MEMO TO: Honorable Mayor and City Council

THROUGH: Charles P. Potucek, City Manager
Victoria Yarbrough, Assistant City Manager

FROM: Matt McLachlan, AICP Community Development Director
Jeff Pregler, AICP, Senior Planner

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
Ordinance 2018-006
Proposed City Code Text Amendments
Chapter 90-Animals

REQUESTED ACTION:
Adoption of text amendments as described in Exhibit A.

RECOMMENDATION:
The City Manager recommends denial of the amendments.
The Planning & Zoning Commission recommended approval with amendments by a vote of 3-2.

30-DAY PUBLIC COMMENT PERIOD
The Mayor and City Council adopted a 30-day public comment period for the proposed text amendments on February 22, 2018. At this meeting, the Council removed three of the Planning & Zoning Commission's recommendations from the amendment language:

1) The requirement that all fowl be registered with the National Poultry Improvement Plan (NPIP). The consensus of the City Council indicted that this process was duplicative because all of the fowl sold in the stores already require this registration.

2) The requirement for a three year sunset provision. A consensus of the Council indicated that a sunset provision is superfluous because they have the ability to amend the Code as necessary.

3) The requirement to band the fowl. A consensus of the City Council stated that banding was an onerous process for the domestic fowl owner and therefore was removed from list of amendments.

After further discussion, a motion was made by the City Council to revise the standards related to the total number of fowl per property to include calculating the number of fowl at a rate of one fowl for every 1,000 square feet, not to exceed eight, with the provision that the owner could apply for an administrative waiver to allow for additional fowl on larger lots.
Following the City Council meeting, staff removed the previous language related to the total number of chickens and replaced it with the City Council's amendments. Staff expounded upon Council's amendments to ensure the language was clear and practicable. The text amendments in Exhibit A and the amendments posted for public comment, reflect staff's modifications. The amendments now read as follows:

1) No more than one domesticated fowl per 1,000 square feet of total lot area, up to a maximum of eight domestic fowl, may be kept on an eligible property.

2) The Community Development Director may authorize one additional domesticated fowl per 2,000 square feet of lot area above 8,000 square feet subject to the following conditions being met:
   
   a. The applicant provides written documentation attesting no objection to the requested increase in domesticated fowl from all abutting property owners in a manner deemed to be acceptable by the City;
   
   b. The minimum required setback distance of a henhouse/coop/run from a residence on an abutting property shall increase by five feet for each domesticated fowl being requested.

Provided below are two tables. One table identifies the maximum number of fowl per lot size based on the above formula. The second table shows the correlation between number of fowl and setback increases to adjoining residences.

<table>
<thead>
<tr>
<th>Lot Size</th>
<th>Fowl</th>
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<tbody>
<tr>
<td>4,500 sf.</td>
<td>4 Fowl</td>
</tr>
<tr>
<td>6,000 sf.</td>
<td>6 Fowl</td>
</tr>
<tr>
<td>8,000 sf.</td>
<td>8 Fowl</td>
</tr>
<tr>
<td>10,000 sf.</td>
<td>9 Fowl*</td>
</tr>
<tr>
<td>12,000 sf.</td>
<td>10 Fowl*</td>
</tr>
<tr>
<td>18,000 sf.</td>
<td>13 Fowl*</td>
</tr>
<tr>
<td>36,000 sf.</td>
<td>22 Fowl*</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fowl</th>
<th>Setback To Adjoining Residence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-8</td>
<td>20 Feet</td>
</tr>
<tr>
<td>9</td>
<td>25 Feet*</td>
</tr>
<tr>
<td>10</td>
<td>30 Feet*</td>
</tr>
<tr>
<td>13</td>
<td>45 Feet*</td>
</tr>
<tr>
<td>22</td>
<td>90 Feet*</td>
</tr>
</tbody>
</table>

*Subject to administrative review and neighbor approval.

The City has received a number of public comments regarding the amendments since the start of the 30-day public comment period. To date, there are 142 public comments, 75 in support of the amendments and 70 in opposition. Also attached is a revised petition supporting the amendments.
SUMMARY:

The raising of chickens and similar animals has been limited to the Urban Ranch Zoning District since the adoption of the Development Code in 1986. In 2011, the City considered an amendment to permit chickens within single family residential (SFR) zoning districts. At that time, staff proposed a number of standards to mitigate the impacts of backyard chickens. During the 30-day public comment period, the City received a total of 34 comments, 25 in opposition and 9 in favor of the amendments. The City Council decided not to proceed with the amendments at that time.

In 2017, the City was approached by members of the public advocating for the allowance of chickens and ducks in residential zoning districts. At the December 12, 2017 City Council work session, City Council directed staff to work with the proponents in writing standards for the raising of chickens and ducks within residential zoning districts. The proposed amendments integrate many of the comments recommended by the proponents.

The first amendment removes chickens from the definition of Agricultural Animals in Development Code Article 151.02, Definitions, and redefines chickens and ducks as Domestic Fowl in Chapter 90, Animals of the City Code.

The remaining amendments included in Chapter 90, Animals, of the City Code, provide standards for the keeping of domestic fowl on any detached single family residential lot. The amendments recommend limiting the total number of fowl; provide mitigation measures limiting noise, odors, and poor sanitary conditions; and require the keeping of animals in a covered enclosure within a fenced area. Please refer to Exhibit A to view all proposed amendments.

PLANNING & ZONING COMMISSION

The Planning & Zoning Commission held two public hearings on the amendments one on January 16, 2018 and the other on February 6, 2018. The Commission recommended approval with four amendments which have since been revised by the City Council:

1) That the ratio for domestic fowl is one fowl per 2,000 square feet. The Commission indicated that the proponent's ratio of one fowl per 1,000 square feet would allow too many domestic fowl within a residential zoning district.

2) Domestic fowl shall be capped at 20. The Commission stated that capping the total number of fowl to 20 would allow most homeowners the desired number of fowl while placing a maximum number to help minimize negative impacts.

3) Registration with the National Poultry Improvement Plan (NPIP) is required. The National Poultry Improvement Plan (NPIP) is a program initiated by the Arizona Department of Agriculture, Animal Services Division. The purpose of the Plan is disease monitoring, sanitation and record keeping of poultry within Arizona. This a voluntary program directed toward commercial poultry breeders and not individuals raising poultry
for personal use. The Commission indicated that registration with this program could help reduce the spread of diseases associated with fowl.

4) A sunset provision for three years as part of the Ordinance, which gives adequate time to assess the overall effects of the amendments. The City of Tucson recently lifted a two-year sunset provision related to the raising of domestic fowl in residential zoning districts because of the decrease in complaints since the provisions were enacted. Should the Council enact the sunset provision, the proponent would be support of three years.

