

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 18th day of October, 2016 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Blair Camp,	Council Chair – Conducted
Brett Hales,	Councilmember
Diane Turner,	Councilmember
Jim Brass,	Councilmember
Dave Nicponski,	Councilmember

Others who attended:

Ted Eyre,	Mayor
Jennifer Kennedy,	City Recorder
Frank Nakamura,	City Attorney
Janet Lopez,	Council Administrator
Janet Towers,	Executive Assistant to the Mayor
Justin Zollinger,	Finance Director
Brenda Moore,	Controller
Tim Tingey,	Administrative and Development Services Director
Mike Terry,	Human Resources Director
Scouts	
Citizens	

1. Opening Ceremonies

1.1 Pledge of Allegiance – Joey Horne

1.2 Approval of Minutes

1.2.1 Committee of the Whole – September 6, 2016

1.2.2 Council Meeting – September 20, 2016

Mr. Brass made a motion to approve both sets of minutes

Mr. Nicponski seconded the motion

Voice vote taken, all “ayes.”

1.3 Special Recognition

Mr. Camp asked the scouts in attendance to introduce themselves and state their troop number and the badge they are working on.

1.3.1 Murray City Council Employee of the Month, Ray Mines, Streets Field Supervisor.

Staff Presentation: Brett Hales, Councilmember

Doug Hill, Public Services Director

Mr. Hales said the Council started the Employee of the Month a few years ago. They felt it was important to be able to recognize the City’s employees. He presented Mr. Mines with a certificate, a \$50 gift card and told him that his name would appear on the plaque located in the Council Chambers. He expressed his appreciation to Mr. Mines for all he does for the City.

Mr. Hill spoke about the work that Mr. Mines does for the City and congratulated him on behalf of the Public Services Department, the Mayor and the Council.

2. Citizen Comments (Comments are limited to 3 minutes unless otherwise approved by the Council.)

Tom Henry – Murray City, Utah

Mr. Henry thanked the Council and Mayor for the pumpkin races that were held last week. He informed everyone about the Haunted Woods that will be taking place in Murray Park on October 24th, 25th, and 26th, 2016 from 6:30 to 8:30 pm. He invited everyone to come.

3. Consent Agenda

3.1 Consider confirmation of the Mayor’s appointment of Wendy ParsonsBaker to the

Murray History Advisory Board in an At-Large position for the remainder of a term that expires on August 1, 2017.

Mr. Brass made a motion to approve the Consent Agenda
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

A Mr. Brass
A Ms. Turner
A Mr. Hales
A Mr. Nicponski
A Mr. Camp

Motion passed 5-0

4. Public Hearings

4.1 Public Hearing #1

4.1.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an ordinance relating to zoning; amends the Zoning Map for property located at approximately 4950 – 5056 South State Street, Murray City, Utah, from M-C-C-D (Murray City Center District) to C-D (Commercial Development). (Intermountain Healthcare applicant.)

See Attachment 1 for slides from this presentation

Staff Presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey said this item was considered at the September 15, 2016 Planning Commission meeting and they recommended approval of this proposal. He explained the City's General Plan designates future land uses, however, this is not a General Plan amendment as the General Plan supports this proposal. These properties were originally part of the Murray City Center District. (M-C-C-D) and the General Plan supports them becoming Commercial Development (C-D). The properties are located on State Street, just south of Vine Street and adjacent to the creek and medical center.

These properties are in the M-C-C-D zone which has fairly stringent design standards related to new development. Across the creek is C-D zoning, which is what this proposal is for and what the current Intermountain Medical facility was developed at.

This property includes a small portion of the apartments that are on Vine Street however it doesn't take away from the parking or any of the amenities. It is a very small portion and would not cause a problem with the zone change.

Intermountain Medical Center is an important economic driver in our community. An important element of development is the community of healing concept. As Intermountain Healthcare looks at developing new facilities and buildings it is important to have consistent land development patterns. The General Plan talks about the promotion of complimentary development patterns. Where Intermountain Healthcare (IHC) owns this property, it is part of the campus feeling that will ultimately be developed throughout the whole area they own.

Staff has looked at this proposal closely. They feel it is important to have consistent development patterns to allow for more options in the C-D-C zoning to facilitate that campus orientation feeling rather than having the strict design standards of the M-C-C-D zone.

Mr. Camp asked for clarification on what part of the apartments was being talked about.

Mr. Tingey showed it to him on the map.

Mr. Hales asked that even though this zoning amendment doesn't affect the apartments right now, could it down the road.

Mr. Tingey said the development won't affect them. As they go through the process to review permits, it won't be an issue. Either the apartments will stay there for a long time or there may be other plans for them, but that would be evaluated later on.

Sponsor Presentation: Dan Kohler – Director of Facility Planning and Development for IHC

Mr. Kohler said IHC intends to develop this site to include a new four story structure that will be about 120,000 square feet that will house their clinical services programs administration as well as education facilities for physician leadership training for candidates from across the country.

Public Hearing Open for Public Comment

No public comments were given.

Public comment closed

4.1.2 Council consideration of the above matter.

Ms. Turner made a motion to adopt the ordinance
Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

<u>A</u>	Mr. Brass
<u>A</u>	Ms. Turner
<u>A</u>	Mr. Hales
<u>A</u>	Mr. Nicponski
<u>A</u>	Mr. Camp

Motion passed 5-0

4.2 Public Hearing #2

4.2.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an ordinance relating to land use; amends the Zoning Map for property located at approximately 1187 West Bullion Street, Murray City, Utah, from A-1 (Agricultural) to R-1-10 (Low Density Single-Family) and R-1-8 (Low Density Single-Family). (Cumulus Radio/Citadel Broadcasting applicant.)

See Attachment 2 for slides from this presentation

Staff Presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey said this item was considered by the Planning Commission on September 15, 2016. There is a requirement under State Law that there are public hearings held under the land use authority as well as the city council for a zone change. All the information from the Planning Commission meeting has been forwarded to the Council.

Mr. Tingey showed a map of the property, which is about 25 acres, located south of Bullion Street. The proposal is for two different land use designations and splitting the property. One half of the property is being proposed to go to R-1-8 which requires 8,000 square foot lots and the other portion would go to R-1-10 which are 10,000 square foot lots. Both zones are for low density single-family. The majority of residential areas in the city are developed under these two zoning categories.

This property is currently zoned A-1 (Agricultural) which requires lots to be one acre or larger. This change would require single-family lots to be 8,000 square feet on the east side and 10,000 square feet on the west side. To the west of this property there are other properties that are already zoned R-1-10. On the east side of the property are properties that are zoned R-1-8. The majority of development in that area is R-1-8.

This is not a General Plan amendment because the General Plan has this property going from agricultural to single-family low density as its future land use. Both staff and the Planning Commission are recommending approval.

Sponsor Presentation: Chris Terry – Cumulus Radio Corporation and Citadel Broadcasting Company

Mr. Terry said they have reviewed the both the recommendations from staff and the Planning Commission and would comply.

Public Hearing Open for Public Comment

No public comments were given.

Public comment closed

4.2.2 Council consideration of the above matter.

Mr. Nicponski made a motion to adopt the ordinance
Ms. Turner seconded the motion

Call vote recorded by Jennifer Kennedy

<u>A</u>	Mr. Brass
<u>A</u>	Ms. Turner
<u>A</u>	Mr. Hales
<u>A</u>	Mr. Nicponski
<u>A</u>	Mr. Camp

Motion passed 5-0

4.3 Public Hearing #3

4.3.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an ordinance enacting Chapter 17.65 and amending Sections 17.96.020, 17.100.020, 17.104.020 and 17.108.020 of the Murray City

Municipal Code relating to residential beekeeping.

See Attachment 3 for slides from this presentation

Staff Presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey stated that in late 2013 and early 2014 staff was directed by the City Council and Mayor's office to look at some modifications to allow for beekeeping in residential zones. Currently, the City allows beekeeping in agricultural zones which are very limited throughout the City. Beekeeping is not allowed in single-family and multi-family residential areas.

Mr. Tingey explained that staff held some public open houses where a variety of land use issues, including chicken and beekeeping issues, were discussed. With input from those open houses, staff drafted an ordinance and took it to the Planning Commission. The Planning Commission forwarded a recommendation to the Council, but there was a lack of consensus of what the residents wanted. There were a lot of people who had concerns about allowing beekeeping in residential neighborhoods and a lot of people who wanted to see it allowed.

Staff then talked with the Council about going forward with a scientific survey that was already going to be done as part of the General Plan process. The survey was sent to a random sample of residents and included a variety of questions relating to land use, economic development, the City in general, and beekeeping. Mr. Tingey shared some of the results from the survey: 38% of the respondents stated that it was very or somewhat important to allow beekeeping, 27% stated it was very or somewhat unimportant to allow beekeeping, and 35% were undecided on whether to allow beekeeping or not.

After staff received those results, they were unable to make a recommendation because there was not a great understanding of what the majority of the citizens wanted in relation to beekeeping. For that reason, staff recommended keeping the status-quo which is to allow beekeeping in A-1 Agricultural areas only. Since then, the Council has decided they want to reconsider this which is what is happening tonight.

Mr. Tingey stated this proposal would allow for beekeeping in residential neighborhoods where properties are zoned R-1-6, R-1-8, or R-1-10. Only properties with 8,000 square foot lots or greater are allowed to have beekeeping on them. Beekeeping is allowed in an R-1-6 only if the lot is 8,000 square feet.

This proposal is for residential properties only and does not apply to

commercial properties.

Mr. Tingey went over some of the proposed ordinance standards. Some of those standards include:

- Pay for and obtain a permit from the City;
- Applicants must be beekeepers and provide a certificate of insurance verifying beekeeping is covered in their insurance policy;
- Provide a site plan showing the placement of the hives;
- Provide a certificate of completion of a beekeeping training course.
- Provide written consent of the property owner if the beekeeper does not own the property;
- Provide proof of state registration. This has to be maintained for the life of the hive on the property.

