinance shall take effect on the 90th day after the date of its adoption.

Adopted this 12th day of August, 2015.

MARION COUNTY BOARD OF COMMISSIONERS

Janet Larson

Chair

Donna Kim Hulett

Recording Secretary