Attachments:
Resolution
Exhibit A, Proposed Text Amendments
Letters from the public
AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; ADOPTING AMENDMENTS TO THE CITY CODE OF ORDINANCES, BY REFERENCE, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY. NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

WHEREAS, in accordance with established policy, text amendments have been proposed to the following Code of Ordinances Sections: Chapter 90, Animals;

WHEREAS, the proposed amendments were requested and recommended by members of the public; and

WHEREAS, the Planning & Zoning Commission recommended approval of the amendments to City Council with conditions; and

WHEREAS, the Mayor and City Council held a public hearing on the amendments, after proper notice had been given; and

WHEREAS, the amendments have gone through the 30-day public record period and all public comments have been received;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1

That Resolution 2018-016 is hereby reaffirmed and that the City Code of Ordinances text amendments, as shown in Exhibit A, are hereby adopted.

SECTION 2

All other ordinances and parts of ordinances in conflict with the provisions of this provision are hereby repealed.
SECTION 3

Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provision, and to this end, the provisions of this Ordinance are declared to be severable.


FREDERICK W. MUELLER
Mayor

APPROVED AS TO FORM: ATTEST:

NATHAN WILLIAMS JILL ADAMS
City Attorney City Clerk

PREPARED BY:

Jeff Pregler, AICP
Senior Planner
Sierra Vista, Arizona Code of Ordinances
CHAPTER 90: ANIMALS

Section

Animals, Dogs, and Cats, and Domestic Fowl

90.01 Definitions
90.02 Licensing of dogs; fees; exemptions
90.03 Tag and collar
90.04 Running at large prohibited
90.05 Dangerous or vicious animals
90.06 Impoundment, notification and proper care
90.07 Redemption of impounded animal; fees
90.08 Disposition of nonreclaimed or unwanted animals; euthanization
90.09 Animal adoption
90.10 Unlawful public sale of animals
90.11 Standards on Domesticated Fowl

Rabies Control

90.20 Animal that bites or exhibits symptoms of rabies; procedure
90.21 Emergency powers of Mayor

City to be Held Harmless

90.30 City to be Held Harmless

Humane Treatment

90.40 Cruelty, abuse and neglect
90.41 Authority to remove, inspect and/or impound

Administration and Enforcement

90.50 Animal Control Officer shall enforce; interference with officer prohibited
90.51 Record-keeping requirements
90.99 Penalty

Statutory reference:
Authority to control animals, impound animals, and prevent running-at-large of animals, see A.R.S. § 9-240(B)(16)

ANIMALS, DOGS, AND CATS, AND DOMESTIC FOWL

§ 90.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ANIMAL. Any living species of mammal, bird, amphibian or reptile.

ANIMAL CONTROL OFFICER. The City Animal Control Officer and/or his or her designee, acting under the direction of the Chief of Police, and whose duties include the enforcement of this chapter.
ANIMAL SHELTER. An establishment authorized and maintained by the city for the confinement, maintenance, and safekeeping of animals which come into the custody of the Animal Control Officer.

AT LARGE. Any animal shall be deemed to be AT LARGE when it is off the premises of the owner, and not under the direct control, custody, charge, or possession of the owner, or other responsible person designated by the owner, either by substantial leash, chain, rope, or cord.

BITE. Any penetration of the skin by the teeth of any animal.

CRUELTY, ABUSE AND NEGLECT. Cruelty, abuse and neglect as used in this chapter shall mean, every act, omission, or neglect whereby unnecessary or unjustifiable pain or suffering is caused, permitted or allowed to continue when there is reasonable remedy or relief. CRUELTY, ABUSE AND NEGLECT shall include but not necessarily be limited to the following:

(1) Any person who maliciously or negligently kills, maims or wounds an animal which is the property of another; or

(2) Any person or entity, having charge or custody of an animal as owner or otherwise, who: overdrives, overloads, drives when overloaded, overworks; tortures, torments, cruelly beats, mutilates, or cruelly kills an animal; deprives the animal of necessary sustenance, drink or shelter; inflicts unnecessary cruelty upon the animal, or, in any manner abuses an animal; cruelly drives, rides, or otherwise uses the animal when unfit for labor; abandons, drops, or leaves an animal on a street, road or highway, in a public place or on private property with the intent to abandon; or fails to claim an animal from a boarding facility or veterinarian within ten days of the date a registered letter is sent to the person from the boarding facility or veterinarian requesting that the owner reclaim the animal.

DANGEROUS ANIMAL. See VICIOUS ANIMAL.

DOMESTIC FOWL. For the purpose of this code, domestic fowl shall be limited to female chickens (hens) and ducks of either gender.

FERAL ANIMAL. Untamed or wild animal.

IMPOUNDMENT. The taking of an animal into custody by the Animal Control Officer or by a Police Officer.

OWNER. Any person owning, keeping, possessing, harboring, maintaining, or having custody or otherwise having control of an animal within the city.

PET STORE. A commercial establishment that engages in a profit business of selling at retail cats, dogs or other animals, but does not include commercial livestock operations and commercial livestock
auction markets. Pet store does not mean a publicly operated pound or a private, charitable not for profit humane society or any animal adoption activity that a pound or humane society conducts off site at any pet store or other commercial enterprise.

**PROVOCATION.** Any behavior toward an animal or its owner which is likely to cause a defensive reaction by the animal.

**PUBLIC NUISANCE ANIMAL.** Any animal that unreasonably annoys humans or substantially interferes with the rights of citizens, other than their owner, to the enjoyment of life or property.

**PUBLIC NUISANCE ANIMAL** shall mean and include, but is not limited to, any animal that:

1. Damages the property of anyone other than its owner.
2. Molests, intimidates, or injures pedestrians or passersby.
3. Chases vehicles.
4. Makes excessively disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored.
5. Defecates on any public property or on any private property that is not owned by the owner of the animal. It shall not be a violation of this section if the animal owner removes the defecation in a prompt and sanitary manner.
6. Roams at large, travels or wanders over or through on the property of another without the permission from the owner of that property.

**QUARANTINE.** The confinement of any animal, for observation, in a place designated and for a time specified by the Animal Control Officer in accordance with A.R.S. Title 11 State Law and/or State Health Department guidelines.

**SECURE ENCLOSURE.** Is an enclosure that meets the following guidelines:

1. It will be of sufficient size to provide the animal with the appropriate exercise space and shall be constructed in such a manner to minimize the risk of injury.
2. The enclosure shall be constructed to include a cover of a material strong enough to prevent the animal from escape.
3. It will contain a floor or footing that will prevent the animal from escape.
   a. The floor will be made from concrete, cement, or of blocks or bricks set in concrete; or
(b) The footing will be made of concrete or block that starts at the ground level and is at least one foot in depth.

**UNCONFINED.** While on the premises of its owner or other responsible person having charge, care, custody, or control, the animal is not within a secure enclosure, or the owner's building.

**VETERINARIAN.** A person duly licensed and registered to practice veterinary medicine in the state.

**Vicious Animal.** Any animal that has a propensity to attack, that bites, attempts to bite, endangers, injures or causes an injury to a human being(s) or other animal(s) without provocation, or has been declared so after a hearing by a City Magistrate, or Justice of the Peace, who makes the determination based upon injury or intimidation.