Mr. Tingey went over the quantity of hives permitted on lots. He said there are identification signs that are required to be on the property and in the apiary area. Those signs must include the name, address and telephone number of the owner of the apiary.

Bees are permitted in a fenced rear yard or a completely fenced corner side yard. No hives may be kept in a front or side yard; especially if there is no fence. Hives should be located 10 feet away from all property lines and dwellings on the lot and 25 feet away from dwellings on adjacent lots. Only hives with removable frames are permitted in order to allow for inspection and no bee comb, dead bees, or related apiary debris shall be left on the ground.

Mr. Tingey said some of the opposition to this ordinance includes concern about individuals and children who live on adjacent lots or close to the area being stung, especially those with allergies. Another concern was with the small size of the lots in residential neighborhoods compared to lot sizes in the agricultural zone which are an acre or more.

Some of the positive aspects to this ordinance are the long term pollination bees provide, education for children and others who are involved with beekeeping, and the honey that is produced is a food source.

Mr. Tingey added another component of this ordinance is there has to be a fly barrier in place as part of the site plan. It can be vegetation or some other element that directs the bees away from adjacent lots.

The Planning Commission recommended approval of this ordinance, although it was not a unanimous vote.

Frank Nakamura, City Attorney added this ordinance provides beekeeping

as a permitted use in an R-1-12 zone which is also a lot density residential zone.

Mr. Tingey reiterated it was hard to understand what the majority of people want to see in regards to beekeeping. Staff has some concerns because there is going to be an administrative and enforcement element that is currently not being done. Right now, enforcement is only done when the City becomes aware of bees that are being kept where they shouldn't be. With this ordinance, staff will have to go out and inspect and keep all the administrative documents together. This concern can be overcome, but it is something that staff will have to work towards.

Public Hearing Open for Public Comment

Chris Rodesch – 6556 South Jefferson Street, Murray, Utah

Mr. Rodesch said he is the Apiary Inspector for Salt Lake County. The State and County come together to inspect hives and ensure safety and compliance with various regulations. The County does not do zoning regulations, but if there is some kind of problem with a beekeeper or the neighbors of one, he acts as a resource to explain the best practices for beekeeping and mediate problems.

Mr. Rodesch said he deals with between 10 and 20 different complaints throughout the entire County. Cities call him and he meets with the beekeeper and their neighbor to mediate these sort of things. He feels it is a pretty good system. He suggested that the City not incorporate some type of regulatory mechanism within the City, but rely on the Utah Department of Agriculture and Food or him. Most other townships use the State registration. Mr. Rodesch feels that would probably be sufficient for the City's needs.

Mr. Rodesch said there are cases where a beehive is causing a nuisance to a neighbor to the point where there is a concern. Situations like that are usually deferred to zoning under the nuisance law so the beehive can be removed. He added that a lot of homeowner's insurance have no mechanism for this and really don't know what to do with it. There are insurances that are available, but it's uncommon to require that.

William Strong – 629 East Duck Creek Circle, Murray, Utah

Mr. Strong wants to keep the ordinance the way it currently is. If people want to have bees, they have the opportunity to move to an A-1 Zone, or other places in Salt Lake County. Murray has the smallest lot sizes of any city in Salt Lake County so whatever is done on your property could impact your neighbor. He thinks 8,000 square feet is too small for beekeeping. He doesn't think the space should be any lower than half an acre in order to have bees. He also reiterated that was mentioned earlier showed there was

not a clear majority of residents in Murray that want bees. Unless there is a very clear mandate to change the ordinance, he doesn't think it should be changed.

Stephen Stanko – Utah Department of Agricultural and Food (UDAF)

Mr. Stanko is here on behalf of Christopher Watson, Entomologist Program Director and Commissioner LuAnn Adams. Mr. Stanko is an advisor for the Beekeeping Club at the University of Utah where he also teaches advanced beekeeping courses; he is not speaking on behalf of the University of Utah tonight.

Mr. Stanko said many cities throughout the County allow beekeeping without any significant issues. Salt Lake City has a very loose ordinance that regulates beekeeping and they don't have any significant problems. It's important to keep in mind that Salt Lake City has a much higher beekeeper and population density than Murray does. Bees are important to agriculture in our state. There are over 35,000 beehives in Utah that provide millions of dollars in economic value every year.

Mr. Stanko had a conversation with the Center for Disease Control (CDC) about mortality and morbidity rates from insect stings. Nationally there are about 52 incidents with significant mortality or morbidity from insect stings; it is a very rare occurrence. Currently, the UDAF does not allow anyone to keep aggressive bee stock. Aggressive bees wouldn't necessarily be a concern for the City because if there were aggressive bees, the UDAF can do enforcement on their end.

Mr. Stanko said the UDAF's biggest focus is compliance and for the most part are in favor of the proposed ordinance. They are concerned with the registration portion of the ordinance. While some cities do require beekeepers to register with them, there is a list of registered beekeepers in Murray City that is already kept by the UDAF.

The UDAF is also concerned about the \$100 non-refundable permit fee because they feel things like that lower compliance. If a city has very restrictive ordinances, often people are less likely to comply. The site plan and certification of completion of a beekeeping course also seem excessive and could lower compliance. Mr. Stanko also feels that beekeepers will have difficulty getting insurance that specifically lists beekeeping as being covered under a homeowner's policy.

Albert Chubak – 5033 Commerce Drive, Murray, Utah

Mr. Chubak has two companies that pertain to beekeeping. One is Utah Bee Removal where he pulls bees out of homes, sheds, roofs, walls, and floors and the other is where he produces beehives and educates and teaches

beekeeping.

Mr. Chubak thinks the \$100 registration fee is excessive. Last year there was an issue with the State where people were arguing that they had to pay \$10 for a state registration fee; nobody wanted to pay it. Beekeepers don't make that much so to pay \$100 at the beginning is really tough.

There are already bees on properties in Murray. Most of the aggressive bees that sting people are wasps and hornets, not honey bees. When honey bees are away from the hive, they don't have any desire to attack. They have the desire to go get water, nectar, and pollen. It's the wasps and hornets that are aggressive.

Mr. Chubak added that in Utah there is really nowhere to go to get certified to be trained as a beekeeper.

Matthew Green – 573 East Trunk Bay Circle, Murray, Utah

Mr. Green thinks this ordinance should be passed. He feels the benefits outweigh any negative consequences. As Murray becomes a city that allows beekeeping, education will increase. Pollination will increase and citizens will have the ability to have economic gain if they are able to sell what they produce.

There is a decline in bees worldwide. If education and awareness of beekeeping increases, bees will be successful. Mr. Green feels more bees are needed in this area. Bees are not aggressive. They are very calm and want to forage and take care of their hive. They are not out to sting people or be aggressive in anyway.

Mr. Green said during Mr. Tingey's presentation there was talk about the number of hives that were allowed on certain sizes of property. Part of the idea of having more than one hive is actually part of good bee husbandry. It helps beekeepers increase their stock and what they produce. It's a good thing to have two or three hives so there can be some flexibility in beekeeping operations. The State and County officials are trained and qualified to do what they do and it would be good to integrate our City in their efforts.

Denise Hunsaker – Wasatch Beekeepers Association

Ms. Hunsaker said there are a lot of beekeepers in Murray but because of the City's restrictions and ordinances they're not going to come and register with the City. She does not like that the proposed ordinance states that a person must be a beekeeper and have a lot that is at least 8,000 square feet. She lives in downtown Salt Lake on just less than half an acre of land and keeps her bees in her backyard. She currently has three hives, but could have up to five. She noted that the new ordinance does not have a definition of

what a hive is and none of the Councilmembers are beekeepers.

Ms. Hunsaker said part of her job is to tell beekeepers to let their neighbors know that they are a beekeeper. She encourages the beekeeper to give their neighbors their contact information so if their neighbors have questions or want to be educated, they know who they can contact.

Ms. Hunsaker asked how the City will qualify the education of a beekeeper. It's an ongoing process and changes every year. The best education a beekeeper can get is by joining a local club. Wasatch Beekeepers has a mentoring program where they can receive education and help with their hives.

Ms. Hunsaker asked who will be doing the hive inspections.

Avery Cook – 4647 South Box Elder Street, Murray, Utah

Mr. Cook said he doesn't have an interest in keeping bees, but he would like to see more pollinators in the community. He doesn't see any great harm or a negative side of bees. He doesn't see the reason to have redundant rules and regulations when beekeeping and bee hives are already being covered under the UDAF and Salt Lake County's regulations. The City resources shouldn't be put towards making a redundant layer of regulations.

Jake Pehrson – 1257 West Edgeberry Drive, Murray, Utah

Mr. Pehrson reiterated what others have already said. He doesn't understand why he needs to pay \$100 to register a small beehive, but his neighbor can have a giant dog run in their backyard and not have to pay that.

Beekeepers already have to register with and the UDAF and there is already a County inspector. He doesn't understand why Murray wants to do their own registrations and inspections. The fee could go away if the City weren't duplicating work that is already being done. He doesn't think beekeepers need to provide the City with a training certificate because he doesn't think people will buy a box of bees without having some knowledge of what to do with it.

As most cities are moving towards deregulation, Murray City still forbids it. He thinks if this proposal passes, it will be the most regulated proposal in the state for beekeeping. Mr. Pehrson is wondering why there is an insurance requirement for bees when insurance is not required for other animals.

Michael Jensen – 5847 Friesian Way, Murray, Utah

Mr. Jensen is not a beekeeper but he is a gardener. He has spoken with people who are beekeepers or who have lived near beekeepers and they see a huge benefit of the pollination in the yield of their fruits and vegetables.

He has family that have allergies to bees, but hearing the statistics on mortality from insect stings earlier tonight was enlightening to him. He stated the requirements of the ordinance seem too stringent.

