

**JUNCTION CITY CITY COUNCIL
STAFF REPORT**

File: Amendment to Junction City Zoning Ordinance, AMD-12-01
Report Date: January 15, 2013
Hearing Date: January 29, 2013

APPLICANT: City of Junction City

PROPERTY OWNER: Not applicable

LOCATION: Within zones allowing single family residences throughout Junction City.

PROPOSAL: The proposed language and maps are included as Attachments to Exhibit A. The proposal includes the following components:

- Amendments to Junction City Municipal Code, Chapter 17.05, to include definitions for proposed regulations;
- Amendments to Chapter 17.95 to include regulations for keeping of chickens, ducks and bees on residential property; and
- Amendments to Chapter 6.05 concerning animal control, removing current restrictions on the keeping of certain types of poultry and making other amendments for clarification.

STAFF RECOMMENDATION: Approve the proposed amendments.

BACKGROUND

At the June 12, 2012 City Council meeting, the City Administrator brought forward an item concerning allowances for chickens and ducks on residential properties within the City. The City Administrator's materials presented to the City Council are included as Attachment 1. These materials included proposed draft regulations that would address this issue. The City Council heard public testimony (see meeting minutes contained in Attachment 2) and discussed the item. The City Council, by a 3-2 vote, passed a motion that they take the idea of chickens, bees, and ducks to the Planning Commission for a public hearing and decide whether or not the City should have these in the City limits.

The Planning Commission has held three study sessions to review the draft amendments, at the September 18, 2012, October 16, 2013, and November 20, 2012 meetings. Meeting minutes for these meetings are available on the City's website:

http://www.junctioncityoregon.gov/index.asp?Type=B_BASIC&SEC={D970DFE8-8774-484D-8CFB-9A6D3CE44417}&DE={A76AADCC-4239-4154-B064-DBB7D5A01250}

The proposed language of the amendments and maps are included as Attachments to Exhibit A, incorporated as part of this staff report. A more detailed description of the proposed amendments is included in Exhibit A.

APPROVAL CRITERIA AND ANALYSIS

1. Compliance with Statewide Planning Goals.

Staff Response: Exhibit B, the Findings Analysis, contains an analysis of the proposal's consistency with the Statewide Planning Goals.

2. Zoning Code Standards - Section 17.145 of the Junction City Municipal Code (JCMC) establishes requirements for amendments to the Zoning Code.

Staff Response: Section 17.145.010 of the Junction City Municipal Code (JCMC) allows the City Council and Planning Commission to initiate an amendment to the text or map of the ordinance. The City Council initiated the amendments at their June 12, 2012 meeting.

Section 17.145.080 establishes requirements for noticing. Section 17.150.080.C.2 reads, "If particular properties are to be affected more than, or in a manner significantly different from, other properties of the same general character within the City of Junction City, individual notice shall be prepared and mailed to those affected, including all persons within 300 feet of the affected property." The amendments do not affect some property owners more than others therefore individual notice is not required.

The City has followed the noticing requirements found in JCMC 17.150.070 and 17.150.080. Notice of the meeting was published in the Register Guard on January 8, 2013, a minimum of 10 days prior to the hearing. In addition, a news release was sent to the Tribune News and Register Guard. The Tribune News published information on the hearing on January 3, 2013.

Notice to interested parties participating in earlier Planning Commission meetings on this topic were also mailed on December 19, 2012.

A record of amendments were made available on the City's website (December 19, 2012), as well as at City Hall.

Notice of the public hearing was also provided in December utility billings, which were distributed on December 28, 2012.

AGENCY AND PUBLIC COMMENTS

1. **Comments prior to Public Notice.** Public comments were received by the City Council at their June 12, 2012 meeting. Meeting minutes containing these comments are available here: http://www.junctioncityoregon.gov/vertical/sites/%7BE865F063-52B6-4191-89A3-FB88287BBED%7D/uploads/06-12-12_Council_Minutes.pdf (see Exhibit C.1).

In addition, the Planning Commission heard from members of the public previously on this matter at their September 18, 2012 meeting. Meeting minutes summarizing these comments are available here: http://www.junctioncityoregon.gov/vertical/sites/%7BE865F063-52B6-4191-89A3-FB88287BBED%7D/uploads/PC_09_18_12_pc_minutes_approved.pdf (see Exhibit C.2).

Finally, in response to a request by the Planning Commission, staff contacted Judy Scher of the Lane County Beekeepers about lowering the number of allowed hives to two on a residential lot. Ms. Scher has responded, encouraging the Planning Commission to consider greater flexibility. Her response is contained in Exhibit C.3.

2. **Comments received after the Public Notice.** Public comments received as of the issuance of this staff report are contained in Exhibit C.4. Additional comments submitted between the issuance of this staff report and the hearing, if any, will be made available to the Planning Commission members at the date of the hearing.

SUMMARY AND CONCLUSION

The Planning Commission has the ability to recommend approval of the amendments to the Zoning Ordinance and forward it to the City Council.

POSSIBLE ACTIONS BY THE PLANNING COMMISSION

In considering the proposed amendments, the Planning Commission may take the following actions after the closing of the record:

1. Move to recommend approval of the amendments to the Zoning Ordinance as presented in Exhibit A, Attachments 1, 2, and 3.
2. Move to recommend revisions to any of the recommended provisions contained in Exhibit A, Attachments 1, 2, and 3.
3. Move to not recommend approval of the amendments to the Comprehensive Plan and Zoning Ordinance as presented in Exhibit A, Attachments 1, 2, and 3. If the Commission does not recommend the amendments to the City Council for approval, move to have staff study the existing zoning ordinance and a) return with another proposal for their consideration or b) not bring the matter back before the Commission.

ATTACHMENTS

- Exhibit A: Ordinance No. _____ and related Attachments, as follows:
 1. Attachment 1: Amendments to Junction City Municipal Code, Chapter 17.05, to include definitions for proposed regulations;
 2. Attachment 2: Amendments to Chapter 17.95 to include regulations for keeping of chickens, ducks and bees on residential property; and
 3. Attachment 3: Amendments to Chapter 6.05 concerning animal control, removing current restrictions on the keeping of certain types of poultry and making other amendments for clarification.
- Exhibit B, Findings Analysis
- Exhibit C, Public Comments received prior to hearing public notice
 1. June 12, 2012 City Council Meeting Minutes
 2. September 18, 2013 Planning Commission Meeting Minutes
 3. December 4, 2012 correspondence from Judy Scher
- Exhibit D, Public Comments received after hearing public notice
 1. Letter from Flemming and Bente Pedersen, dated January 15, 2013
 2. Letter from Diana Smith, dated January 15, 2013

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ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY OF JUNCTION CITY MUNICIPAL CODE SECTIONS 6.05, 17.05, AND 17.95, REGARDING THE KEEPING OF CHICKENS, DUCKS AND BEES IN CITY LIMITS

WHEREAS, Per Section 17.145.010, the City Council initiated the amendments to the City's provisions addressing the keeping of chickens, ducks and bees in City limits; and

WHEREAS, the proposed amendments to the Zoning Ordinance are consistent with the Junction City Comprehensive Plan and Ordinance; and

WHEREAS, the Junction City Planning Commission held work sessions September 18, October 16, and November 20, 2012 to review the amendments; and

WHEREAS, notice of a public hearing before the Planning Commission was published in the *Register Guard* January 9, 2013 and notice of the City Council public hearing was published in the *Register Guard* _____; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments on January 29, 2013 and adopted findings of fact and recommended to the City Council that Junction City Municipal Code Sections 6.05, 17.05, and 17.95 be amended as presented in the attached Exhibit A; and,

WHEREAS, the Junction City City Council held a public meeting on _____ and took testimony on this matter at that meeting, taking said testimony into consideration in making its decision; now, therefore,

THE CITY OF JUNCTION CITY ORDAINS AS FOLLOWS:

Section 1. Junction City Municipal Code Section 17.05 is hereby amended as set forth in Attachment 1, attached hereto and incorporated herein by reference.