(’76 Code, § 6-1-1) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-22-05; Am. Ord. 2010-001, passed 1-14-10)

§ 90.02 LICENSING OF DOGS; FEES; EXEMPTIONS.

(A) The city shall establish and publish an Animal Control Fee Schedule by Resolution. The schedule shall be kept on file with the City Clerk.

(B) No person shall own, keep, or harbor any dog within the city limits unless the dog is licensed and appropriate fees paid.

(C) Before application for a city dog license is made, the owner must present a rabies vaccination certificate signed by a licensed veterinarian, stating the dog owner's name and address, the dog's description, the date of vaccination, the type, serial number, and manufacturer of the vaccine used, and the date for revaccination.

(D) A dog license application shall be made to the City Clerk or a designee, for all dogs more than four months of age, that are owned, kept, or harbored within the city for a period of more than 30 days.

(E) A dog license application shall contain the name and address of the dog owner, and the name, breed, color, age, and sex of the dog.

(F) Dog licenses are valid for a one-year period from January 1 through December 31 of each calendar year but may be issued for up to three years. Applications for dog licenses may be made 90 days prior to the start of the licensing year and the license shall expire on the last day of the year.

(G) Any application made for more than one year entitles the applicant to a discount based on the approved fee schedule for each year beyond year one.
(H) Dog licenses shall not be issued beyond the expiration of a rabies vaccination certificate.

(I) Any person who fails to make application within 15 days after receiving written notification from the Animal Control Officer, to obtain a license for a dog required to be licensed, will be in violation of this section.

(J) The license fee shall be paid to the city at the time the application is made.

(K) Upon receipt of the license fee by the city, the applicant shall be given a numbered receipt and a numbered metallic tag.

(L) Any dog that is registered as an "assistive or service animal" and which provides actual assistance to a qualified disabled person is exempt from these fees. The applicant may be required to provide such documents as may be necessary to demonstrate proof of the disability as well as the qualifications and certifications of the dog.

(M) Applicants who are 62 or more years of age shall be entitled to a Senior Discount. The amount of the discount is articulated in the Animal Control Fee Schedule. No more than four dogs per household shall be licensed at this rate.

(N) A current or valid license issued by any government entity other than the City of Sierra Vista shall not eliminate the need for the licensing requirements of this chapter.

(O) In the event a dog license tag is lost, a replacement tag shall be issued upon payment of the established fees.

(P) The applicant will be assessed a penalty as established by the Animal Control Fee Schedule, for any application filed 90 or more days beyond the end of the license's year of expiration or for any application received more than 15 days following receipt of a notice of violation as required in subsection J of this section. No penalty shall be assessed if the dog was not subject to licensing within the previous 90 days.

('76 Code, § 6-1-3) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97, Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10) Penalty, see § 90.99

§ 90.03 TAG AND COLLAR.

(A) Annual tags. Upon complying with the provisions of § 90.02 of this chapter, there shall be issued to the owner a numbered metallic tag, stamped with the number and the year of expiration. The shape or design of the tag shall be changed from year to year.
(B) **Tag to be worn at all times; exception.** Every owner is required to see that the tag is securely fastened to the dog's chain, collar, or harness which must be worn by the dog at all times unless the dog, accompanied by owner, is engaged in hunting or other sport where a collar might endanger the dog's safety or the dog is participating in any event sanctioned by the American Kennel Club.

(C) **Vaccination of cats; tag required.** Every owner is required to vaccinate his or her cat against rabies and is required to ensure that the tag is securely fastened to the cat's collar or harness, which must be worn by the cat at all times. As an alternative to collars, dog/cat owners may choose to use an implant or tattoo as the means of identification.

(D) It shall be a violation:

1. For any person to counterfeit or attempt to counterfeit an official dog or cat tag;

2. To remove a dog or cat tag from any dog or cat for the purpose of willful and malicious mischief; or

3. To knowingly place a specific dog or cat tag upon another dog or cat, unless that tag was issued for that particular dog or cat.

§ 90.04 RUNNING AT LARGE PROHIBITED.

Every person having charge, care, custody, or control of any dog of any age shall keep that dog exclusively upon his or her own premises. However, the dog may be off of the premises while under the control, custody, charge, or possession of the owner, or other responsible person, and restrained by a substantial chain, leash, rope, or cord of sufficient strength to enable the person to control the dog.

§ 90.05 DANGEROUS OR VICIOUS ANIMALS.

(A) Any person having charge, care, custody, or control of a dangerous or vicious animal (see § 90.01 for definition) shall not permit the animal out of the building or secure enclosure unless the animal is under the direct control, charge, or possession of the owner, or other responsible person, and restrained by a substantial chain, leash, rope or cord, and securely muzzled.
(B) Any animal described in division (A) of this section, found at large or unconfined, shall be impounded by the Animal Control Officer and may only be redeemed by the owner at the discretion of the Animal Control Supervisor, designee, or by authorization from any court having jurisdiction.

(C) Every female dog in heat shall be kept confined in the owner's building, a secure enclosure, or in a veterinary hospital or boarding kennel, in such a manner that such female dog cannot come in contact with a male dog, except for purposes of intentional breeding.

(D) When, in the judgment of a licensed veterinarian or the Animal Control Officer, an animal should be destroyed for humane reasons, the animal will not be redeemed.

(E) The Animal Control Officer shall destroy a dangerous or vicious animal upon an order from the court having jurisdiction. The court may issue an order after notice to the owner, if any, and a hearing to determine the status of the animal.

('76 Code, § 6-1-6) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10) Penalty, see § 90.99

§ 90.06 IMPOUNDMENT, NOTIFICATION AND PROPER CARE.

(A) Maintenance of nuisance animals unlawful. It is unlawful for any person to maintain an animal in such a manner that it constitutes a public nuisance, as defined in § 90.01 of this chapter.

(B) Citation of owner. When a dog is found unconfined or at large, and ownership is known to the Animal Control Officer, the dog need not be impounded to have court action initiated against the owner.

(C) Stray dogs. A stray dog found at large may be seized by the Animal Control Officer and impounded in the Animal Shelter for not less than 72 hours, or 120 hours for a dog wearing a license, unless reclaimed or surrendered by the owner.

(D) Stray cats. Any stray cat found at large may be impounded at the Animal Shelter for not less than 72 hours, unless reclaimed or surrendered by the owner.

(E) Notification of impoundment. Immediately upon impounding a stray animal, the Animal Control Officer shall make every reasonable effort to check for tattoos or microchip and notify the owner of the impounded animal, and to inform the owner of the conditions whereby they may regain custody of the animal. If an animal owner is known, the animal will be maintained for seven days awaiting reclamation by the owner. All animals impounded will be given proper care and maintenance.

(F) Owner requesting pick up. Any owner requesting the Animal Control Officer to pick up their
animal(s) shall be charged a fee based on the established fee schedule.