David Bench – 5898 South Sagewood Drive, Murray, Utah

Mr. Bench said he is a beekeeper with about 200 hives so he is on the commercial side of this. Ninety percent of his hives are kept on Farmer's Markets fields where they are used for pollination. The other 10% are in the yards of people who want their fruits and vegetables to flourish

He said if beekeepers are encouraged to say they have bees, they will do the things that need to be done to take care of the bees that are already here. There are probably 12-13 beekeepers within a few blocks of where Mr. Bench lives. If beekeepers are driven underground they won't make themselves available to help remove nuisance bees and things like that. Beekeeping is a fun hobby and when people get educated, they tend to fall in love with it.

Adam Hardman – 6372 South 725 East, Murray, Utah

Mr. Hardman supports beekeeping. Putting together a beehive is a lot of work and people who are really dedicated to this put in a ton of time. He is an avid gardener and would love his neighbors to have bees. There has been a lot of commentary tonight about how the City seems to be trying to reinvent the wheel when the County and State already have mechanisms in place to govern this issue. The redundancy that is trying to be built into this code seems wasteful.

Mr. Hardman said he has been reading the minutes from past public meetings and found some things that haven't been addressed yet. This process has been going on for a quite some time, but hasn't gone anywhere. At a Committee of the Whole meeting in January of 2014 the Council recommended staff follow up with Salt Lake County in order to write this ordinance. He asked if that was done before this proposal was written.

Secondly, the Council asked Mr. Tingey during one of these meetings if his staff had discovered in their research with other cities any conflict or issues that had arisen from beekeeping. Mr. Tingey reported at that time that there weren't any such incidents in other cities such as Midvale or Salt Lake City. He asked if that was still the case or if there have been complaints since then. These restrictions are very restrictive and if you want people to comply barriers should be removed rather than created.

Public comment closed

Mr. Camp invited Mr. Tingey to address questions and comments that were made during the Public Hearing.

Mr. Tingey reiterated this is a zoning ordinance. Other communities have zoning ordinances in place for beekeeping. They require permits and many of the standards in other cities, in his opinion, are stricter than this proposal. For example, in Herriman you have to have a 10,000 square foot lot to have two hives and four hives is the limit.

The State and County are not going to enforce land use regulations. They will only enforce the elements related to the State Code which doesn't cover distance requirements to property lines or the number of hives on properties; it is the city's prerogative to do that. Inspections are a key part of what the City does and we would have to do them.

Mr. Tingey said although it may not be a definition that people agree with, there is definitely a definition of a hive as well as guidelines related to the hive structure in the proposed ordinance. The definition of the hive is the box, wooden ware or similar structure that a colony of bees inhabits.

The license for beekeeping is a one-time, \$100 fee and is good as long as the use isn't stopped for a year or more. The fee allows the city to review the plans and do inspections. It also covers the cost of any enforcement that may need to happen. The City requires licenses for dogs and other animals. Those licenses are done on a yearly basis.

Mr. Tingey said bees are classified as livestock and insurance companies provide insurance for livestock.

The City did consult with the County and State representatives as this ordinance was being drafted. Since 2014 the City has talked to other jurisdictions about complaints and there have not been many complaints related to beekeeping issues.

Mr. Tingey reiterated this is a zoning ordinance and there are regulations that cities have to enforce. If people are locating hives too close to adjacent residences, the City has concerns with that. It is important that these elements are in place if this ordinance is adopted.

Mr. Nicponski asked Mr. Tingey if he knows what other cities charge.

Mr. Tingey said he doesn't have the actual fees. The research was to find out if there were fees and, yes there are.

Mr. Nakamura said most of the City's zoning ordinances provide for fees to recoup costs for enforcement and administration. Implementing this ordinance will involve an increase in cost to enforcement and administration which is what the fee covers.

4.3.2 Council consideration of the above matter.

Mr. Hales made a motion to adopt the ordinance
Mr. Brass seconded the motion

Call vote recorded by Jennifer Kennedy

<u>A</u>	Mr. Brass
<u>A</u>	Ms. Turner
<u>A</u>	Mr. Hales
<u>A</u>	Mr. Nicponski
<u>A</u>	Mr. Camp

Motion passed 5-0

4.4 Public Hearing #4

4.4.1 Staff and sponsor presentations and public comment will be given prior to Council action on the following matter:

Consider an ordinance enacting Chapter 17.63 and amending Sections 17.96.020, 17.100.020, 17.104.020 and 17.108.020 of the Murray City Municipal Code relating to residential chicken keeping.

See Attachment 4 for slides from this presentation

Staff Presentation: Tim Tingey, Administrative and Development Services Director.

Mr. Tingey said this has a similar history to beekeeping. Chicken keeping is only allowed in agricultural zones. Currently, if there are issues with people keeping chickens on their residential lots, it is enforced. The City does not actively go out and knock on doors to see if people have chickens. There are a lot of people who have concerns with having chickens in residential neighborhoods. There are also a lot of people who want to have chickens for sustainability purposes. This was especially the case during the economic downturn. It is a nationwide trend but there are very differing viewpoints on both sides.

Mr. Tingey said this went through the same process as beekeeping, but more public comments were given on this than on beekeeping. All the public input and all of the minutes from public hearings that were held have been forwarded to the City Council.

Currently, chickens are not allowed in residential zones. With this

ordinance, chickens would be permitted in R-1-6, R-1-8, R-1-10, and R-1-12 zones that have at least an 8,000 square foot lot. This ordinance does not allow individuals to sell chickens or eggs to the public from their homes.

There would be a \$100 permit fee to register for chicken keeping. That permit does not run with the land. If someone moves, a new permit needs to be applied for. Mr. Tingey went over the quantity of chickens permitted noting that they are required to be in a coop. When permitted outside of the coop, chickens are required to be confined to a run.

Chickens would be permitted in a fenced, rear yard or completely fenced corner lot side yard. No chicken may be kept in any front or side yard areas. Mr. Tingey went over the location requirements for chicken coops and run structures and health and sanitation requirements.

Mr. Tingey said there was a variety of differing comments from the public. General issues of those who are against chickens are: the attractive nuisance, smell, noise, proper maintenance and management of the coops and runs, lower standard of living, and disposing of unwanted chickens. Mr. Tingey said at one time there was a belief that unwanted chickens could be taken to Wheeler Farm; that is incorrect. The City's animal shelter also does not have the facilities at this time to take in chickens.

Comments from those who are for chickens include: sustainability of a food source, personal freedom, having fresh eggs, and education elements.

The survey had more comments from those not supporting chickens than those in support of them. It showed that 40% of respondents felt it was either somewhat or very unimportant to have chickens; 29% indicated they were in support of chickens; and 31% were undecided on the issue.

Mr. Tingey said the State and County do not do as much with chicken keeping as they do with beekeeping. Other than lack of cleaning up coops, most all of the enforcement related to this is land use. The enforcement will stretch administrative personnel although they can make it happen. Based on the survey, there is not a consensus that a majority of people want this. There are also concerns about the disposal of the chickens. Chickens only lay eggs for a certain amount of time, then they don't lay them anymore.

The Planning Commission recommended approval of this ordinance. Staff has recommended that the status quo be maintained for this issue based on the survey and the concerns that were just mentioned.

Public Hearing Open for Public Comment

Nicholas Skolmoski – 5470 South Kenwood Drive, Murray, Utah

Mr. Skolmoski said he is in support of this ordinance. He thinks the \$100 fee is steep, but would agree to it. He believes the maintenance and general upkeep of chickens has been addressed adequately in this ordinance. He would like the Council to move forward with it.

Sarah Senft – 1110 East 5730 South, Murray, Utah

Ms. Senft thinks the issue of agriculture sustainability is the direction things are going. She has kept chickens and thinks they are wonderful. Not only do they fertilize and produce eggs, they are also wonderful companions and pets. She understands they are work, as all pets are. She agrees with the ordinance as it is written and hopes it moves forward.

Jake Pehrson – 1257 West Edgeberry Drive, Murray, Utah

Mr. Pehrson said we should always error on the side of freedom so people should be allowed to keep chickens. He doesn't think the questions was asked if people were against beekeeping or chickens on the survey. It sounded like they were asked if it was important or not. For some people, it may not be important, but that doesn't mean they are against it.

Teresa Flores – 5188 South Lucky Clover Lane, Murray, Utah

Ms. Flores is supportive of this because she thinks its progress in the right direction and its better than the current standing where people are not allowed to have chickens in residential areas. There are some parts of this ordinance that she doesn't agree with. Within a block of her residence, she knows of six families who currently have backyard chickens and have had them for years. She feels that people who get a dog or cat probably get less information and education than people who get chickens or bees. She thinks being more restrictive with those who keep bees and chickens than those who keep dogs and cats isn't right. Chickens are companions and pets and have many purposes.

Ms. Flores is curious about the fees that are charged to those who have dogs. Four of her neighbors have dogs in their backyards and she doesn't know if they are required to pay a \$100 fee. If they are, she doesn't know how many of them have paid that fee to have a permit to keep their dogs that are noisier than chickens and are often without leashes.

She has some concerns with this ordinance, but she thinks it's a step in the right direction and would support the Council approving it so the City can move forward and not backward.

William Strong – 629 East Duck Creek Circle, Murray, Utah

Mr. Strong said chickens are intrusive and people who say they are not don't know what they are talking about. He worked on a farm and knows how much chickens stink. He thinks predatory animals are also an issue with chickens. The survey indicated that the majority of Murray residents

are not for having chickens, so why change it. He disagrees that this is being progressive. You can sustain in other ways by having a garden or fruit trees. He strongly encouraged the Council to vote against this ordinance.