Section 2. Junction City Municipal Code Section 17.95 is hereby amended as set forth in Attachment 2, attached hereto and incorporated herein by reference.

Section 3. Junction City Municipal Code Section 6.05 is hereby amended as set forth in Attachment 3, attached hereto and incorporated herein by reference.

Section 4. This ordinance will go into full force and effect on the 30th day after City Council enactment.

Read in full its first meeting on _____ day of _____, 2013.

Read in title only for its second reading this _____ day of _____, 2013.

Passed by the City Council this ____ day of _____, 2013.

Approved by the Mayor this ____ day of _____, 2013.

APPROVED:

David S. Brunscheon, Mayor

ATTEST:

Kitty Vodrup, City Recorder

DRAFT

Proposed additions to JCMC 17.05.020, Definitions:

17.05.020 Definitions.

“Apiary” and “apiary property” means a place where bees are kept, and includes bees, honey, beeswax, bee comb, hives, frames, and other equipment, appliances and material used in connection with an apiary.

“Bees” means honey-producing insects of the genus Apis and includes the adults, eggs, larvae, pupae or other immature stages thereof.

“Beehive” means any receptacle or container made or prepared for use of bees, or box or similar container taken possession of by bees.

“Chicken or other Fowl Facility” means a covered and enclosed coop and run.

“Chicken run” means an enclosed area in which fowl are allowed to walk and run about and that is attached to a chicken coop.

“Colony” or “colonies of bees” means any hive occupied by bees.

“Coop” means a cage or small enclosure for housing chicken and other fowl.

“Fowl” means domesticated birds kept for eggs, limited to chickens and ducks.

“Flightpath” means a distinct route taken by many bees leaving from or returning to their hive.

Proposed amendments to JCMC 17.95, Supplementary Provisions:

17.95.100 Animals in Residential Zones

A. General. This section establishes special regulations that govern the keeping of animals as an accessory use in zones where a single-family dwelling unit is permitted.

B. Other Regulations. Nothing in this section eliminates the need to comply with applicable state law regulating the keeping of animals, and any other ordinance of the City of Junction City regulating the keeping of animals, including, but not limited to, provisions contained in JCMC Chapter 6.05.

C. Minimum Requirements. The applicant shall comply with the following requirements regarding the keeping of animals in any zone where a single-family dwelling unit is permitted:

1. The keeping of animals shall not create a nuisance or disturb neighboring residents due to noise, odor, damage, or threats to public health.
2. The facilities in which animals shall be kept in good repair, capable of being maintained in a clean and in a sanitary condition, free of vermin, obnoxious smells and substances.
3. The health and well-being of the animal will not in any way be endangered by the manner of keeping or confinement.
4. If applicable, the structure in which animals are kept must comply with the City's building code.
5. Measures must be taken to properly dispose of animal waste.
6. Products or byproducts from the keeping of animals shall not be sold from the subject property.

D. Chicken and other Fowl. The keeping of chicken or other fowl is subject to the following standards:

1. Where Permitted. The keeping of chicken or other fowl is allowed as an accessory use on any lot occupied by a single-family residence that is in the R1 and R2 zones.
2. Location, Density and Maintenance of Chicken and Other Fowl.
 - a. The number of birds is limited to a maximum of five on a lot.
 - b. Roosters are prohibited.
 - c. Chickens and other fowl shall be confined within a chicken coop or facility from dusk to dawn. During other times, chickens shall be either confined or under the personal control of the owner.
 - d. A chicken coop or facility shall be located in the side yard or rear yard of the subject property, and shall comply with setback and accessory use requirements of the zone in which it is located.
 - e. No chicken coop or facility, either temporarily or permanently, shall be located within six (6) feet of a side property line or within 12-feet of any adjacent residence, whichever is greater; nor shall it be within 15 feet of a rear property line, except when the property line abuts an alley, in which case no setback is required.
 - f. A chicken coop or facility shall be clean, dry, free of noticeable odors and in good repair.

5. Application Requirements. The applicant shall, at minimum, submit the following information with their request for registration:
 - a. The application shall contain a site plan. The site plan shall be drawn to scale and show all existing and proposed structures and their exterior dimensions; all streets, alleys and other public right-of-way; building setbacks; and location of the flyway barrier.
 - b. The beekeeper shall submit proof of training to the City prior to the establishment of the any colonies on the subject property.
 - c. Notification. Applications for beekeeping shall be accompanied by adequate evidence, as determined by the City Administrator, that the applicant has notified and received written approval from all of the residents within 150 feet of the property lines of the property on which the colony(ies) will be located. The applicant shall use a form provided by the City to document compliance with this provision.

Proposed amendments to JCMC 6.05, Animal Control:

**Chapter 6.05
ANIMAL CONTROL**

Sections:

- 6.05.010 Definitions.
- 6.05.020 Dangerous animals.
- 6.05.030 Livestock and ~~poultry~~ Roosters.
- 6.05.040 Animals at large.
- 6.05.050 Removal of carcasses.
- 6.05.060 Prohibiting dogs and urban livestock running at large. ~~Prohibiting dogs running at large.~~
- 6.05.070 ~~Abandoned dogs~~ ment.
- 6.05.080 Dog and Urban Livestock waste matter. ~~Dog waste matter.~~
- 6.05.090 Impoundment ~~of dogs.~~
- 6.05.100 Impoundment, redemption and sale.
- 6.05.110 License.
- 6.05.120 License fees.
- 6.05.130 ~~Dogs as public~~ Public nuisance.
- 6.05.140 Duplicate license.
- 6.05.150 Display of license tag.
- 6.05.160 Kennel license.
- 6.05.170 Barking dogs.
- 6.05.180 Vicious dogs prohibited.
- 6.05.190 Biting dogs to be reported.
- 6.05.200 Biting dogs.
- 6.05.210 Quarantine.
- 6.05.220 Entry onto private land.
- 6.05.230 Enforcement authority.
- 6.05.240 Penalties.
- 6.05.250 Other Regulations.

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6.05.010 Definitions.

[Agenda Item V, Exhibit A – Attachment 3](#)

As used in this chapter, the following words and phrases, unless the context otherwise requires, shall mean:

“~~Abandoned dog~~ment” means any ~~dog~~ domesticated animal left without proper food and water for a period over 24 hours, or any barking dogs without supervision for a period of over 24 hours.

“Animal control officer” means any person operating under the authority of the city or pursuant to an agreement with the city, for the purpose of:

1. Providing shelter and other care for lost, homeless or injured animals;
2. Service as an information center concerning missing and found animals;
3. Protecting the public from hazardous or unsanitary conditions associated with animals that are running at large; or
4. Protecting animals from neglect, cruelty or abuse.