(G) Animals at public events prohibited; exceptions. Except as provided in this section, animals shall not be allowed in that portion of a city park in which an event, open to the general public and sanctioned by the Park and Recreation Commission, is being held. Signs to this effect shall be posted in conspicuous places throughout that area of the park by the organizers of the event. This prohibition applies only during hours scheduled for attendance by the public and only in that portion of the particular city park in which the event is being held. These hours shall be posted on the signs specified above. Exempted from the provisions of this division are specially trained dogs for public safety, the visually impaired, or otherwise handicapped persons and animals involved in events pertaining to animals. It shall be the responsibility of the organizers of the events to notify all participants and exhibitors, if any, of this requirement and to post the above-mentioned signs.

(H) Feeding, maintaining, or harboring of stray or feral animals. The feeding, maintaining, or harboring of stray and/or feral animals on public or private property without the permission of the property owner shall be prohibited. Any person(s) found feeding, maintaining, or harboring such animals will be in violation of this section. This violator will be responsible for the humane removal of such animals.

(I) Animal disposal fees. There will be a fee assessed for each dead animal brought to the animal shelter by the owner for disposal. The amount of the fee is established by the Animal Control Fee Schedule.

('76 Code, § 6-1-7) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10) Penalty, see § 90.99

§ 90.07 REDEMPTION OF IMPOUNDED ANIMAL; FEES.

(A) The owner shall be entitled to reclaim an impounded animal, except for those animals discussed in § 90.05, 90.20 or 90.21 of this chapter, upon compliance with the licensing provisions of § 90.02 of this chapter or, in the case of a cat, upon verification of the rabies vaccination within 15 days and the payment of the impoundment and boarding fees as set in the fee schedule. At the discretion of the Animal Control Officer, the owner of an impounded animal may be summoned into any court having jurisdiction for a violation this chapter.

('76 Code, § 6-1-9)

(B) A dog or cat shall not be released to its owner from the animal shelter unless one of the following
applies:

(1) The dog has a current license pursuant to this chapter at the time the dog was impounded.

(2) The dog or cat has been surgically spayed or neutered and implanted with a microchip for the purposes of identification at the dog or cat at the owner's expense.

(3) There is no veterinary facility capable of performing surgical sterilization within a twenty mile radius of the shelter.

(4) A veterinarian determines that a medical contraindication for the surgery exists that reasonably requires postponement of the surgery until the surgery can be performed in a safe and humane manner.

(5) The owner pays a fifty dollar recovery fee, in addition to any fees and costs otherwise required by this chapter.

('76 Code, § 6-1-8) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)

§ 90.08 DISPOSITION OF NONRECLAIMED OR UNWANTED ANIMALS; EUTHANIZATION.

(A) Any animal impounded under the provisions of this chapter and not reclaimed by its owner within 72 hours or 120 hours if licensed, may be humanely destroyed by the Animal Control Officer, or placed into the custody of some person deemed to be a responsible and suitable owner who will agree to comply with the provisions of this chapter and other regulations as shall be fixed by the city.

(B) Any owner who requests their animal be euthanized shall be charged a fee as established by the schedule.

(C) Any animal destroyed while impounded shall be destroyed by a licensed veterinarian, or an animal control officer certified in euthanization, in accordance with procedures and methods approved by the state veterinarian.

('76 Code, § 6-1-9) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)

§ 90.09 ANIMAL ADOPTION.

(A) Any animal held at the Animal Control Shelter for the prescribed period and not reclaimed by its
owner may be released for adoption, based upon its suitability, as determined by the Animal Control Officer.

(B) Any person desiring to adopt an animal may do so upon paying the prescribed fees and acceptance of the established conditions of adoption. The Animal Control Officer will have the discretion to determine if the animal and the owner are suitable for the proposed adoption.

(1) The Animal Control Officer will be responsible for transporting the adopted animal to the veterinarian once the fee has been collected.

(2) If the veterinarian determines the animal to be unfit for sterilization and vaccination, the owner will have the option to return it to the Animal Shelter for a complete refund or to have the veterinarian reschedule the animal for the above services.

(a) If the veterinarian reschedules the animal, it will be the adopting party's responsibility to advise the Animal Control Officer of the amended date(s) within 72 hours. The adopting party may take possession of the animal at that time.

(b) It will be the adopting party's responsibility to transport the animal to the veterinarian facility for any further treatment within 30 days.

(c) If the veterinarian postpones treatment for more than 30 days, the veterinarian must contact the Animal Control Officer for approval.

(3) The adopting party shall reclaim the animal following the surgery as directed. Failure to comply will result in a charge for extra board fees to the adopting party and unclaimed animals may be declared abandoned.

(4) All city residents will be required to purchase a city dog license for all dogs four months of age and older at the time of the adoption.

(5) Failure to comply with this section shall be a violation and may result in court action being initiated, and sanctions to include but not limited to the return of the adopted animal to the shelter and/or forfeiture of all fees collected by the city.

(C) A person adopting an animal, other than a dog or cat, shall pay a non-refundable adoption fee as established by fee schedule.

("76 Code, § 6-1-10) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-28-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)
§ 90.10 UNLAWFUL PUBLIC SALE OF ANIMALS.

(A) A person commits the unlawful public sale of animals by knowingly selling an animal on:

(1) Any public highway, street or park or any public property adjacent to a public highway, street or park.

(2) Any commercial private property without written permission of the owner or lessee of the property. Written permission must be in possession of the person and prior to sale, be on file with the Animal Shelter notifying the Shelter of the date and location of the sale.

(B) Subsection (A) does not apply to:

(1) Retail sales on the premises of a pet store.

(2) Sales by a publicly operated or private, charitable nonprofit pound, humane society, animal rescue organization or educational or agricultural organization.

(3) Any rodeo, auction market, county fair, stock show or other livestock exhibit event.

(C) A person who is found responsible for violation of this section is subject to a civil penalty as defined in § 90.99 (A).

(Ord. 2010-001, passed 1-14-10)

§ 90.11. STANDARDS ON DOMESTICATED FOWL.

(A) The keeping of domestic fowl for non-commercial purposes is allowed under the following conditions:

(1) The keeping of domestic fowl shall be allowed on any detached single-family residential property.

(2) No more than one domesticated fowl per 1,000 square feet of total lot area up to a maximum of eight domesticated fowl may be kept on an eligible property.

(3) The Community Development Director may authorize one additional domesticated fowl per 2,000 square feet of lot area above 8,000 square feet subject to the following conditions being met:

(a) The applicant provides written documentation attesting no objection to the requested increase in domesticated fowl from all abutting property owners in a manner deemed to be acceptable by the City; and
(b) The minimum required setback distance of a henhouse/coop/run from a residence on an abutting property shall increase by five feet for each domesticated fowl being requested above eight.

(4). The breeding of domestic fowl is specifically prohibited and the keeping of roosters are not allowed.

(5). No person shall slaughter any domestic fowl on the property.

(6). The domestic fowl shall be kept in a secure henhouse/coop/run during non-daylight hours and when unsupervised.

(7). A henhouse/coop/run shall be located no closer than five feet from a property line or twenty feet from a residence on an abutting property.