Avery Cook – 4647 South Box Elder Street, Murray, Utah

Mr. Cook said the fees associated with this ordinance are fair because they are used for cost recovery. As far as the health, sanitation, and intrusiveness of chickens on the neighbors, he thinks there is a small impact, if any, to them. A farm scale chicken operation would make quite a stench, but four or six chickens is a different matter, especially with the lack of roosters. He thinks it's educational for kids to learn where their food comes from and learning responsibility by taking care of an animal that produces your food.

Mr. Cook said chickens are pretty easy to get rid of. A lot of IFA stores will take them. There are also people in the community that will take them.

Robert Warnock – 882 West Germania Avenue, Murray, Utah

Mr. Warnock is against chickens. He finds it interesting that people are saying that if the fee to have chickens is \$100 they will go underground and not pay. He hopes there is a fine for people not registering their chickens and bees. The City Council should be concerned about the cost to enforce this. He hopes there is a proposal on how those costs are going to be covered.

Mr. Warnock asked if the members of the City Council have talked to their constituents. He spoke with five or six of his neighbors and they are all against chickens. He hopes the City Council would listen to their constituents rather than just the people who showed up to this meeting. Mr. Warnock added that chickens do attract rodents.

Ben Stringham – 815 Oakmont Avenue, Murray, Utah

Mr. Stringham said after he heard the Planning Commission said having chickens was okay, he assumed it would get passed by the Council, but it didn't. Because he thought it was okay, he went and got chickens. Last summer, one of his neighbors complained to the City and they were told they needed to get rid of their chickens because his neighbor said the chickens were making her dog bark. The chickens are gone and the dog is still barking.

Before he got his chickens he talked to all of his neighbors and they all said it was fine if he got them. After he got the chickens, none of his neighbors ever heard them or noticed an increase in rodents or pests. He is proof that the impact of chickens is minimal to none. They are great for teaching kids responsibility. He supports allowing chickens because it's a great opportunity for families.

Adam Deason – 5983 South Roanoke Circle, Murray, Utah

Mr. Deason has been visiting the farmers markets and speaking with Murray residents. There are a lot of people that have chickens in Murray and he would like to see this ordinance passed. A hen laying eggs is about 65 decibels which is about as loud as a human conversation. A 40 pound dog produces more waste than six chickens and if your neighbor isn't picking up after their dog, it's going to be just as stinky. The predators are already in the city; they are not being attracted because of chickens, and chickens eat mice. Property values going down because of chickens is ridiculous. Property neglect is what causes property values to go down.

Abbey Potter – 565 West Vine Street, Murray, Utah

Ms. Potter said she has listened to everyone say how chickens don't cause a nuisance and neighbors don't complain about them. She is one of the complaining neighbors that has had chickens next door to her house. Even though it was against the law and they contacted the County Health Department; nothing was getting done.

The amount of flies overtaking their yard and their neighbor's yard was a problem. They couldn't sit in their backyard during the summertime. The smell was agonizing. It created a problem for not only them, but everyone around them. They couldn't even enjoy their own environment anymore. It took her calling the County Health Department and filing multiple complaints in order for an inspection to even take place. After all of the other neighbors started complaining, the chicken problem was finally taken care of. It was such a problem.

Ms. Potter has a young child and works in medicine so she sees salmonella poisoning, E.coli, and things that happen with chicken manure and things of that nature. Their neighbors were using their chickens to fertilize their garden. Bugs and flies came in and the rodents were atrocious. It was a huge problem in their community. She doesn't think it's a good idea to allow chickens in residential areas. As somebody who loves this community she thinks it is a poor idea to have this happen when there are people who can be affected by this medically and it affects people's quality of life.

Bryant Larsen – 5483 Walden Wood Circle, Murray, Utah

Mr. Larsen encouraged the council to not pass the ordinance and to stick with the status quo. He has chickens but as long as his neighbors aren't complaining about the conditions in his backyard, he doesn't think anyone else should care about what goes on in his backyard.

They have more than six chickens. They are all hens, no roosters. They live on a circle and are very close to agriculture zoning. They have no backyard neighbors and since they are at the end of the circle, they really don't have any other neighbors nearby so the likelihood of someone being upset about

anything is very miniscule. He loves all his hens and he doesn't want to lose any of them because of a silly number based on some idea.

Public comment closed

Mr. Camp invited Mr. Tingey to address questions and comments that were made during the Public Hearing.

Mr. Tingey said on the survey, the question relating to chickens, and also bees, was not specifically asking if people were for or against them. The question related to allowing chickens in neighborhoods was asking if people felt like it is an important thing to do or not. The answers to choose from were somewhat unimportant, very unimportant, undecided, very important or somewhat important. The survey results indicated it was more important to not allow chickens.

In the City's ordinance chickens are not defined as pets however, dogs, cats and other animals are. There is a \$5 yearly fee for each dog and cat you own and you can have up to two dogs and two cats. This ordinance contains a zoning element to allow chickens with structures in yards; they are not allowed in the house.

Mr. Tingey said if people are not adhering to the ordinance, there is a fine and an enforcement element that happens. If people have chickens and if this ordinance is approved, the ordinance outlines that you have to get a permit. So, if the ordinance is approved, people still can't have chickens unless they have a permit.

4.4.2 Council consideration of the above matter.

Mr. Camp said there was a comment made earlier about what took the City so long to get here. This went through the Planning Commission. After that, at that time, the Council didn't feel like it was necessary to take any action as far as changing the ordinance, but they did want to see what the survey came up with. The Council now feels they need to take action on this.

Mr. Camp stated he has been reading a lot. He has read a lot of the pros and a lot of the cons from both residents and so-called experts. He has also looked at what other cities are doing. It has occurred to him that this is going to be a no win vote tonight, no matter what. Both sides are very passionate about this. He will be basing his vote on his constituent's feelings.

He feels the ordinance, as it's written, represents a good compromise between the free range of chickens and not being able to have them at all. The regulations are tight and they have been approved in other neighboring cities that have lot sizes similar to the ones in Murray. He understands the

issue of smell; any animal is going to smell. Even human animals, if we don't take care of ourselves, smell. It is an issue of taking care of what you have. As a City, we can take a look at the nuisance ordinance when it becomes necessary and we have the ability to do enforcement.

Mr. Hales stated he had a lot more comments for the bees and not for the chickens. He is listening to his constituents.

Mr. Nicponski said he was swayed by the beekeeping testimony, but not the chicken keeping. He is inclined to vote against the chicken keeping ordinance.

Ms. Turner said she walks her neighborhood a lot and she does listen to her constituents. Unlike the other Councilmembers, she hasn't received many comments. When she walks her neighborhood, she is aware there are chickens because she hears them running in yards. She has never received any negative comments regarding those chickens.

She received a phone call today from a constituent who expressed his favor for both chickens and bees. His concern is that it is regulated because he knows there are chickens out there; he has chickens as well.

Mr. Nicponski commented about regulation. You cannot regulate airborne droppings that carry disease. That health issue is a big concern for him.

Ms. Turner made a motion to adopt the ordinance
No second – motion died

Mr. Hales made a motion to deny the ordinance
Mr. Nicponski seconded the motion

Mr. Camp clarified that the motion is to deny the change. A yes vote is against the ordinance and things will stay status quo.

Mr. Brass said he has struggled with this one. He has heard everybody else's comments on this. He has had comments both for and against this. Bees was pretty easy, he didn't too many comments against bees and he agrees they are necessary to the environment. He has both chickens and bees in his neighborhood. There is a lot of passion on this one. There is no gray area, people are either for or against it.

Call vote recorded by Jennifer Kennedy

<u>A</u>	Mr. Brass
<u>N</u>	Ms. Turner
<u>A</u>	Mr. Hales
<u>A</u>	Mr. Nicponski

N Mr. Camp

Motion to deny passed 3-2 (ordinance did not pass)

5. Unfinished Business

5.1 None scheduled.

6. New Business

6.1 Consider an ordinance amending Sections 2.06.040 and 2.06.060 of the Murray City Municipal Code relating to the compensation of the Mayor and City Council Members.

Staff presentation: Mike Terry, Human Resources Director

Mr. Terry said employee compensation is generally handled under the direction of the Mayor with input from the Human Resource and Finance Directors. The Mayor and Council's salary are in the City Code which has not been updated since the year 2000. Since then, the Mayor and Council have received only cost of living adjustments equal to whatever the employee population received in those years, but the actual code is benchmarked to the year 2000.

Mr. Terry provided the Council with salary information for Mayors and Councilmembers from other cities. The ordinance being considered tonight recommends no changes to the Council's salary other than to update it to the current salary that is being received by them today.

There are between ten and twelve full-time Mayors along the Wasatch Front. When you think about the responsibility of the Mayor to run a city the size of Murray with almost 1,000 total employees, this is a very responsible position. Mr. Terry recommends updating this ordinance along with the Mayor's salary.

Currently, the Mayor makes about \$93,000 per year. In prior meetings about this the new salary amount of between \$103,000 and \$120,000 was mentioned, which is still below a handful of other Mayors in the valley. It might seem outrageous, but it is within range. In fact, it's below what other full-time Mayors are making in the area.

Ms. Turner asked how many of the other Mayors have Power Departments to run.

Mr. Terry responded one, Provo.

Ms. Turner stated the Power Department is another responsibility that our Mayor has that many of the other Mayor's don't.

Mr. Hales mentioned the Power Department's budget is double what the rest of the City's budget is.

Mr. Camp recommended a salary amount of \$112,000. That is in the middle of \$103,000 and \$120,000. He asked the Council what they thought.

Ms. Turner said she thought \$112,000 sounded good.

Mr. Nicponski stated he would like \$120,000. He asked Mr. Terry if they approve \$120,000 for the Mayor's salary, does that put him within striking range of other Mayor's in the County.

Mr. Terry said even at \$120,000 the Mayor would be \$20,000 below two of the other Mayors and \$16,000 below another one; he would be in the fourth spot out of about ten if his salary became \$120,000.