“Barking dog” means a dog which persistently barks or howls and thereby unreasonably deprives a person of peace and quiet.

“Commercial kennel” means a place of business for the care of dogs, including, but not limited to, the boarding, grooming, breeding, training or selling of dogs. The term is not intended to include an animal hospital or a noncommercial kennel from which dogs are occasionally sold.

“Dangerous animal” means any animal, other than a dog, which has the propensity to bite or attack any person without provocation and the capacity to inflict serious harm on that person. It shall be presumed that any animal, other than a dog, which has injured a human being on two occasions without provocation is a dangerous animal.

“Dog license” means the license required to be annually issued for each individual dog.

~~Dog~~ Running at Large: ~~means the animal (excluding cats)~~ A dog is “running at large” which is not on the property of the owner and is not under the immediate control of its owner or not otherwise controlled by a competent person. The term “running at large” does not include the use of a dog under the supervision of a person to hunt, chase or tree predatory animals or game birds, or the use of a dog to control or protect livestock or in other related agricultural activities.

“Livestock” means cattle, sheep, horses, goats, swine, fowl, poultry, ~~unless it meets the definition of Urban Livestock, and Livestock, and~~ any fur-bearing animal bred and maintained commercially ~~or otherwise within pens, cages and hutches.~~

“Neuter” means to remove the ovaries and uterus, ovarian hysterectomy, in female dogs, or to remove the male gonads in male dogs.

“Noncommercial kennel” means any premises on which three or more dogs, which would be required to be individually licensed by JCMC ~~6.05.110~~ if not in a kennel, are kept for the hobby of the householder, in using them for hunting or tracking, field trials

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[Agenda Item V, Exhibit A – Attachment 3](#)

and training, for exhibition in dog shows or obedience trials, or for guarding the householder’s property.

“Owner” means any person who owns, keeps, or harbors a dog or urban livestock, except a veterinarian or an operator of a commercial kennel insofar as they may keep dogs in the course of their business. In accordance with ORS 609.020, dogs are declared personal property.

“Vicious dog” means any dog which has the propensity to bite or attack any person without provocation. A dog shall not be considered a vicious dog if it bites a person wrongfully assaulting the dog or the dog’s owner, or if it bites a person trespassing upon premises occupied by the dog’s owner after being provoked by that person.

“Watch dog” means a vicious dog confined at a business or commercial establishment to protect merchandise, inventory, or equipment. [Ord. 1117 § 2, 2003; Ord. 912 § 1, 1987; Ord. 806 § 1, 1980; Ord. 686 § 2, 1976.]

“Urban Livestock” means domesticated chickens or ducks, but not including roosters, as well as ~~honey bees, that are bred and maintained within pens, cages, hives and hutches, all for non-commercial use. For the purposes of this ordinance urban livestock may also be referred to as animals.~~

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6.05.020 Dangerous animals.

No owner or person in charge of an animal shall permit an animal which is dangerous to the public health or safety to be exposed in public. If the animal is exposed in public, it may be taken into custody by the city and disposed of in accordance with the procedures provided by this chapter for the impoundment of dogs, except that before the animal is released by the city, the municipal judge must find that proper precautions will be taken to ensure the public health and safety. [Ord. 591 § 2, 1972.]

6.05.030 Livestock and ~~Roosters~~poultry.

Except for household pets and as otherwise permitted by ordinance, no person shall keep or maintain livestock or Roosters, ~~bees, or poultry~~ within the city. [Ord. 591 § 3, 1972.]

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6.05.040 Running At Large.

No owner shall intentionally or negligently permit animals, with the exception of household pets other than dogs, to run at large. Animals at large may be taken into custody by the city and disposed of in accordance with the procedures provided by this chapter for the impoundment of dogs.

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6.05.040 Animals at large.

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Except for household pets, no owner or person in charge of an animal shall permit the animal to be at large. Animals at large may be taken into custody by the city and

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disposed of in accordance with the procedures provided by this chapter for the impoundment of dogs. [Ord. ~~591~~ § 4, 1972.]

6.05.050 Removal of carcasses.

No person shall permit an animal carcass owned or controlled by him to remain upon public property or to be exposed on private property for a period of time longer than 24 hours. [Ord. ~~591~~ § 5, 1972.]

~~6.05.060 Prohibiting dogs and urban livestock running at large.~~

~~No owner shall intentionally or negligently permit a dogs or urban livestock (excluding honey bees) to run at large. [Ord. ~~686~~ § 3, 1976.]~~

~~6.05.070-060 Abandoned dogs~~ment.

A. No ~~dog~~ animal owner shall permit ~~his dog~~ their animal to be abandoned. Any animal control officer may:

1. Provide food and water to ~~the~~ abandoned ~~dogs~~ animal. The ~~dog~~ animal owner shall pay for such services.
2. ~~May~~ impound any abandoned ~~dog~~ animal. ~~If impounded, a~~ As soon as practical, notice of impoundment under this section shall be posted at the house or be mailed to the owner, or if the owner is unknown, to the address at which the ~~dog~~ animal was found and impounded.

B. No owner shall refuse to pick up the animal from the city of Junction City after it has been impounded for any lawful reason. [Ord. ~~1117~~ § 3, 2003; Ord. ~~686~~ § 4, 1976.]

~~6.05.080-070 Dog and Urban Livestock waste matter.~~

It shall be unlawful for a dog ~~and/or urban livestock~~ owner to allow the dog ~~or urban livestock, excluding honey bees, to~~ deposit solid waste matter on any improved property other than that of the ~~dog~~ owner. It shall be a defense to this section if the ~~dog~~ owner immediately removes the solid waste. [Ord. ~~686~~ § 5, 1976.]

~~6.05.090-080 Impoundment of dogs.~~

A. Any peace officer or animal control officer may impound a dog that is in violation of this chapter, provided, however, the officer shall impound a vicious dog.

B. Any property owner or tenant whose property has been trespassed upon by any dog may hold the dog until delivery to an animal control officer or to any peace officer, unless the dog owner has arrived and is demanding the return of the animal, at which time the property owner or tenant shall relinquish control if identification of the dog owner is established. Any person who so impounds a dog shall immediately notify the city of Junction City of such impoundment. [Ord. ~~1117~~ § 4, 2003; Ord. ~~806~~ § 2, 1980; Ord. ~~686~~ § 6, 1976.]

~~6.05.100-090 Impoundment, redemption and sale.~~

A. Impounding Regulations and Disposition of Impounded Dogs.

1. The city of Junction City shall arrange for the dog impoundment for the period of time hereinafter specified. A daily record of such dogs shall be kept at the place of impoundment and shall be made available to the public. The city shall dispose of such dogs in accordance with the following provisions:

- a. An unlicensed dog or a dog for which the owner is unknown, which has not been redeemed within 72 hours after impoundment, excluding weekends and holidays, may be sold, adopted or destroyed.
- b. A licensed dog or a dog for which the owner is known, which has not been redeemed within 120 hours after notification of the owner by telephone contact or by mailing of impoundment notice, may be sold, adopted or destroyed.

2. Except as provided in subsection (A)(1)(a) of this section, the city of Junction City shall notify the owner by telephone or by the mailing of an impoundment notice as soon as practicable after impoundment. The impoundment notice shall advise the owner of the place where the dog is kept, the procedures required for the redemption of the dog, the fees for the impoundment, daily care and redemption, and the consequences of failure to redeem the dog.