(8). The yard area accessible to the domestic fowl must be fenced with fencing adequate to contain the domestic fowl to the property upon which they are kept. The henhouse/coop/run and the yard area available to the domestic fowl for foraging shall be screened from view with opaque fencing.

(9). The space per domestic fowl in the henhouse/coop/run shall not be less than four square feet per fowl.

(10). The property must be maintained so that odors from the domestic fowl manure, or other fowl related substances are not to be detectable at the property's boundaries.

(11). All henhouses/coops/runs for the keeping of domestic fowl shall be so constructed and maintained as to prevent rodents or other pests from being harbored underneath or within the structures. The henhouse/coop/run must be impermeable to rodents, wild birds, and predators, including dogs and cats and shall be kept in neat condition, including provision of clean, dry bedding materials and regular removal of waste materials. All manure not used for composting or fertilizer shall be removed promptly.

(12). All feed and other items associated with the keeping of domestic fowl that are likely to attract or to become infested with or infected by rodents or other pests shall be kept in secure containers or otherwise protected against access by rodents and other pests; however, a constant water supply easily accessible to the fowl shall be required.

(13). The sale of eggs or any other domestic fowl products derived from the keeping of the fowl is prohibited on the property.
RABIES CONTROL

§ 90.20 ANIMAL THAT BITES OR EXHIBITS SYMPTOMS OF RABIES; PROCEDURE.

(A) Whenever an animal bites any person or another animal, any person having direct knowledge shall report the incident as soon as practicable to a city Animal Control Officer or Police Officer.

(B) Any animal that bites any person or another animal shall be subject to quarantine. The quarantine shall be in accordance with the guidelines established by the Arizona Department of Health Services.

(C) A dog or cat that has been impounded as a result from biting a person may not be released unless one of the following applies:

(1) The dog is licensed at the time of impoundment.

(2) The dog or cat has been spayed or neutered prior to impoundment or was spayed or neutered and micro chipped before release from the animal shelter at the owner's expense.

(3) There is no veterinary facility capable of providing spayed or neuter services within twenty miles of the animal shelter.

(4) A veterinarian determines a medical contraindication for the surgery that requires postponement until the surgery can be performed in a safe and humane way.

(5) The bite occurred in the premise of the owner and the victim is a member of the same household.

(6) The owner pays a fifty dollar recovery fee in addition to any other associated costs.

(76 Code, Art. 6-2) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10) Penalty, see § 90.99

§ 90.21 EMERGENCY POWERS OF MAYOR.

Whenever it becomes necessary to safeguard the public from the dangers of rabies, the Mayor or a designee, may declare a rabies quarantine. The quarantine may include ordering every person owning or keeping any animal to confine it securely on his or her premises unless the animal is securely restrained and muzzled to prevent it from biting any person or other animal. All quarantines shall follow the guidelines established by Arizona Revised Statutes Title 11 and Arizona Department of Health Services. Any animal at large during the time of the declaration shall be seized and impounded unless noticeably infected with rabies or displaying vicious propensities, in which case it shall be destroyed by the Animal Control Officer without notice to the owner.
CITY TO BE HELD HARMLESS

§ 90.30 CITY TO BE HELD HARMLESS.

The adoption contract shall require the adopting party to agree to hold harmless and defend the city, its officers and employees from any loss, injury, or damages arising out of or in connection with services of this program.

(Humane Treatment

§ 90.40 CRUELTY, ABUSE AND NEGLECT.

(A) Any person or entity that commits an act as defined in § 90.01 Cruelty, Abuse and Neglect, of this chapter shall be in violation of this section.

(B) Any person or entity owning or having care, control, or custody of any animal shall ensure:

(1) The animal shall receive daily, food that is free from contamination and is of sufficient quantity and nutritive value to maintain the animal in good health.

(2) That potable water is accessible to the animal at all times, either free flowing or in a clean receptacle.

(3) Except for livestock, all animals have convenient access to natural or artificial shelter throughout the year. Any artificial shelter shall be structurally sound and maintained in good repair to protect the animal from injury and from the elements, and of sufficient size to permit the animal to enter, stand, turn around, and lie down in a natural manner.

(4) The animal receives care and medical treatment for debilitating injuries, parasites, and diseases sufficient to maintain the animal in good health and minimize suffering.

(5) The animal is given adequate exercise space, either:

(a) Within an enclosure that shall be constructed of material, and in a manner to minimize the risk of injury to the animal, and shall encompass sufficient usable space to keep the animal in good condition; or
(b) On a tie out, consisting of a chain, leash, wire cable, or similar restraint attached to a swivel or pulley. A tie out shall be so located as to keep the animal exclusively on the secured premises. Tie outs shall be so located that they cannot become entangled with other objects. Collars used to attach an animal to a tie out shall not be of a choke type. No tie out shall employ a restraint that is less than ten feet in length.

(6) Except for livestock, the animal has access to adequate ventilation and is protected from temperature extremes at all times. In this connection, it is unlawful for any person to keep any animal in a vehicle or other enclosed space in which the temperature is either so high or so low, or the ventilation is so inadequate as to endanger the animal's life or health. The Animal Control Officer or any Police Officer is authorized to use whatever force is reasonable and necessary to remove any animal from a vehicle or other enclosed space, whenever it appears that the animal's life or health is endangered by extreme temperatures or lack of ventilation within the vehicle or other enclosed space. Nothing in this section shall be deemed to prohibit the transportation of horses, cattle, sheep, poultry, or other agricultural livestock in trailers or other vehicles designed and constructed for such purposes.

(C) Any person who, when operating a motor vehicle, strikes a domestic animal shall stop at once and render any assistance possible and shall as soon as reasonably possible report the injury or death to the animal's owner. In the event the owner cannot be ascertained and located, the operator shall at once report the accident to a City Animal Control Officer or local Police Officer.

(D) Pets Stores shall maintain their facility and animals in accordance with the guidelines set forth by the Pet Industry Joint Advisory Council. (PIJAC)

(’76 Code, § 6-4-1) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)

§ 90.41 AUTHORITY TO REMOVE, INSPECT AND/OR IMPOUND.

(A) If the Animal Control Officer or a Police Officer has issued a citation or complaint for a violation of this section, or A.R.S § 13-2910, and reasonably believes that the violation will continue, the officer is authorized and empowered to remove and impound the animal.

(B) The Animal Control Officer or a Police Officer is authorized and empowered to remove and impound any animal in plain view and suffering from immediate life-threatening circumstances. The Animal Control Officer or a Police Officer shall not be held liable for damages to property caused by the use of reasonable force to remove an animal from a vehicle or other enclosed space under such
circumstances.

(C) The owner of any animal removed and impounded under the provisions of this chapter shall be liable for any damage, impoundment, boarding, or veterinarian fees incurred in connection therewith.