Justin Zollinger, Finance Director explained the budget noting that any of the proposed salary amounts would fit within the budget.

Mr. Brass stated if they put the Mayor's salary at \$112,000 that puts him above Provo which, if he remembers correctly, is the third largest utility in Utah/Idaho. If they're looking at cities with Power Departments, that's a good benchmark. The cities whose Mayors are making over \$112,000 have a significantly higher population than Murray does.

Mr. Nicponski said he is solid at \$120,000. The Mayor does an outstanding job and has led this community in a stellar fashion. Mr. Nicponski thinks the City needs to pay their people what they're valued at.

Ms. Turner made a motion to adopt the ordinance and to increase the Mayor's salary to \$112,000 per year.

Mr. Brass seconded the motion

Mr. Nicponski made a substitute motion to adopt the ordinance and to increase the Mayor's salary to \$120,000 per year.

No second – motion died

Mr. Camp said he would love to pay everyone at the top of the scale, but he thinks they are doing good by putting the Mayor in the middle.

The first motion was voted on adopting the ordinance and increasing the Mayor's salary to \$112,000 per year.

Call vote recorded by Jennifer Kennedy

 A Mr. Brass

A Ms. Turner
 A Mr. Hales
 N Mr. Nicponski
 A Mr. Camp

Motion passed 4-1

- 6.2 Consider a resolution authorizing the issuance and sale of not more than \$2,500,000 aggregate principal amount of Storm Water Revenue Bonds Series 2016; and related matters.

Staff presentation: Justin Zollinger, Finance Director

Mr. Zollinger explained that a Parameters Resolution is the City authorizing a certain amount of bonds not to exceed a certain interest rate and not to exceed a certain term. The parameters on this resolution are not to exceed a 20 year term, not to exceed a 5% interest rate, and not to exceed \$2,500,000.

There are certain areas of the City that get flooded almost every time there is a significant storm. There are some constituents that want the City to fix this flooding problem. There is no money to do this unless we bond.

Mr. Zollinger added this resolution binding. If the City chooses not to issue these bonds in the next month, we do not have to.

Mr. Brass made a motion to adopt the resolution
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

 A Mr. Brass
 A Ms. Turner
 A Mr. Hales
 A Mr. Nicponski
 A Mr. Camp

Motion passed 5-0

- 6.3 Consider a resolution approving the City's Membership Application with Utah Clean Cities Coalition.

Staff presentation: Diane Turner; Councilmember

Ms. Turner said it has been suggested that Murray City become a bronze member of the Utah Clean Cities Coalition.

Utah Clean Cities Coalition is a nationally recognized, local non-profit organization working to promote cleaner air and energy preservation through alternative fuels and conservation measures.

Member benefits include representation before local, state and federal officials. Funding updates for grant applications, notification of regional networking webinars, assistance with grant writing and environmental education.

The cost for the bronze member level is \$300.

Sponsor Presentation: Tammy Cooper, Utah Clean Cities Coalition.

Ms. Cooper said it has been a pleasure to work with Ms. Turner and Murray City. Utah Clean Cities has been around for 25 years. They have been housed in the Salt Lake City Mayor's Office for 20 years. They do a lot of good work. They have brought over 50,000 alternative fuel vehicles to the state.

Utah Clean Cities Coalition works with the idle free campaign. "Turn the key be idle free" was started in Salt Lake City, which was the first city in the nation to start an idle free program. Idling is not necessary.

Ms. Cooper presented Mayor Eyre with an idle free declaration.

Mr. Nicponski made a motion to approve the resolution
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

<u>A</u>	Mr. Brass
<u>A</u>	Ms. Turner
<u>A</u>	Mr. Hales
<u>A</u>	Mr. Nicponski
<u>A</u>	Mr. Camp

Motion passed 5-0

- 6.4 Consider an ordinance enacting Chapter 10.18 of the Murray City Municipal Code relating to idling of vehicles.

Staff presentation: Diane Turner; Councilmember

Ms. Turner said she has received numerous calls and emails from her constituents over the last three years regarding concerns about the quality of the air. In talking with other city leaders in Utah and throughout the United States, she realized there is something that city leaders can do to help Murray and its residents. They can provide city policy to support environmentalist's issues, especially air quality.

Ms. Turner asked Mr. Nakamura to create an ordinance that can be used to help our community understand the negative impacts of vehicle emissions and on the importance of not idling. If we are to be a city of healing, this makes since.

When residents and visitors realize there are sanctions for excessive idling in our community, Ms. Turner is convinced the importance of not idling will hit home. We are a compassionate city and will certainly allow for exceptions. It's the right thing to do.

Mr. Camp said he doesn't want to make people who are idling into criminals, but he believes this ordinance is a good middle ground for opening up the doors to education. Clean air is a big issue and he thinks this is a good ordinance.

Mr. Brass said there is an article in the paper today about the State not being in compliance with ozone. He notices the days with bad air quality and it's time to do this.

Mr. Brass made a motion to adopt the ordinance
Mr. Hales seconded the motion

Call vote recorded by Jennifer Kennedy

<u>A</u>	Mr. Brass
<u>A</u>	Ms. Turner
<u>A</u>	Mr. Hales
<u>A</u>	Mr. Nicponski
<u>A</u>	Mr. Camp

Motion passed 5-0

7. Mayor

7.1 Report

No Mayor's Report was given.