3. A dog owner whose dog is impounded as a vicious dog within the period described in subsection (A)(1)(a) or (b) of this section, whichever is applicable, believing himself aggrieved by the seizure and impounding of his dog, may apply to the municipal judge for the release of his dog and the municipal judge shall thereupon set a time and a place for hearing the application and notify the impounding officer and upon a summary hearing at such time and place the municipal judge shall have full power to determine whether the dog has been wrongfully impounded and whether he shall be returned to his owner and upon what terms. Payment of the impoundment fee shall not prejudice a dog owner's right to appeal an allegedly wrongful impoundment.

4. Notwithstanding the previous sections, any dog given to the city of Junction City by the owner for disposal may be destroyed immediately, or, in the alternative, sold to any person.

B. Impoundment – Redemption and Sale.

1. Redemption of an impounded dog shall be made by exhibiting satisfactory proof of ownership and by paying the following required fees and charges:

- a. Impoundment fee;
- b. Daily care fee;
- c. License and rabies vaccination fees, if required; and
- d. Medical care fees, if required.

2. Impounded dogs may be sold.

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3. When a dog is sold the purchaser shall pay any required license and rabies vaccination fees. [Ord. 1117 § 5, 2003; Ord. 686 § 7, 1976.]

6.05.140-100 License.

A. Every owner residing in the city of Junction City of a dog which has a set of permanent canine teeth or which has attained the age of six months, whichever event may occur first, shall procure a license for each dog for each calendar year, or any part thereof. Such license shall be procured not later than the date on which the dog becomes of age or within 30 days after it is first acquired by the owner or is brought into the city, and thereafter by January 30th of each year.

B. No license fee shall be required to be paid for a license for any dog owned by a blind person who uses it as a guide.

C. No license shall be issued without written proof of current vaccination.

D. Licenses are mandatory for all dogs that reside within the city limits. Dogs that reside outside the city limits may be licensed to aid in identification, but said licensing is not mandatory. [Ord. 1117 § 6, 2003; Ord. 993 § 1, 1994; Ord. 688 § 1, 1977; Ord. 686 § 8, 1976.]

6.05.120-110 License fees.

Dog license fees, which are due and payable upon the issuance of a license, and all other fees required to be paid pursuant to this chapter, shall be established by resolution of the city council. [Ord. 1194 § 1, 2010; Ord. 1117 § 7, 2003; Ord. 993 § 2, 1994; Ord. 686 § 9, 1976.]

6.05.130-120 Dogs as public nuisance.

No person shall own a dog which is a public nuisance, as defined in ORS 609.095. In addition, no owner shall permit a dog to be present at any event or place within the city that is clearly marked to exclude animals. [Ord. 1117 § 8, 2003.]

6.05.140-130 Duplicate license.

If a license tag is lost, the owner may secure a duplicate license tag upon satisfactory proof of loss and payment of the sum as provided for in JCMC 6.05.120. [Ord. 993 § 4, 1994; Ord. 686 § 11, 1976.]

6.05.150-140 Display of license tag.

The license tag issued to the owner shall be attached securely to a collar or harness on the dog for which it was issued whenever the dog is not indoors or in an enclosed pen. [Ord. 686 § 12, 1976.]

6.05.160-150 Kennel license.

A. No person shall operate a kennel, whether commercial or noncommercial, without the appropriate kennel license. Kennel licenses shall be valid for one year from the date of issuance. Kennel operators shall meet city kennel standards, as required by resolution.

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B. Kennel licenses are in lieu of individual dog licenses. Dogs licensed under this section must at all times be confined to the kennel premises so as not to be at large.

C. No kennel license shall be issued under this section to anyone not in conformity with applicable zoning statutes, resolutions and ordinances. [Ord. 1117 § 9, 2003; Ord. 686 § 13, 1976.]

6.05.170-160 Barking dogs.

No person shall keep a dog on any premises in the city which, without provocation by any person, shall, by frequent and sustained barking, howling or yelping, disturb two or more persons separately domiciled in the immediate vicinity or, if there is only one dwelling in the immediate vicinity of the premises, shall disturb the person or persons residing in such dwelling, after having been notified personally or by mail by the department or the dog control authority that the dog had been reported to disturb such person or persons by such barking, howling or yelping. [Ord. 686 § 14, 1976.]

6.05.180-170 Vicious dogs prohibited.

A. No person shall own, keep, or harbor a vicious dog, except a watch dog. Any dog which has the propensity to attack or bite any person without provocation and the capacity to inflict serious harm on such person shall be regarded as vicious. Vicious dogs shall be impounded by an officer.

B. A vicious dog running at large which because of its disposition or diseased condition is too hazardous to apprehend may be destroyed by a peace officer, dog control officer, or by a person acting in defense of himself, his family, or another person. [Ord. 1117 § 10, 2003; Ord. 686 § 15, 1976.]

6.05.190-180 Biting dogs to be reported.

A. The owner of a dog which bites a human being shall immediately notify the department of such bite, giving the name and address of the person bitten, if known to him.

B. Any person who is bitten by a dog shall forthwith notify the department of such bite, giving a description of the dog and the name and address of the owner, if known to him.

C. When a doctor, veterinarian or hospital employee has information that a person has been bitten by a dog, such person shall forthwith notify the department. [Ord. 686 § 16, 1976.]

6.05.200-190 Biting dogs.

No person shall keep a dog which, without provocation, has bitten a human being on two occasions. Such a dog shall be impounded by an officer. [Ord. 686 § 17, 1976.]

6.05.210-200 Quarantine.

A. When either the Junction City health officer or department of health and sanitation of Lane County has grounds to suspect that a dog is infected with the disease of rabies, there shall be delivered to the owner of the dog a written notice thereof. The owner shall

thereupon be required to quarantine the dog for 10 days. The biting of any person by the dog shall constitute adequate grounds for suspecting the dog to be so infected. The delivery of the notice to an adult residing upon the premises where the dog is kept shall be considered a delivery of the notice to the owner.

B. Any dog required to be quarantined shall be confined on the owner's premises in such a manner as to prevent it from being in contact with any other animal or person or confined at the owner's expense in a veterinary hospital, the Lane Humane Society, or a kennel approved by either the Junction City health officer or department of health and sanitation of Lane County.

C. Any animal that has been bitten by a dog proved to be rabid shall be destroyed.

D. If a dog exhibits symptoms of rabies while it is under quarantine, the Junction City health officer or director of public health of Lane County may order in writing that it be destroyed and that its head be submitted as directed to the Oregon State Public Health Laboratory. [Ord. 686 § 18, 1976.]

6.05.220-210 Entry onto private land.

~~The officers in the course of their duties in investigating or enforcing provisions of this chapter shall have the right to enter into or upon private property after obtaining consent to do so, or an administrative warrant from the municipal judge, but shall not enter into any building or dwelling without permission or authorization.~~ [Ord. 686 § 19, 1976.]

6.05.230-220 Enforcement authority.

Officers of the department appointed by the city are hereby empowered to enforce the provisions of this chapter. [Ord. 686 § 20, 1976.]

6.05.240-230 Penalties.

A person violating the provisions of this chapter or an order issued under authority of this chapter shall, upon conviction, be guilty of a violation. A sentence to pay a fine for a violation shall be an amount, fixed by the court, not to exceed \$500.00. In addition to the fine set forth above, a person who violates the provisions of JCMC 6.05.160(A) by operating a kennel without the appropriate license or by failing to meet kennel standards, as required by resolution, may have his or her kennel license suspended or revoked. [Ord. 1117 § 11, 2003; Ord. 993 § 5, 1994; Ord. 686 § 23, 1976.]

