

Chapter 5.30
POULTRY AND PIGEONS

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5.30.005 Definitions.

- A. Poultry is defined as domestic fowl raised for meat or eggs, such as chickens, turkeys, ducks, or geese.
- B. Rooster is defined as a male chicken.

(Ord. 28085 Ex. A; passed Aug. 28, 2012)

5.30.010 Keeping – Prohibited places.

A. No more than 6 adult poultry and 6 pigeons are allowed per parcel provided that if a person has more than 6 adult poultry or 6 pigeons as of September 10, 2012, he/she may keep those excess poultry or pigeons until July 1, 2015, at which time he/she must comply with the maximum limit allowed; provided further that an owner may have up to 10 adult poultry and 10 pigeons if they obtain written consent from all owners of all residences, dwellings, hotels, apartment houses, or rooming houses owned by others within 50 feet of where the adult poultry or pigeons are kept, and file such consent with the City Clerk. One additional adult poultry or pigeon is allowed for each 5,000 square feet of lot area in excess of 10,000 square feet.

B. Pursuant to TMC 17.02.041, it is a violation for any person to own, possess, or harbor a rooster within the City limits.

C. Animal enclosures such as a cage or coop shall be set back a minimum of 12 feet from the nearest portion of any residence, dwelling, hotel, apartment house or rooming house. Animal enclosures must be located behind the front wall of the main building on a lot, and shall not be located in the required side yard setback area of the main building as described in TMC 13.06.100.F.5. Animal enclosures larger than 200 square feet must obtain a building permit.

D. The keeping of poultry and pigeons that do not meet these standards is hereby declared to be a public nuisance; provided that this chapter shall not apply in areas in which abattoirs or stockyards are permitted by appropriate ordinances.

(Ord. 28085 Ex. A; passed Aug. 28, 2012; Ord. 22212 § 17; passed Sept. 30, 1980; Ord. 16586 § 1; passed Jun. 14, 1960)

5.30.020 Running at large.

It shall be unlawful for any person owning or having the charge and control of any poultry or pigeons to permit the same to run at large upon any of the streets, alleys or public places within the corporate limits of the City of Tacoma. All pigeons must be kept in an enclosed pen and not allowed to fly at large; provided that pigeons, generally known as “seamless,” banded pigeons banded by a recognized national association of pigeon fanciers, such as flying tumblers, rollers or homers, may be flown for training exercise, exhibition or racing at reasonable times and intervals. (Ord. 28085 Ex. A; passed Aug. 28, 2012; Ord. 16586 § 2; passed Jun. 14, 1960)

5.30.030 Exception upon consent of surrounding owners. *Repealed by Ord. 28085.*

(Ord. 28085 Ex. A; passed Aug. 28, 2012; Ord. 22212 § 18; passed Sept. 30, 1980; Ord. 16586 § 3; passed Jun. 14, 1960)

5.30.040 Notice of violation and civil penalty.

A. Any owner, or person in control of the property, who violates any of the provisions of this chapter may be assessed monetary penalties. If the City determines that a violation of this chapter exists, the City shall send a Notice of Violation to the owner or person in control of the property.

B. The Notice of Violation shall contain the following:

1. The street address or a description of the building, structure, premises, or land, in terms reasonably sufficient to identify its location;
2. A description of the violation and a reference to the provisions of the Tacoma Municipal Code which have been violated;
3. A description of the action required to remedy the problem;

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4. A statement that the required action must be taken within 18 calendar days from the date of the Notice of Violation after which the City may impose a civil penalty in accordance with the provisions of this chapter;
 5. The appropriate department and/or division investigating the case and the contact person; and
 6. A statement that the owner, or person in control of the property, to whom a Notice of Violation is directed may request a hearing by the Hearing Examiner. Such notice must be in writing and must be received by the City Clerk no later than 18 calendar days after the Notice of Violation has been issued. The hearing will be conducted in compliance with the procedures set forth in TMC Chapter 1.23.
- C. The Notice of Violation will be sent by first class mail to the address of the owner as indicated in the records of the Pierce County Assessor, and to the person in control of the property if different.
- D. Civil penalty. At the end of the specified timeframe, the site will be reinspected to see if the condition has been corrected. If the condition has been corrected, the case will be closed. If the condition has not been corrected, a civil penalty in the amount of \$250 may be sent.
- E. The civil penalty shall be sent in accordance with TMC 5.30.040.C.
- F. The civil penalty notice shall contain the following:
1. A specified timeframe for correcting the violation;
 2. The address of the site;
 3. The penalties that may be imposed in the event that the condition is not corrected within the timeframe indicated, such as removal of animals; and
 4. The appropriate department and/or division investigating the case and the contact person.
- G. At the end of the specified timeframe, the site will be reinspected to see if the condition has been corrected. If the condition has been corrected, the case will be closed. If the condition has not been corrected, a second and/or subsequent civil penalty in the amount of \$250 shall be sent or delivered in accordance with TMC 5.30.040.C.
- H. A person to whom a civil penalty is directed may request a hearing by the Hearing Examiner. Such notice must be in writing and must be received by the City Clerk no later than 18 calendar days after the civil penalty has been issued. The hearing will be conducted in compliance with the procedures set forth in TMC Chapter 1.23.
- I. Each day that property is not in compliance with the provisions of this chapter may constitute a separate violation of this chapter. (Ord. 28085 Ex. A; passed Aug. 28, 2012; Ord. 25557 § 3; passed Aug. 23, 1994)