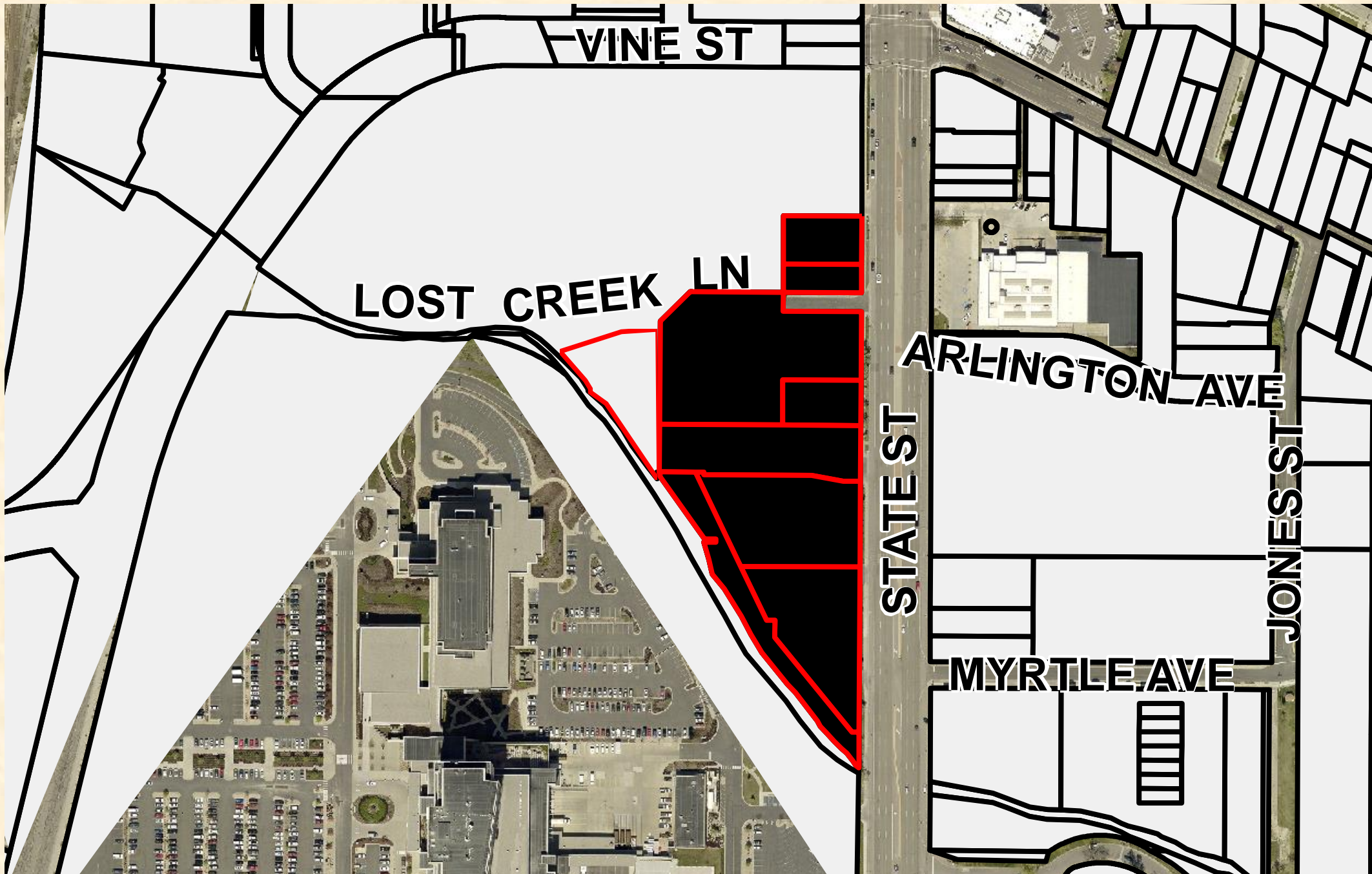
7.2 Questions for the Mayor

8. Adjournment

Attachment 1

Public Hearing #1

INTERMOUNTAIN HEALTHCARE
4950-5056 S. STATE STREET



VINE ST

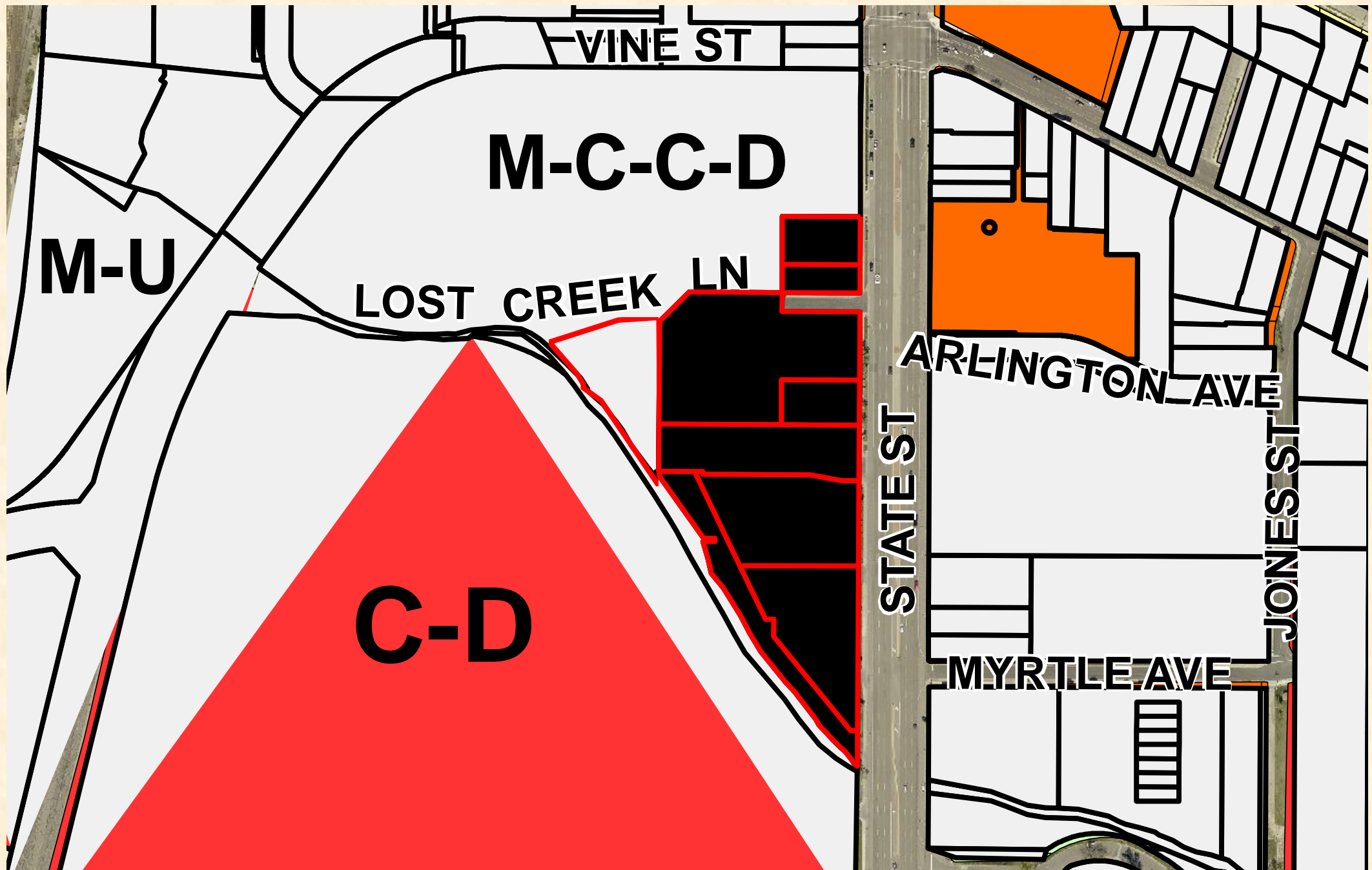
LOST CREEK LN

ARLINGTON AVE

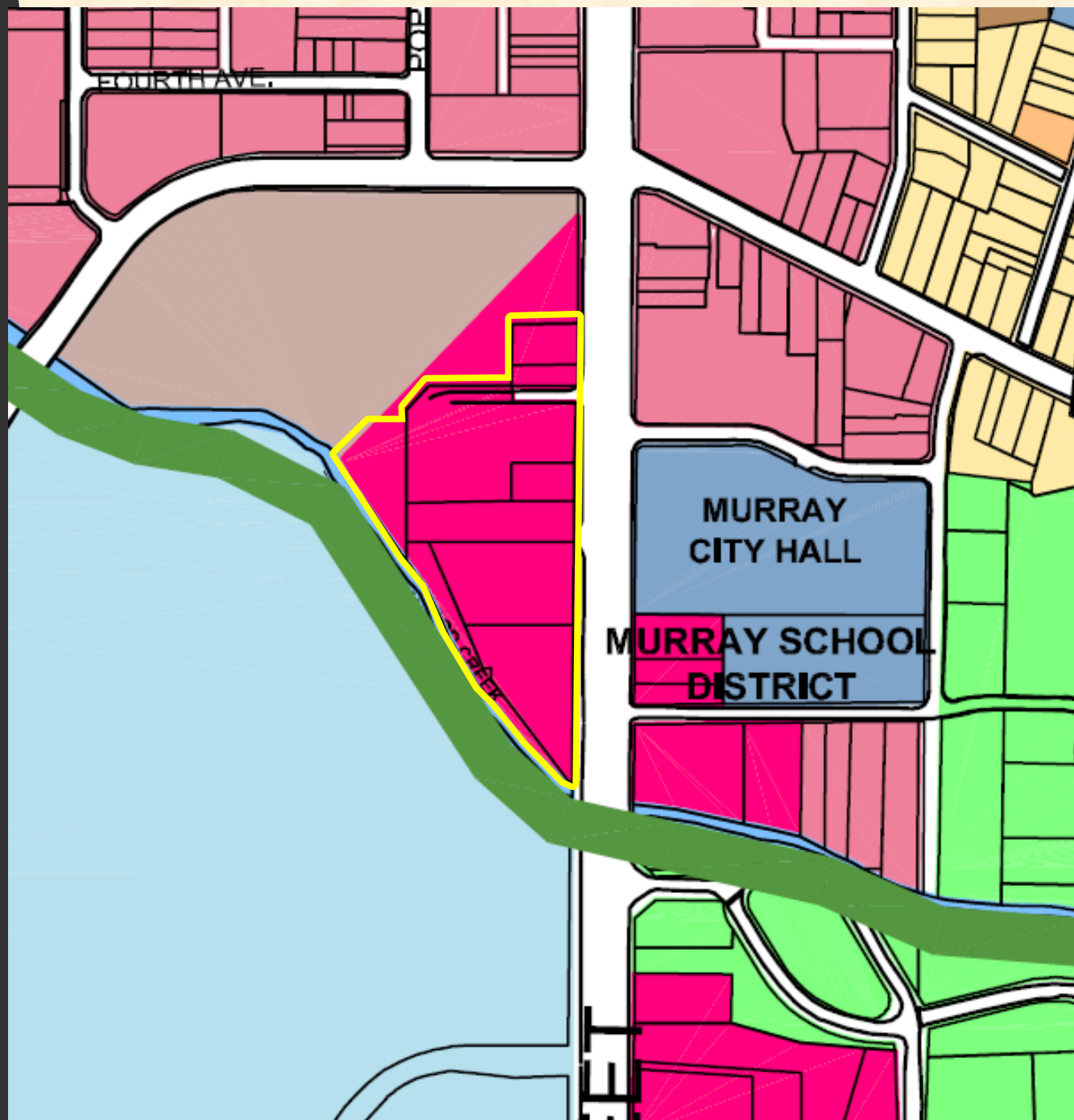
STATE ST




















JONES ST

MYRTLE AVE



Murray City General Plan Future Land Use

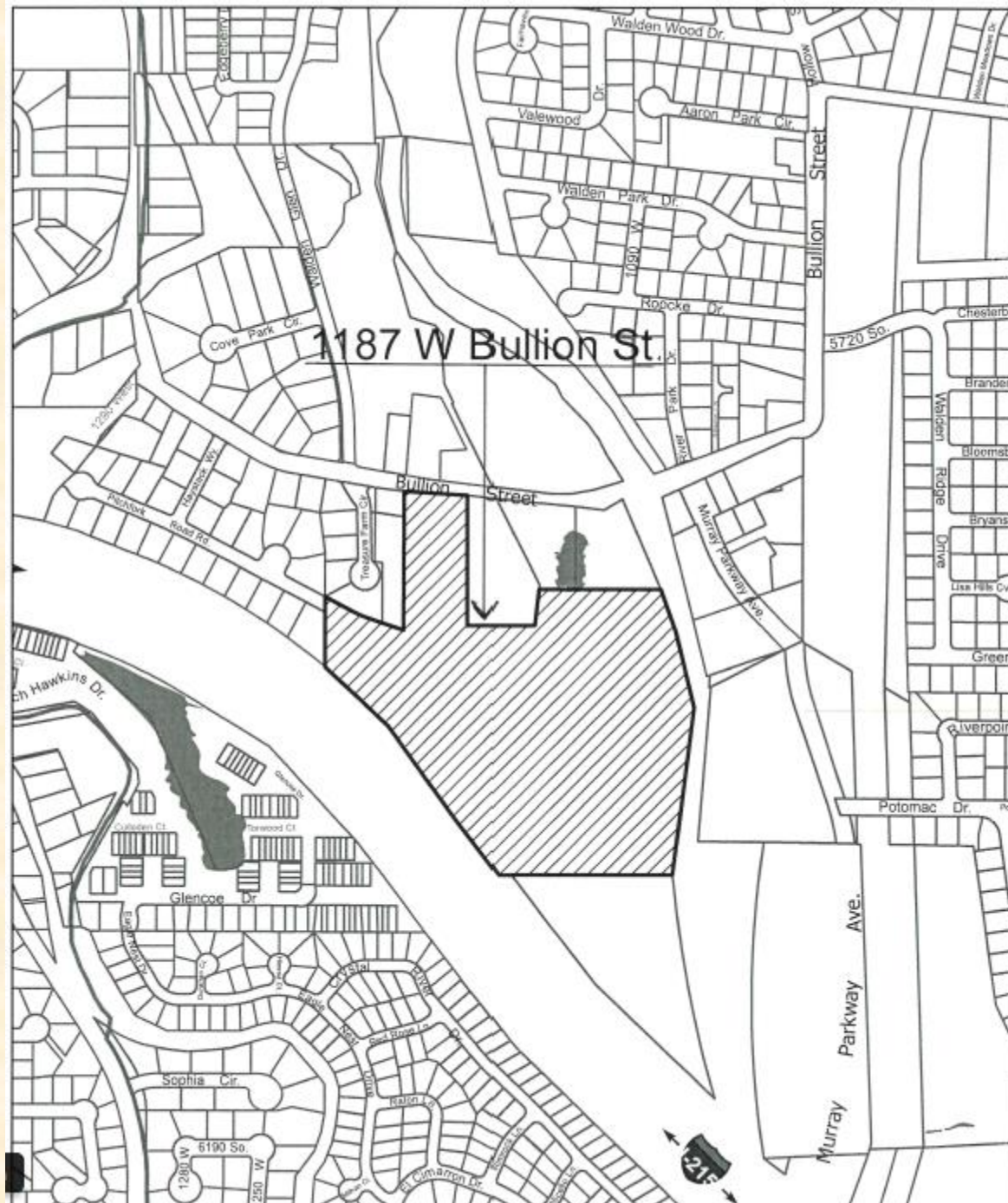


-  RESIDENTIAL SINGLE FAMILY LOW DENSITY
-  RESIDENTIAL SINGLE FAMILY MEDIUM DENSITY
-  RESIDENTIAL MULTI-FAMILY LOW DENSITY
-  RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY
-  RESIDENTIAL MULTI-FAMILY HIGH DENSITY
-  MIXED USE
-  RESIDENTIAL BUSINESS
-  COMMERCIAL RETAIL
-  OFFICE
-  INDUSTRIAL
-  PUBLIC- QUASI-PUBLIC (CHURCHES, SCHOOLS, GOVT.)
-  MEDICAL
-  PARKS AND OPEN SPACE
-  CEMETERY
-  TRANSPORTATION / UTILITY
-  WATER PATH
-  CHURCH
-  SPECIAL PARKWAY DEVELOPMENT AREA (WINCHESTER/900 EAST)
-  OPEN SPACE TRAIL CORRIDOR

Attachment 2

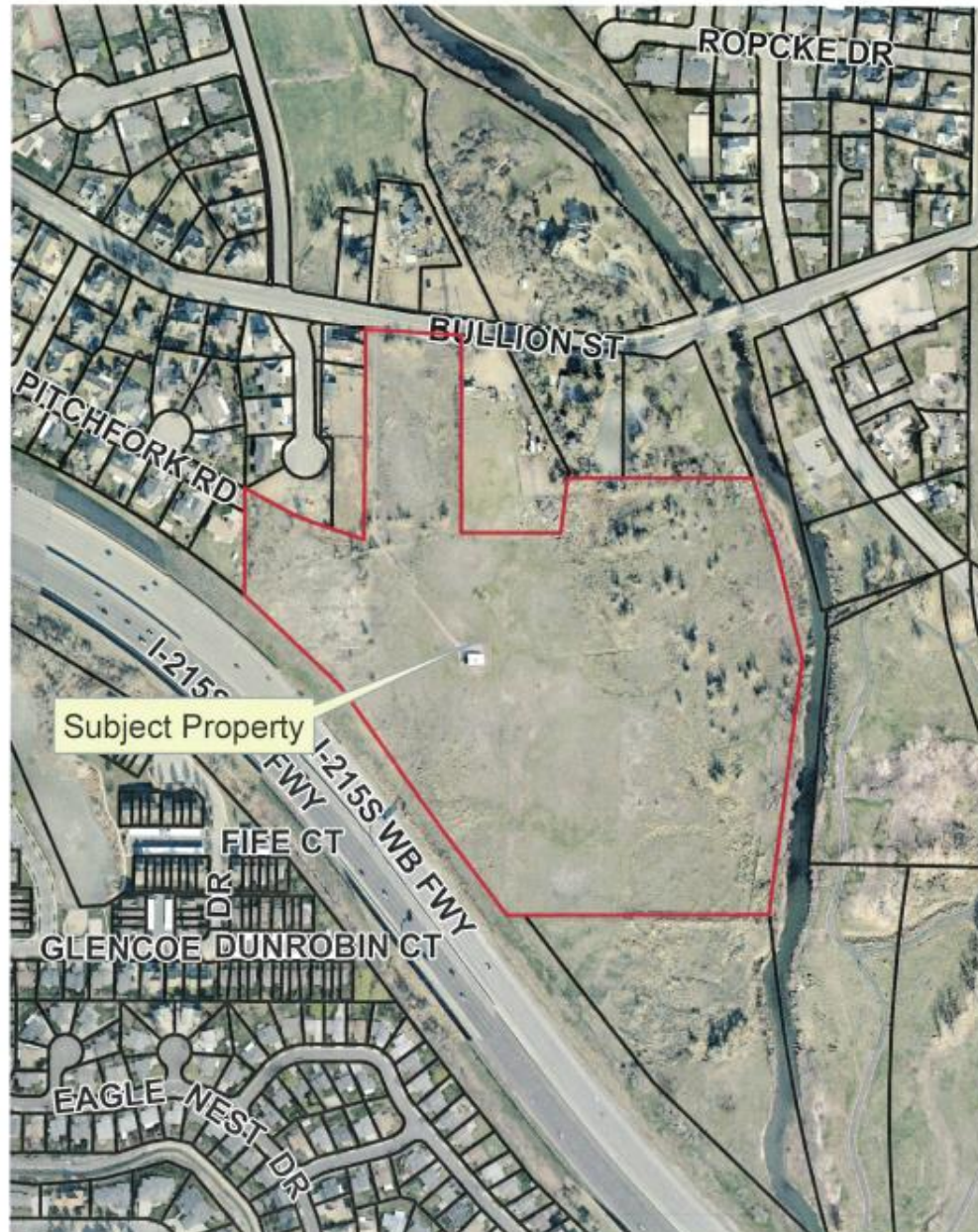
Public Hearing #2

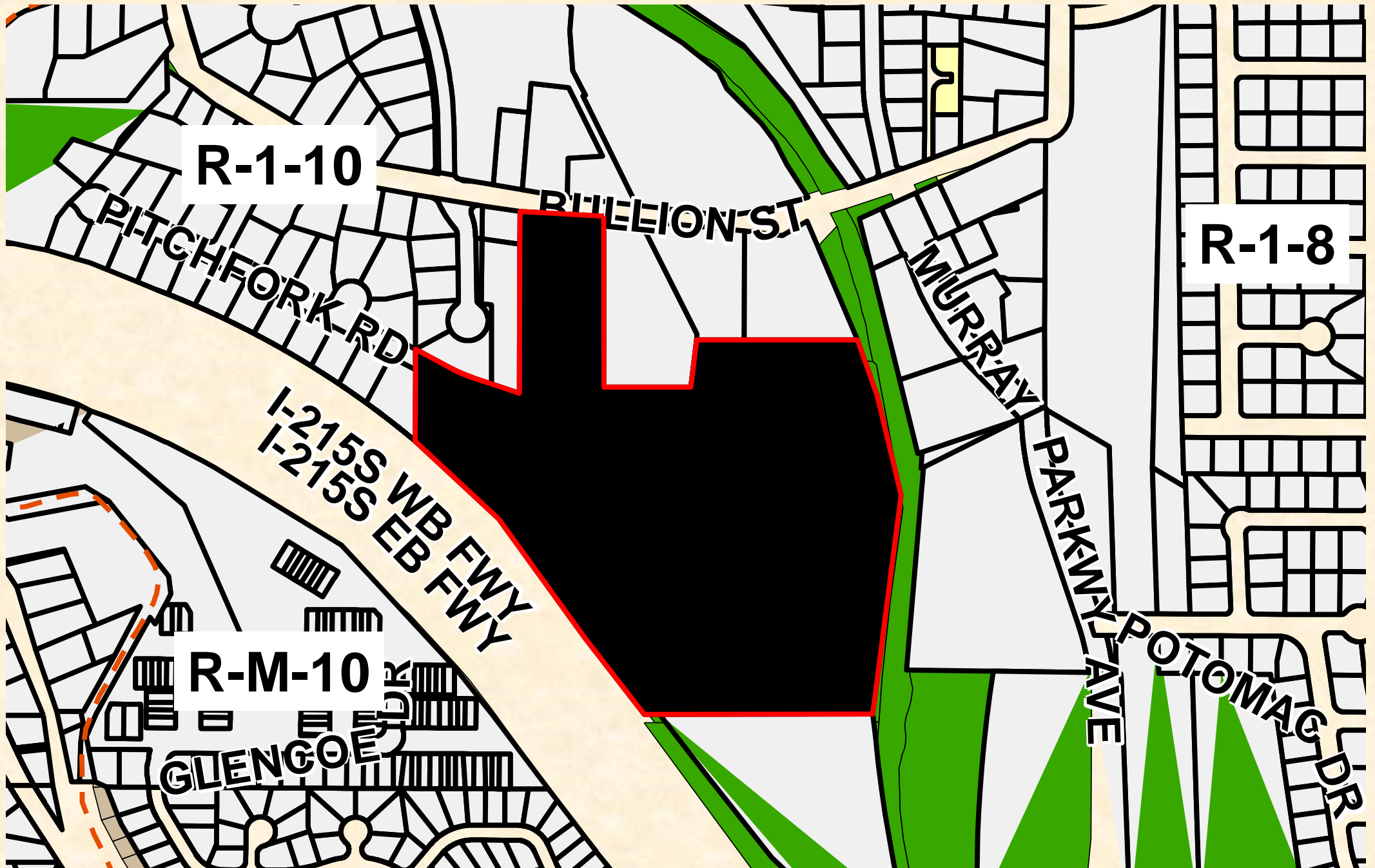
CUMULUS RADIO CORP/CITADEL BROADCASTING
1187 WEST BULLION STREET
