6.05.250 Other Regulations. Nothing in this section eliminates the need to comply with applicable state law regulating the keeping of animals, and any other ordinance of the City of Junction City regulating the keeping of animals, including, but not limited to, provisions contained in JCMC Chapter 17.95.

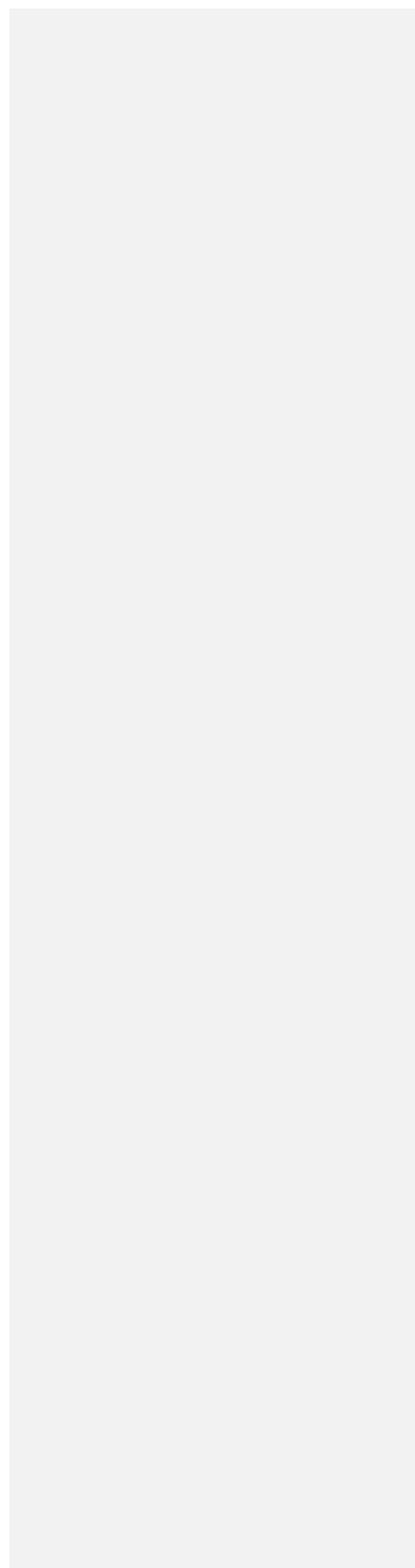
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| [Agenda Item V, Exhibit A – Attachment 3](#)

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FINDINGS OF FACT
AMENDMENTS TO JUNCTION CITY MUNICIPAL CODE 17.05, 17.95, AND 6.05
(AMD-12-01)

1. The Junction City Planning Commission met on September 18, October 16, November 20, 2012 and January 29, 2013 and recommended the proposed amendments to the City Council for adoption. The amendments include revisions to JCMC Chapter 17.05, 17.95 and 6.05 in order to include regulations for keeping of chickens, ducks and bees on residential property. The proposed language is included in Exhibit A.
2. A public hearing was conducted on January 29, 2013 before the Junction City Planning Commission in accordance with procedures established in JCMC 17.150.070.4.D for proposed amendments to the Junction City development ordinances.
3. JCMC 17.150.070.4.D sets forth procedure and notice requirements for amendments to the zoning ordinance, as follows:

“A minimum of two hearings, one before the planning commission and one before the city council, are required for all Type IV applications, except for withdrawals of property from special districts prior to annexations where only a review by the council is required. Procedures for these hearings are set forth in JCMC [17.150.090](#). Notice of the decision shall be sent to the applicant and any other person who submitted comments on the application during the time allotted for such submissions.”

The Planning Commission held a public hearing on January 29, 2013. A City Council public hearing will be held once the Planning Commission makes a recommendation on the proposed amendments.

5. JCMC 17.150.080.C.2 reads, “If particular properties are to be affected more than, or in a manner significantly different from, other properties of the same general character within the City of Junction City, individual notice shall be prepared and mailed to those affected, including all persons within 300 feet of the affected property.”

Notice of the meeting was published in the Register Guard on January 8, 2013, a minimum of 10 days prior to the hearing. In addition, a news release was sent to the Tribune News and Register Guard. The Tribune News published information on the hearing on January 3, 2013.

Notice to interested parties participating in earlier Planning Commission meetings on this topic were also mailed on December 19, 2012.

A record of amendments were made available on the City’s website (December 19, 2012), as well as at City Hall.

Notice of the public hearing was also provided in December utility billings, which were distributed on December 28, 2012.

6. The proposed amendments are in conformance with the Zoning Ordinance and with the Comprehensive Plan. The proposed amendments are consistent with the statewide planning Goals specifically Goal 1 and 2, relating to public involvement and land use planning.
7. Referrals were sent to city departments, and relevant local and state agencies and governments.

SUMMARY AND CONCLUSION

For all the reasons set forth above, the proposed amendments comply with the Junction City Comprehensive Plan and other Junction City ordinances.

DECISION

IT IS HEREBY ORDERED that the Junction City Planning Commission recommends that the City Council approves Ordinance, adopting the proposed amendments to the Junction City Municipal Code, based on the findings of fact stated in this report.

Signature: _____
_____, Chairperson
Junction City Planning Commission

Approval Date: _____

MOTION: Councilor Nelson made a motion to approve the Fiscal Year 2012-13 Capital Improvement Plan as presented. The motion was seconded by Councilor Christensen and passed by unanimous vote of the Council.

IX. PUBLIC COMMENTS/DISCUSSION – CHICKENS IN THE CITY LIMITS

A. STAFF REVIEW

Administrator Watson stated that this was an informal opportunity for the Council and community to provide comments on the possibility of allowing chickens, ducks, and bees on residential properties within the City limits. At a past meeting, the Council gave direction for a set of rules to be prepared and after researching, it was realized that this should probably go through the Planning Commission and be related to zoning of residential properties.

Administrator Watson reviewed a potential set of rules that would govern chickens and ducks, which included: Not having more than five; no roosters; must be confined to a covered coup or fenced area; would need to be 15 feet away from adjacent building and 10 feet from owner residence; keep area clean and smell free; meet current setbacks within code; pick up waste regularly; could not sell chickens or eggs; and no breeding or slaughtering on property. There would be no permit or fee and this would be enforced by the City's nuisance code and be complaint driven. He added that this was a policy decision for the Council and staff was looking for Council direction.

B. PUBLIC COMMENTS

Mayor Brunscheon opened the floor for public comments.

Mr. Phil Moffitt, 899 W. 17th Avenue, Junction City, stated that if the Council would be considering bees, he had a printout that provided guidelines. He noted that he had provided a copy to Administrator Watson.

Mayor Brunscheon responded that he would want the Planning Commission to have a copy of that guideline, if it is decided that they should review this topic.