(D) The Animal Control Officer shall have the authority to inspect all pet stores and facilities during their normal business hours without prior notice and to mandate, in good faith, the maintenance of the animals in accordance with this chapter. The Animal Control Officer is authorized to have a licensed veterinarian inspect any animal(s) and/or conditions that appear unhealthy or unsanitary at the owner's expense. Any violations of this section could result in revocation of the pet store’s business license and/or be summoned before the City Magistrate, or Justice of the Peace.

(‘76 Code, § 6-4-2) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)

ADMINISTRATION AND ENFORCEMENT

§ 90.50 ANIMAL CONTROL OFFICER SHALL ENFORCE; INTERFERENCE WITH OFFICER PROHIBITED.

(A) The provisions of this chapter shall be enforced by the Animal Control Officer or Police Officer.

(B) The Animal Control Officer of the city or a Police Officer shall:

(1) Be charged with enforcing all of the provisions of this chapter.

(2) Be authorized to stop and detain a person as is reasonably necessary to investigate any actual or suspected violations of this chapter or A.R.S. Title 11, Chapter 7, Article 6.

(3) Serve a copy of the complaint for any alleged violation of this chapter or A.R.S. Title 11, Chapter 7, Article 6.

(C) It shall be unlawful for any person to impede any investigation by an Animal Control Officer or Police Officer. Impeding an investigation shall include but not limited to: interfering with or knowingly making a false, fraudulent or unfounded report or statement; or, knowingly misrepresenting a fact for the purpose of interfering with the orderly performance of the Animal Control Officer or Police Officer in the enforcement of this chapter or A.R.S. Title 11.

(‘76 Code, § 6-1-2) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10) Penalty, see § 90.99
§ 90.51 RECORD-KEEPING REQUIREMENTS.

(A) It shall be the duty of the Animal Control Officer to keep, or cause to be kept, accurate and detailed records of the licensing, impoundment, spay/neuter and disposition of all animals coming into his custody.

(B) It shall be the duty of the Animal Control Officer to keep, or cause to be kept, accurate and detailed records of all reported bite cases.

(C) It shall be the duty of the Animal Control Officer to keep, or cause to be kept, accurate and detailed records of all revenues and expenditures. These records shall be open to inspection at reasonable times by such persons responsible for similar records of the city and shall be audited by the city annually in the same manner as other public records are audited.

(‘76 Code, Art. 6-5) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)

§ 90.99 PENALTY.

(A) Unless otherwise provided, any person who does not comply with this chapter shall be guilty of a civil violation. The following non-suspendable fees will be assessed for each violation:

(1) First offense: Not less than $40 or more than $75, plus any restitution.

(2) Second offense: Not less than $75 or more than $150, plus any restitution.

(3) Third and subsequent offenses: Not less than $150 or more than $250, plus any restitution.

(B) Any person violating §§ 90.40, 90.41 or 90.50 shall be guilty of a Class 2 misdemeanor.

(C) Upon a finding that an animal has been the victim of cruelty, abuse or neglect, the Magistrate may order one or both of the following:

(1) That the animal be forfeited to the Sierra Vista Animal Control.

(2) That the owner not be permitted to own or control an animal within the city for a period not to exceed three years.

(‘76 Code, § 6-1-1) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)
I have, in the past, lived in rural areas of Cochise County where zoning allowed for all manner of "domesticated" farm animals. I now live within the city limits of Sierra Vista. I better appreciate the lifestyle that current zoning rules and regulation, within the confines of Sierra Vista, afford me. Listening to dogs barking, and putting up with cats using my yard as their toilet, is enough for me. We already have an adequate supply of pet owners who do not properly care for the animals they are allowed. We don't need to add to the problem, no chickens, please.

Respectfully,

Bruce R. Alarie
Citizen of Sierra Vista

Oak Hill Street, Sierra Vista, AZ 85650
Jennifer,
Will you please send this to council as soon as possible? This is important information.
Thank you,

Rachel Gray

Sent from my iPad

Begin forwarded message:

From: Arleen Garcia <Arleen.Garcia@SIERRAVISTAAZ.GOV>
Date: April 12, 2018 at 9:34:51 AM MST
To: "Rchlthms@gmail.com" <rchlthms@gmail.com>
Subject: Fwd: Proposed Domesticated Fowl Code Amendments

Sent from my Verizon 4G LTE smartphone

------- Original message -------
From: Arleen Garcia <Arleen.Garcia@SIERRAVISTAAZ.GOV>
Date: 4/10/18 17:04 (GMT-07:00)
To: Rick Mueller <Rick.Mueller@SIERRAVISTAAZ.GOV>
Subject: FW: Proposed Domesticated Fowl Code Amendments

Honorable Mayor Mueller,

It has been brought to my attention that the City Council may not be aware of how our Animal
Control bureau feels about the domestic fowl amendments. Below is the email that I sent to
Community Development and our chain of command on 01/10/2018. This email reflects some
of our initial concerns. We now have even more concerns. Our concerns have been expressed
to Community Development during many conversations, but apparently our concerns have not
been shared as I expected. I will be in Phoenix for a work related trip on Thursday and therefore
will not be able to attend the council meeting. I should be available by phone and ACO Angela Nass will be there to represent us. With this email I would like to directly express our concerns to you and hopefully this can be shared with the council.

1. Roosters will not be allowed, but why doesn't that apply to the ducks. Will ducks be allowed to breed??? ACO Angela Nass worked at Tractor Supply for 3 years and advised me that there is no possible way for the stores to sex the chicks before selling them. If someone buys for example 4 chicks, they will not know if they are roosters until they grow. If 2 of them turn out to be roosters, the chicks cannot be returned to the feed stores. Where will these roosters go? Do we need to take them at the shelter? Will we be given the proper space to keep them and the proper training? Will we put them up for adoption? Do we euthanize them? There was mention about rescues in the area willing to take the overflow. The only rescues that are proper non-profit 501C3 organizations that are capable of having domestic fowl have expressed to me that they will not take ducks or roosters. They advised to not expect them to take our (the City's) overflow of domestic fowl, only the occasional hen.

2. We already have many issues with neighbor disputes due to barking dog complaints. Chickens may not be as loud as dogs but ducks are. The nuisance animal noise ordinance only defines nuisance barking and it is still not very specific. What is excessive to one person may not be for another. We face issues with this on a daily basis. If allowing domestic fowl passes, nuisance noise needs to be more specifically define. How would it be handled if we receive a noise complaint? Does it need to be handled by ACO, PD or Community Development?

3. We are disappointed that the banding/registering of the chickens/ducks did not get considered. Chickens and ducks can fly. If they escape the yard will we (ACO/PD) be expected to chase after them? If we catch them, it would be nice to know right away where they belong instead of holding them at the shelter. Our suggestions were as follows:

   - Bands are very inexpensive and could have been provided by ACO for a small registration fee (maybe $2 each).
   - The families would be required to have the number of bands corresponding to the number of domestic fowl on the property. So if they have 4 chickens, they would purchase 4 bands. If a chicken dies, they can reuse the band for the next chicken they get.
   - The purpose of the banding, would be for identification purposes and for keeping track.
   - Cats in SV do not need to be registered because Cats are free roaming in AZ. Are chickens going to be free roaming in SV? If they are considered free roaming, we would not respond to lose chicken/duck calls. If they are not free roaming then they should be registered.
4. The current proposed amendment requires for the coop/pen to be built to prevent predators/rodents. Yes, the chickens/ducks will be protected but what about the small dog in the neighbor’s yard or the other neighbor’s outdoor cat. We already have people complaining about the coyotes wandering around Snyder Blvd.