1187 W. Bullion Street

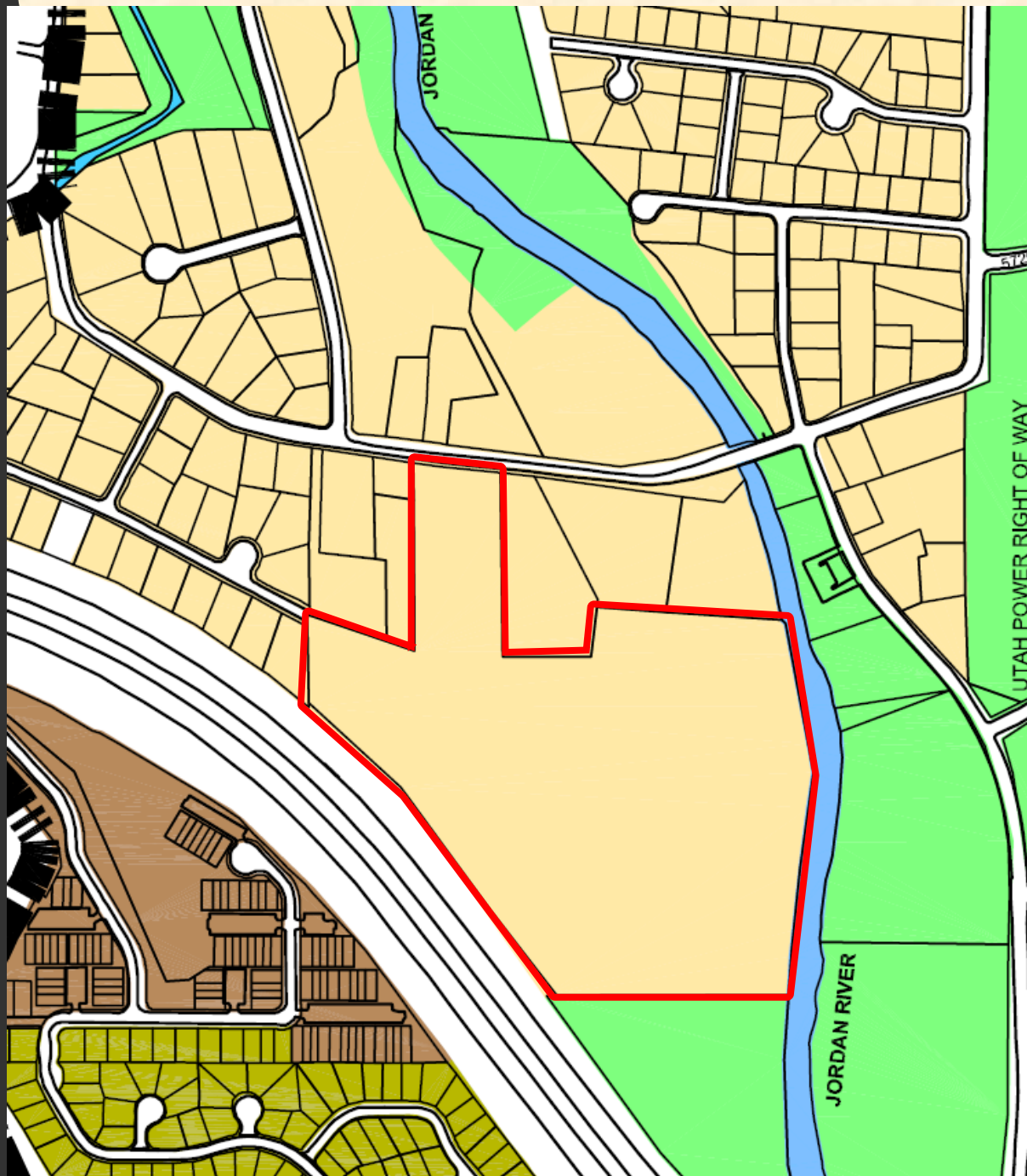




Murray City General Plan Future Land Use



-  RESIDENTIAL SINGLE FAMILY LOW DENSITY
-  RESIDENTIAL SINGLE FAMILY MEDIUM DENSITY
-  RESIDENTIAL MULTI-FAMILY LOW DENSITY
-  RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY
-  RESIDENTIAL MULTI-FAMILY HIGH DENSITY
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-  RESIDENTIAL BUSINESS
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-  PUBLIC- QUASI-PUBLIC (CHURCHES, SCHOOLS, GOVT.)
-  MEDICAL
-  PARKS AND OPEN SPACE
-  CEMETERY
-  TRANSPORTATION / UTILITY
-  WATER PATH
-  CHURCH
-  SPECIAL PARKWAY DEVELOPMENT AREA (WINCHESTER/900 EAST)
-  OPEN SPACE TRAIL CORRIDOR



Attachment 3

Public Hearing #3

BEEKEEPING IN RESIDENTIAL ZONES

PROPOSED BEEKEEPING ORDINANCE

- The following proposed use would be permitted in the R-1-6, R-1-8 and R-1-10 zone:
 - Use No. 8156 – Use Classification: Apiaries (Includes all processes involved in honey production; on lots 8,000 square feet or larger; noncommercial only.)

PROPOSED ORDINANCE STANDARDS

- Obtain a beekeeping Permit, applicants may be beekeepers on the residential property of another, as long as requirements have been satisfied and permission has been granted.
 - Submit a scaled site plan showing placement of the hive(s), and the flyway barrier;
 - Provide a certificate of insurance from property owner's homeowner's insurance company verifying that beekeeping is covered by the insurance policy covering the property where the apiary will be located;
 - Provide a certificate of completion or similar documentation, from a beekeeping training course provided by an entity approved by the city. Beekeepers are required to stay current and demonstrate their knowledge of colony health and management;
 - (\$100.00) nonrefundable initial permit fee.

PERMIT REQUIRED

- Provide written consent of the property owner, if the apiary will be located on residential property not owned by the applicant.
 - Show proof of state registration. State registration must be maintained for the life of the hive.
- Quantity of hives permitted: a lot shall not exceed the quantity of hive as determined below:
 - 8,000 square foot lots are permitted no more than two (2) hives;
 - 9,000 square foot lots are permitted no more than three (3) hives;
 - 10,000 square foot lots are permitted no more than four (4) hives;
 - 11,000 square foot lots are permitted no more than five (5) hives;
 - 12,000 square foot lots are permitted no more than six (6) hives.

APIARY IDENTIFICATION SIGNS

- On the entrance side of the apiary a waterproof sign must be displayed which states the name, address and telephone number of the owner of the apiary;
- On the entrance side of the property where bees are kept a waterproof sign identifying the beehives shall be affixed and maintained that states the name, address and telephone number of the owner.

REQUIREMENTS

I. Lot requirements:

- a. Apiaries are permitted in a fenced rear yard or completely fenced corner side yard. No hives may be kept in any front or side yard area;
- b. Hives shall be located ten (10) feet away from all property lines;
- c. Hives shall be located ten (10) feet away from dwellings on lot;
- d. Hives shall be located twenty-five (25) feet away from dwelling on adjacent lots.

REQUIREMENTS

2. Hive Structure Requirements:

- a. Only hives with removable frames are permitted in order to allow for inspection, and kept in sound and usable condition;
- b. No bee comb, dead bees, or related apiary debris shall be left upon grounds to mitigate pest proliferation.

Attachment 4

Public Hearing #4

RESIDENTIAL CHICKEN KEEPING

PROPOSED CHICKEN KEEPING ORDINANCE

- The following proposed use would be permitted in the R-1-6, R-1-8, R-1-10 and R-1-12 zone:
 - Use No. 8151 – Use Classification: Chicken raising (Includes chickens raised solely for meat related products; permitted use on lots 8,000 square feet or larger; noncommercial only.)

GENERAL PROVISIONS

- Permit Requirements:
 - Murray City permit shall be required to register for chicken keeping on a lot. A fee of \$100 is required to obtain the permit. This permit does not run with the land and any change in ownership of the property shall require a new application.
- Quantity of Chicken Permitted:
 - 8,000 square foot lots are permitted five (5) hens;
 - 10,000 square foot lots are permitted six (6) hens;
 - 12,000 square foot lots are permitted eight (8) hens;
- Chickens are required to be kept in a coop, and when permitted outside of the coop chickens are required to remain confined to a run.

REQUIREMENTS

- Lot Requirements:
 - Chickens and coops are permitted in a fenced rear yard or completely fenced corner lot side yard. No chickens may be kept in any front or side yard area;
 - Coops shall be located a minimum of three (3) feet away from all property lines;
 - Coops shall be located a minimum of ten (10) feet away from dwellings;
 - Coops shall be located a minimum of fifteen (15) feet from all entrances to on-site dwellings;
 - Coops shall be located a minimum of twenty-five (25) feet from all dwellings on adjacent lots;
 - Coop structures two-hundred (200) square feet or larger are required to be located outside of recorded easements, and shall obtain a building permit.

REQUIREMENTS

- Coop and Run Structure Requirements:
 - The combined coop and run structures shall have a minimum floor size of four (4) square feet per chicken;
 - All coop and run structures shall not exceed seven (7) feet in height.

REQUIREMENTS

- Health and Sanitation Requirements:
 - Coops and runs are required to be kept clean and maintained in order to promote the health of the chickens, and to mitigate odor sources;
 - Feed containers shall be made of rodent-proof and predator-proof materials;
 - Fresh water is required for chickens and shall be enclosed within the coop and run structures;
 - Slaughtering of chickens is prohibited outdoors;
 - Dead chickens and rotting eggs are required to be removed within 24 hours.