Mr. Jamie Hooper, 449 Laurel Street, Junction City, stated that he felt it was wise to handle bees separately from the discussion on chickens and ducks. He shared that he had a neighbor who has kept chickens and did not even know that he had them until this issue came up. He reviewed that chickens and ducks were not only good for eggs, but were good for the garden as they were quite, ate pests, bugs and snails without having to use pesticides, and provided manure that could be composted and used as fertilizer. He continued that there were so many benefits from allowing this and he did not know of any incorporated city in Oregon that did not allow chickens or ducks. Mr. Hooper continued that the suggested rules made sense and he felt this would be a benefit to the citizens. He asked if the Council had any questions or concerns that citizens could address.

Councilor Christensen shared that he recently found out that his neighbor has had chickens for quite some time, and he, like Mr. Hooper, had been unaware of this. He stated that he would like to allow having chickens and ducks and then review in six months to see if there were any problems or questions that surfaced.

Ms. Patricia Phelan, 920 W. 1st Avenue, Junction City, stated that the only thing she would object to would be allowing roosters in the City limits.

Dr. Dale Rowe, 1824 W. 10th, Junction City, asked who would enforce this. Administrator Watson responded that enforcement would be a combination of working with Chief Chase and code enforcement in the Planning Department.

Mr. Moffitt noted that he did not want to have chickens, but if he did, he would not be able to have the coup be 15 feet from his neighbor or 10 feet from his house, due to his lot size. He asked if someone in this situation could be allowed to receive a waiver, if their neighbors were in agreement.

Administrator Watson responded that it would be difficult to manage from an administrative point of view, and the idea in setting up these parameters was to eliminate a majority of the potential issues that could come up. He continued that many properties

would be restricted because of having a small back yard and he recommended that the Council have strict rules in place that would allow for better enforcement capabilities. He added that a problem with allowing a waiver from a consenting neighbor would be having new neighbors move in who were not in agreement.

Mr. Moffitt responded that in that case you would have to get rid of them or put them in a different place if you had room. He noted that there were many chickens already in town, and he did not know of any complaints.

Mr. Tom Rogers, 890 W. 17th, Junction City, suggested that instead of establishing limits or criteria for having chickens, they could base the ordinance on the nuisance factor and if there was a complaint, provide the time and method for resolution. He continued that the ordinance should address the health and noise factors and there should not be a limit on the number of chickens or ducks you could raise.

Mr. Dean Skiller, 93710 River Rd., Junction City, provided the example of raccoons attacking chickens or ducks and brought up the possibility of citizens using BB guns or .22 rifles within the city limits.

Mr. Dudley Clark, 464 Laurel Street, Junction City, stated that he had received a \$500 fine for keeping ducks on his property and in the six years that he had them, he never saw a raccoon or other predacious creature. He noted that people would continue to have chickens and ducks and since this would be a complaint driven process, he thought it would be beneficial to have rules in place that would provide enforcement guidance instead of just having to get rid of the chickens or ducks. He expressed his agreement with not having licensing requirements and that there were many benefits, as noted by Mr. Hooper.

Councilor Leach noted that when this issue came before the Public Safety Committee, he went to the Prairie Meadows subdivision and talked to a number of residents on if they would like chickens and ducks within the City limits and most of them were against it. He and another Councilor also canvassed their home neighborhoods and those residents also did not want chickens. He stated that he had a problem with passing something, if the majority of the citizens were against it. He noted that the City of Veneta allows chickens, but only if the lot size is one acre or more. He added that there was a reason why this had not allowed in this City, even if other cities were allowing it.

Councilor Nelson stated that he asked some people in town about this as well and 5 to 1 were against. He added that chickens and ducks do make noise, as well as bees.

Councilor Leach provided the example of his tenant who had an irresponsible neighbor with chickens that cause tremendous damage to flower beds and sidewalks.

Mr. Phelan suggested that the Council conduct a poll to see how many people are in favor or opposed to allowing chickens and ducks and to present this information to the Planning Commission.

Mr. Clark responded that a poll had already been conducted and a majority of people had said that they wanted chickens, but the poll had been disregarded by the Council. He asked what sort of poll or canvassing process would be of an acceptable means that would not be thrown out.

Ms. Karen Leach, 385 Timothy Street, Junction City, stated that she would be more than happy to volunteer and take a petition around to her neighborhood or any other neighborhood in town.

Mr. Mike Bonner, 1467 W. 12th, Junction City, stated that he and other people choose to live in a city to have certain rules and regulations and if someone wanted to raise chickens they could get some property outside the city limits.

Ms. Kristan Welsh, 1455 W. 12th, Junction City, stated that she agreed with Mr. Bonner and had conducted a poll with a dozen of her neighbors and all of them were opposed. She added that they had one neighbor who had chickens that got out, which created a large problem.

Mr. Moffitt stated that he chooses to live in the city because he could not afford to move out to the country, in response a comment made by Mr. Bonner.

Mr. Clark stated that you could argue that dogs are messy and have caused more complaints than chickens would ever cause. He continued that people were going to do this anyway, whether people like it or not and whether the majority or minority rules, so the question was how to address it. He noted that if this is pushed back under the surface, it would still be complaint driven. He suggested that as long as it is complaint driven, that a set of rules and guidelines be put in place to deal with each particular instance.

Mr. Tristan Clark, 494 Laurel Street, Junction City, stated that a year ago they had ducks and the police came and talked to his dad. He added that the police were very nice and said that they had to get rid of their ducks.

Mayor Brunscheon asked what the Council would like to do and reviewed options.

Councilor Nelson stated that he would like to see the input from everyone at tonight's meeting forwarded to the Planning Commission.

Councilor Sumner expressed his concurrence with Councilor Nelson. He noted that the Planning Commission could go through the public hearing process and make a recommendation to the Council and then the Council would make the final decision.

Mayor Brunscheon asked if there was a consensus to take Councilor Nelson and Councilor Sumner's recommendation.

Councilor Leach responded that there was not.

Chief Chase noted that the Planning Department had used Survey Monkey to conduct the last survey, and it was not validated as the only people who knew about it were the ones who wanted the chickens.

Mr. Steven Hitchcock, 635 W. 14th Avenue, Junction City, asked what it would take to get a legitimate petition.

Ms. Leach and Mr. Moffitt indicated they would be happy to circulate petitions.

Administrator Watson responded that they could submit that to the Planning Commission during the public hearing process.

Chief Chase added that this issue had been discussed on many occasions by the Public Safety Committee, beginning in January 2011, and the final vote of the Committee was 2 to 1 against allowing chickens in the City limits.

MOTION: Councilor Sumner made a motion that they take the idea of chickens, bees, and ducks to the Planning Commission for a public hearing and decide whether or not the City should have these in the City limits. The motion was seconded by Councilor Nelson and passed by a vote of 3 to 2, with Councilors Nelson and Sumner in favor, Councilors Leach and Christensen against and Mayor Brunscheon voting in favor to break the tie.

X. SCANDINAVIAN FESTIVAL ASSOCIATION REQUEST FOR 2012 FESTIVAL

Director Bowers reviewed that Administrator Watson would be the staff point of contact prior to and during the festival and that staff had completed follow up with business owners who had expressed concerns on set up. The Community Development Committee reviewed the request and conditions and recommended approval.

MOTION: Councilor Nelson made a motion to approve the street closure conditions for the 52nd Annual Scandinavian Festival with the additions, as recommended by staff. The motion was seconded by Councilor Christensen and passed by unanimous vote of the Council.

XI. INTERGOVERNMENTAL AGREEMENT WITH LANE COUNCIL OF GOVERNMENTS FOR SENIOR MEALS

Director Bowers stated that this was an annual agreement that the Senior Center enters into for the administration of the Dining Room and Meals on Wheels Programs. Community Services Committee reviewed and recommended approval.