5. Pot bellied pigs will be next on the list to allow. These are already considered domestic animals and in some cases may also be considered a service animal.

6. If a chicken/duck flutters into a neighbor’s yard and gets killed or injured by a dog, who will be responsible? How would that be handled?

7. If someone starts shooting them with a pellet gun, how will cruelty be handled? (This is an example.)

For these reasons and many more we believe the city is not ready to allow domestic fowl.

I hope it isn’t too late to express our opinion on this topic and I hope the council considers our point of view before making any decision.

Thank you,

Arleen Y. Garcia
Animal Control Officer Badge # 383
Nancy J. Brua Animal Care Center
6799 E. Highway 90
Sierra Vista, AZ 85635
520-458-4151
Hello,

From and Animal Control perspective, we believe allowing chickens within city limits is a mistake. There is much more to consider than adding a few limitations to the code. Here are some of our concerns:

Some initial concerns:

1) If the fowl are seized or removed, where will they be kept?? Our facility is not equipped to maintain fowl or any type of livestock at this moment.

2) Our staff is currently not trained on how to handle or determine physical condition of fowl.

3) There are no federal regulations regarding the care of chickens. The Humane Slaughter Act, the Animal Welfare Act and the Twenty-Eight Hour Law all excludes chickens from their protections. Arizona excludes farm animals (including fowl) from anti-cruelty laws. How are we to determine and/or enforce any type of cruelty to the chickens and or ducks? The city may need to add anti-cruelty against fowl in the city codes.

4) If this passes, there should be a registration requirement.

5) If a chicken is killed by an owned dog or cat, who will be responsible for the incident.

6) Will renters be allowed to have chickens?

7) Will a permit be required to build the henhouse/coop?

8) We have trouble enforcing barking dog complaints how will we be able to handle noise complaints concerning chickens? We expect that chickens/ducks will provoke dogs to bark also.

9) Will we need to accept unwanted fowl (owner turn-ins) at the shelter? Will there be a hold requirement? Will we need to place them up for adoption or find a rescue?

10) If this passes, pot bellied pigs should be considered a domestic pet.
11) See other comments below:

DOMESTIC FOWL. Any domesticated bird kept primarily for its eggs or flesh. For purposes of this code, domestic fowl shall be limited to chickens and ducks.

Comments: May need to specify non-protected ducks. There are some ducks in the USA that are considered protected under The Federal Migratory Bird Treaty Act. IS the city going to allow for citizens to own these protected duck?
CHAPTER 90: ANIMALS

Section

Animals, Dogs, Cats, and Poultry and Domestic Fowl

90.01 Definitions

90.02 Licensing of dogs; fees; exemptions

90.03 Tag and collar

90.04 Running at large prohibited

90.05 Dangerous or vicious animals

90.06 Impoundment, notification and proper care

90.07 Redemption of impounded animal; fees

90.08 Disposition of nonreclaimed or unwanted animals; euthanization

90.09 Animal adoption

90.10 Unlawful public sale of animals

Rabies Control

90.20 Animal that bites or exhibits symptoms of rabies; procedure

90.21 Emergency powers of Mayor

City to be Held Harmless

90.30 City to be Held Harmless

Humane Treatment

90.40 Cruelty, abuse and neglect

90.41 Authority to remove, inspect and/or impound

Administration and Enforcement

90.50 Animal Control Officer shall enforce; interference with officer prohibited
§ 90.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ANIMAL.** Any living species of mammal, bird, amphibian or reptile.

**ANIMAL CONTROL OFFICER.** The City Animal Control Officer and/or his or her designee, acting under the direction of the Chief of Police, and whose duties include the enforcement of this chapter.

**ANIMAL SHELTER.** An establishment authorized and maintained by the city for the confinement, maintenance, and safekeeping of animals which come into the custody of the Animal Control Officer.

**AT LARGE.** Any animal shall be deemed to be **AT LARGE** when it is off the premises of the owner, and not under the direct control, custody, charge, or possession of the owner, or other responsible person designated by the owner, either by substantial leash, chain, rope, or cord.

**BITE.** Any penetration of the skin by the teeth of any animal.

**CRUELTY, ABUSE AND NEGLECT.** Cruelty, abuse and neglect as used in this chapter shall mean, every act, omission, or neglect whereby unnecessary or unjustifiable pain or suffering is caused, permitted or allowed to continue when there is reasonable remedy or relief. **CRUELTY, ABUSE AND NEGLECT** shall include but not necessarily be limited to the following:

1. Any person who maliciously or negligently kills, maims or wounds an animal which is the property of another; or

2. Any person or entity, having charge or custody of an animal as owner or otherwise, who: overdrives, overloads, drives when overloaded, overworks; tortures, torments, cruellybeats, mutilates, or cruelly kills an animal; deprives the animal of necessary sustenance, drink or
shelter; inflicts unnecessary cruelty upon the animal, or, in any manner abuses an animal; cruelly drives, rides, or otherwise uses the animal when unfit for labor; abandons, drops, or leaves an animal on a street, road or highway, in a public place or on private property with the intent to abandon; or fails to claim an animal from a boarding facility or veterinarian within ten days of the date a registered letter is sent to the person from the boarding facility or veterinarian requesting that the owner reclaim the animal.

DANGEROUS ANIMAL. See VICIOUS ANIMAL.

DOMESTIC FOWL. Any domesticated bird kept primarily for its eggs or flesh. For purposes of this code, domestic fowl shall be limited to chickens and ducks.

FERAL ANIMAL. Untamed or wild animal.

IMPOUNDMENT. The taking of an animal into custody by the Animal Control Officer or by a Police Officer.

OWNER. Any person owning, keeping, possessing, harboring, maintaining, or having custody or otherwise having control of an animal within the city.

PET STORE. A commercial establishment that engages in a profit business of selling at retail cats, dogs or other animals, but does not include commercial livestock operations and commercial livestock auction markets. Pet store does not mean a publicly operated pound or a private, charitable not for profit humane society or any animal adoption activity that a pound or humane society conducts off site at any pet store or other commercial enterprise.

PROVOCATION. Any behavior toward an animal or its owner which is likely to cause a defensive reaction by the animal.

PUBLIC NUISANCE ANIMAL. Any animal that unreasonably annoys humans or substantially interferes with the rights of citizens, other than their owner, to the enjoyment of life or property. PUBLIC NUISANCE ANIMAL shall mean and include, but is not limited to, any animal that:

1. Damages the property of anyone other than its owner.
2. Molests, intimidates, or injures pedestrians or passersby.
3. Chases vehicles.
4. Makes excessively disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored.
Defecates on any public property or on any private property that is not owned by the owner of the animal. It shall not be a violation of this section if the animal owner removes the defecation in a prompt and sanitary manner.