MOTION: Councilor Sumner made a motion to approve the Intergovernmental Agreement with Lane Council of Governments for the Senior Meals Program, as presented, and to authorize the Mayor to sign the agreement. The motion was seconded by Councilor Leach and passed by unanimous vote of the Council.

XII. PLANNING UPDATES

A. TRANSPORTATION SYSTEM PLAN

Administrator Watson stated that the Citizen Advisory Committee (CAC) recently met to discuss moving forward with the Transportation System Plan (TSP) update, as had been requested by the Council. The question was whether to move forward with the current status of the Customized Periodic Review or not. After discussion, the CAC recommended continuing with the TSP update.

MOTION: Councilor Nelson made a motion to continue with the TSP update. The motion was seconded by Councilor Sumner and passed by unanimous vote of the Council.

B. CUSTOMIZED PERIODIC REVIEW

Administrator Watson noted that the Planning Commission reviewed the results of an updated Residential Buildable Lands Inventory and Housing Needs Analysis and next week would review the revised ESEE Analysis that incorporates the recent wetland protection standards.

Councilor Sumner added that the Customized Periodic Review Subcommittee would be meeting on June 19, 2012 at 9:00 a.m. to review updated Economic Opportunities Analysis and Findings and would provide recommendations to the Council.

Mayor Brunscheon expressed appreciation to all involved and encouraged everyone to continue working diligently on the process.

XIII. DEPARTMENT OF ENVIRONMENTAL QUALITY TIMELINE ON CITY'S MUTUAL AGREEMENT AND ORDER (MAO) FOR SEWER TREATMENT

Director Knope stated that before the Council was a timeline that was requested by the Department of Environmental Quality (DEQ) to address the City's Mutual Agreement and Order (MAO), which was originally drafted in 1995. The last renewal expired as of January 1, 2012, and Westech drafted a timeline for the Sewer Treatment Plant project. The Treatment Stakeholder Subcommittee reviewed and recommended adding an additional year to the construction timeframe, which now shows completion of the Treatment Plant in eight years.

MOTION: Councilor Nelson made a motion to direct staff to draft the response letter to the DEQ with the draft timeline, as recommended by the Treatment Stakeholder Subcommittee. The motion was seconded by Councilor Christensen and passed by unanimous vote of the Council.

XIV. LANE COUNCIL OF LIBRARIANS INTERGOVERNMENTAL AGREEMENT

Director Bowers stated that this agreement allows reciprocal lending throughout the county amongst eight libraries. Community Services Committee recommended approval.

MOTION: Councilor Nelson made a motion to approve the Intergovernmental Agreement for Lane Council of Librarians as presented and to authorize the Mayor to sign the agreement. The motion was seconded by Councilor Sumner and passed by unanimous vote of the Council.

XV. INTERGOVERNMENTAL AGREEMENT 8 ENGINEERING SERVICES

Director Knope stated that this agreement would allow Westech Engineering to begin the design and bidding work. Funds are allocated in the Department of Corrections (DOC) Intergovernmental Agreement (IGA) Fund for the state to pay for this work.

Alternate Phelan said she was interested.

Motion: Commissioner Haag made motion to recommend reappoint of Commissioners Leach and Thiesfeld to their commission seats, appoint Alternate Phelan to the Planning Commission seat being vacated by Commissioner Bernardy and appoint Mr. Kenneth Weaver to an alternate position. The motion was seconded by Commissioner Dunn.

The motion passed with a unanimous vote.

IV. CHICKENS AND BEES IN THE CITY LIMITS

Planner Clauson said the issue was brought before the City Council in June, 2012. The Council directed staff to take the question of urban chickens, ducks and/or bees to the Planning Commission.

Chair Lemhouse asked if there were public comments.

Lane County Bee Keepers Society, Ms Judy Share, Eugene OR, her organization recommended a limitation on hives of two (2) and encouraged access to education. There was a master level bee keeper program through the State of Oregon as well as other resources.

Diana Smith, 633 SW Laurel Street, Junction City OR 97448 spoke in support of chicken keeping in the city limits. She suggested looking to other communities which allow chicken keeping.

Commissioner Thiesfeld said there was a website called 'thecitychicken.com' that contained information on city's that allowed chicken/bee keeping. He asked to have the survey monkey put back up on the city website to gather more feedback.

City Administrator suggested using another survey source as survey monkey allowed multiple responses from one individual.

Chair Lemhouse asked what Planner Clauson needed from the Commission this evening. He suggested a work session to begin drafting an ordinance.

Planner Clauson said the timeline provided in the packets could be condensed. She could simply bring back draft regulations.

Commissioner Wheeler asked if the study session was an appropriate time for citizen input.

Planner Clauson said it could be structured that way. Typically a study session was for the commission to review and discuss the issue.

Chair Lemhouse asked if they needed a work session.

Planner Clauson replied she could present various options for the different aspects of chicken and/or bee keeping at a work session.

Commissioner Haag suggested should there be regulations they should be kept simple.

Sterling Biggar, 1535 Juniper Street, Junction City Oregon 97448, said bee keepers can keep the Africanized bees under control in areas that have that type of bee.

Commissioner Bernardy said of the people she spoke with in town most were accepting of beekeeping, they were not supportive of urban chickens.

Chair Lemhouse asked the Commission if there should be public comment during the work session

Commissioner Haag preferred the work session be a time for the Commission to discuss and review the information.

Commissioner Leach asked how other jurisdictions dealt with these issues in regard to rental housing.

Planner Clauson said there was less information available on bees as far as ordinances. There were some model ordinances from advocacy groups.

Chair Lemhouse asked Planner Clauson to contact other Oregon jurisdictions that have bee and/or chicken keeping ordinances to see what their experience had been.

Planner Clauson said the next meeting could be a work session.

The Commission suggested a public hearing could be held in January, 2013.

V. FUTURE AGENDA ITEMS

Planner Clauson reviewed the following future agenda items. Oregon State Hospital development review application had been received.

The Transportation System Plan update was

VI. COMMISSIONER COMMENTS

Commissioner Wheeler reminded the Commission to remain professional.

VII. ADJOURNMENT

Motion: Commissioner Wheeler made a motion to adjourn the meeting. The motion was seconded by Commissioner Haag.

Vote: 6:0:0

Chair Lemhouse, Commissioners, Haag, Leach, Thiesfeld, Wheeler, Bernardy and Dunn voted in favor.

The meeting was adjourned at 6:21p.m.

The next regularly scheduled Planning Commission meeting would be Tuesday, October **, 2012 at 6:30 p.m.

Respectfully Submitted,

Tere Andrews, Planning Secretary

Brad Lemhouse, Chair

Re: FW: proposed draft BeeKeeping ordinance

Judy Scher [judyscher@gmail.com]

Sent: Tuesday, December 04, 2012 3:53 PM**To:** CLAUSON Stacy A

Hi Stacy,

In good practice, there shouldn't be a set number of hives per property, but a max of 4 is very reasonable. The reason for this is because in the spring you may need to divide the hive to minimize swarming. When you divide a hive you actually start a smaller hive and the original hive is relieved of brood congestion. I like to carry two hives and two half-hives (called "nucs") through the winter. This way, if I've lost a hive I can build up the nuc. If my hives are strong, I can build up the nucs and sell them or move them off my property. I also like nucs because if one of my hives loses its queen I can combine a nuc (which has a queen) with the queenless hive.

I hope this is understandable but a good beekeeper really need this flexibility. It's a dance!

-Judy

PS Now I get to give this argument to the City of Eugene on Dec. 11!!

On 4 December 2012 12:09, CLAUSON Stacy A <SCLAUSON@lcog.org> wrote:

Hi Judy,

Thank you for your comments on the draft ordinance. The Planning Commission directed that changes be made to reflect your comments and I will be completing these. One issue did come up in their review - the number of colonies that should be allowed on a residential lot. The Planning Commission has discussed lowering the number allowed from four (as proposed in the draft ordinance that you reviewed) to two colonies. Many of our lots in town are around 6,000 square feet in size and there was concern that having four colonies may be too much. The Planning Commission wanted me to ask whether there was any safety reason to allow a larger number of colonies (say four) on a lot. Can you provide your feedback on this issue? Thanks again for your assistance on these provisions!

Stacy

From: Tere Andrews [tandrews@ci.junction-city.or.us]

Sent: Monday, November 19, 2012 8:27 AM

To: CLAUSON Stacy A; JC Planning

Subject: FW: proposed draft BeeKeeping ordinance

Regards,

Tere Andrews

Administrative Assistant

City of Junction City

www.junctioncityoregon.gov

[541.998.4763](tel:541.998.4763) (ph)

[541.998.3140](tel:541.998.3140) (fax)

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From: Judy Scher [mailto:judyscher@gmail.com]
Sent: Saturday, November 17, 2012 6:05 PM
To: Tere Andrews
Subject: Re: proposed draft BeeKeeping ordinance

Hi Tere,

I made a couple of changes and suggestions to the proposed ordinance. Under my suggestions is the ordinance with red wording where my suggestions come from.

Sorry, I won't be able to attend the Tuesday meeting since I'm conducting the Lane County Beekeepers Assoc. meeting at the same time.

-Judy

On 16 November 2012 15:29, Tere Andrews <tandrews@ci.junction-city.or.us> wrote:

Judy,

Thank you for your time. Attached are the draft regulations I mentioned on the phone.

Regards,

Tere Andrews

Administrative Assistant

City of Junction City

www.junctioncityoregon.gov

[541.998.4763](tel:541.998.4763) (ph)

[541.998.3140](tel:541.998.3140) (fax)

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Public Comments

Attachment #	Last Name	First Name	Street Address	City	State	Zip Code	Summary of Comment
1	Pedersen	Fleming & Bente	870 Oak Street	Junction City	OR	97448	Opposed to amendment to zoning code to allow domestic chickens and bees within the city limits.
2	Smith	Diana	633 SW Laurel Street	Junction City	OR	97448	Supportive of amendment to zoning code to allow domestic chickens and bees within the city limits.
3	Rossow	Josh	933 Kaylee Ave	Junction City	OR	97448	Supportive of amendment to zoning code to allow domestic chickens and bees within the city limits.

870 Oak Street
Junction City, OR 97448
(541) 998-8981

January 15, 2013

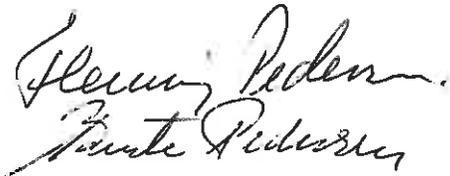
Junction City Planner
City of Junction City
680 Greenwood Street
P. O. Box 250
Junction City, OR 97448

Re: Written Comment Regarding Zone Change

Dear City Planner:

We are opposed to the proposed amendment to the zoning code to allow chickens, ducks and other fowl on residential properties within city limits. In May 2012, while removing and replacing our fence that divides our back yard with our neighbors' back yard, we became aware that our neighbors were unlawfully keeping chickens. Although there is a chicken coop, the chickens have been allowed to roam free in their yard. Within a month of discovering the chickens, we caught approximately 50 mice in and around our home. We believe there is a connection between the mice that are now in and around our home and the chickens that are on our neighbors' property. The mice are disgusting and their droppings cause a health hazard. Please do not pass this amendment to allow chickens on residential property.

Sincerely,

The image shows two handwritten signatures in black ink. The top signature is 'Flemming Pedersen' and the bottom signature is 'Bente Pedersen'. Both are written in a cursive, flowing style.

Flemming and Bente Pedersen

Wesley, Diana, Aegis and Anika Smith
633 SW Laurel Street
Junction City, OR 97448

01/14/13

To Junction City Planning Commission

We would love to raise chicken hens in our backyard. Chickens are very sustainable and not only can they produce eggs their entire life, up to 15 years, they can take care of the garden's insect and slug problem and their manure can be composted. Like backyard gardening, raising chickens reduces the carbon footprint and allows for many opportunities of teaching children of responsible caring for animals and how food can be grown and kept, rather than bought at the store.

Eggs from backyard chicken hens are much more nutritious and fresher than ones you can buy at the store. Eggs are considered fresh 90 days after they have been laid. Why eat a 3-month old egg, when you can have one the same day it was laid? The price of organic eggs in Junction City is \$4.59 per dozen, which is a steep price, considering how 4 chicken hens will produce the same amount, during the sunnier months, in 3 days. Raising hens can reduce the skyrocketing price of our food bill and make it unnecessary to drive to Eugene to buy organic eggs at reasonable prices.

Chickens are neither loud, nor they create a lot of waste. 3-5 hens, without a male, will not create attention for themselves, and even if they occasionally call, it is certainly quieter than a barking dog. Ten hens produce less waste than a 40-pound dog per day, and chicken manure makes a great fertilizer. They do not carry exotic diseases and are really more like a pet than like livestock. Unlike cats and dogs, they do not carry rabies and do not need to be vaccinated. It is entirely possible to raise chickens in the backyard without it being a health hazard, dirty or a nuisance. Again, that is up to the person responsible for the hens.

Cities like New York and Portland allow the raising of backyard chickens. In San Francisco, you can also raise goats in your backyard. I would love to see our small town in the country, where "eggs are cheaper", to adopt the same high standards. I have attended several town official events and have sadly observed some very negative attitudes towards this issue. Town officials should take a forward-looking approach to this matter and recognize all the benefits associated with the change of the city ordinance and vote on facts and not personal opinions.

Our family pleaded to the City Council about raising chicken hens in our backyard. This gave us a great opportunity to demonstrate the civic process to our son. He is very excited about this. I would like to tell him that we can raise chickens in our backyard and that our efforts and initiative are taken seriously and are paying off. Please support the community by making the right decision.

Sincerely,

Diana Smith



Tere Andrews

From: Josh Rossow [joshr@mid-valleytractor.com]
Sent: Thursday, January 17, 2013 12:34 PM
To: JC Planning
Subject: Zoning code to allow chickens, ducks, and bees on res. properties

I think allowing chickens, ducks, and bees in residential areas under controlled numbers would be a good idea. Many people wish they could live in the country and raise their own food, but in these hard times many cannot afford that luxury. Junction City is as close as some can get to the country and enabling small low maintenance animals would be an added benefit to living in Junction City.

I live at 933 Kaylee Ave

Thanks for listening to my input.

Josh Rossow

Mid-Valley Tractor & Polaris
90382 Hwy 99 North
Eugene, Or 97402
541-688-8000