Roams at large, travels or wanders over or through on the property of another without the permission from the owner of that property.

**QUARANTINE.** The confinement of any animal, for observation, in a place designated and for a time specified by the Animal Control Officer in accordance with A.R.S. Title 11 State Law and/or State Health Department guidelines.

**SECURE ENCLOSURE.** Is an enclosure that meets the following guidelines:

1. It will be of sufficient size to provide the animal with the appropriate exercise space and shall be constructed in such a manner to minimize the risk of injury.

2. The enclosure shall be constructed to include a cover of a material strong enough to prevent the animal from escape.

3. It will contain a floor or footing that will prevent the animal from escape.
   a. The floor will be made from concrete, cement, or of blocks or bricks set in concrete; or
   b. The footing will be made of concrete or block that starts at the ground level and is at least one foot in depth.

**UNCONFINED.** While on the premises of its owner or other responsible person having charge, care, custody, or control, the animal is not within a secure enclosure, or the owner's building.

**VETERINARIAN.** A person duly licensed and registered to practice veterinary medicine in the state.

**Vicious Animal.** Any animal that has a propensity to attack, that bites, attempts to bite, endangers, injures or causes an injury to a human being(s) or other animal(s) without provocation, or has been declared so after a hearing by a City Magistrate, or Justice of the Peace, who makes the determination based upon injury or intimidation.

('76 Code, § 6-1-1) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-22-05; Am. Ord. 2010-001, passed 1-14-10)

§ 90.02 LICENSING OF DOGS; FEES; EXEMPTIONS.
(A) The city shall establish and publish an Animal Control Fee Schedule by Resolution. The schedule shall be kept on file with the City Clerk.

(B) No person shall own, keep, or harbor any dog within the city limits unless the dog is licensed and appropriate fees paid.

(C) Before application for a city dog license is made, the owner must present a rabies vaccination certificate signed by a licensed veterinarian, stating the dog owner's name and address, the dog's description, the date of vaccination, the type, serial number, and manufacturer of the vaccine used, and the date for revaccination.

(D) A dog license application shall be made to the City Clerk or a designee, for all dogs more than four months of age, that are owned, kept, or harbored within the city for a period of more than 30 days.

(E) A dog license application shall contain the name and address of the dog owner, and the name, breed, color, age, and sex of the dog.

(F) Dog licenses are valid for a one-year period from January 1 through December 31 of each calendar year but may be issued for up to three years. Applications for dog licenses may be made 90 days prior to the start of the licensing year and the license shall expire on the last day of the year.

(G) Any application made for more than one year entitles the applicant to a discount based on the approved fee schedule for each year beyond year one.

(H) Dog licenses shall not be issued beyond the expiration of a rabies vaccination certificate.

(I) Any person who fails to make application within 15 days after receiving written notification from the Animal Control Officer, to obtain a license for a dog required to be licensed, will be in violation of this section.

(J) The license fee shall be paid to the city at the time the application is made.

(K) Upon receipt of the license fee by the city, the applicant shall be given a numbered receipt and a numbered metallic tag.

(L) Any dog that is registered as an "assistive or service animal" and which provides actual assistance to a qualified disabled person is exempt from these fees. The applicant may be required to provide such documents as may be necessary to demonstrate proof of the disability as well as the qualifications and certifications of the dog.

(M) Applicants who are 62 or more years of age shall be entitled to a Senior Discount. The amount of the discount is articulated in the Animal Control Fee Schedule. No more than four dogs per household shall be licensed at this rate.
(N) A current or valid license issued by any government entity other than the City of Sierra Vista shall not eliminate the need for the licensing requirements of this chapter.

(0) In the event a dog license tag is lost, a replacement tag shall be issued upon payment of the established fees.

(P) The applicant will be assessed a penalty as established by the Animal Control Fee Schedule, for any application filed 90 or more days beyond the end of the license's year of expiration or for any application received more than 15 days following receipt of a notice of violation as required in subsection J of this section. No penalty shall be assessed if the dog was not subject to licensing within the previous 90 days.

('76 Code, § 6-1-3) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97, Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10) Penalty, see § 90.99

§ 90.03 TAG AND COLLAR.

(A) Annual tags. Upon complying with the provisions of § 90.02 of this chapter, there shall be issued to the owner a numbered metallic tag, stamped with the number and the year of expiration. The shape or design of the tag shall be changed from year to year.

(B) Tag to be worn at all times; exception. Every owner is required to see that the tag is securely fastened to the dog's chain, collar, or harness which must be worn by the dog at all times unless the dog, accompanied by owner, is engaged in hunting or other sport where a collar might endanger the dog's safety or the dog is participating in any event sanctioned by the American Kennel Club.

(C) Vaccination of cats; tag required. Every owner is required to vaccinate his or her cat against rabies and is required to ensure that the tag is securely fastened to the cat's collar or harness, which must be worn by the cat at all times. As an alternative to collars, dog/cat owners may choose to use an implant or tattoo as the means of identification.

(D) It shall be a violation:

1. For any person to counterfeit or attempt to counterfeit an official dog or cat tag;

2. To remove a dog or cat tag from any dog or cat for the purpose of willful and malicious mischief; or

3. To knowingly place a specific dog or cat tag upon another dog or cat, unless that tag was issued for that particular dog or cat.

('76 Code, § 6-1-4) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10) Penalty, see § 90.99
§ 90.04 RUNNING AT LARGE PROHIBITED.

Every person having charge, care, custody, or control of any dog of any age shall keep that dog exclusively upon his or her own premises. However, the dog may be off of the premises while under the control, custody, charge, or possession of the owner, or other responsible person, and restrained by a substantial chain, leash, rope, or cord of sufficient strength to enable the person to control the dog.

('76 Code, § 6-1-5) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10) Penalty, see § 90.99

§ 90.05 DANGEROUS OR VICIOUS ANIMALS.

(A) Any person having charge, care, custody, or control of a dangerous or vicious animal (see § 90.01 for definition) shall not permit the animal out of the building or secure enclosure unless the animal is under the direct control, charge, or possession of the owner, or other responsible person, and restrained by a substantial chain, leash, rope or cord, and securely muzzled.

(B) Any animal described in division (A) of this section, found at large or unconfined, shall be impounded by the Animal Control Officer and may only be redeemed by the owner at the discretion of the Animal Control Supervisor, designee, or by authorization from any court having jurisdiction.

(C) Every female dog in heat shall be kept confined in the owner's building, a secure enclosure, or in a veterinary hospital or boarding kennel, in such a manner that such female dog cannot come in contact with a male dog, except for purposes of intentional breeding.

(D) When, in the judgment of a licensed veterinarian or the Animal Control Officer, an animal should be destroyed for humane reasons, the animal will not be redeemed.

(E) The Animal Control Officer shall destroy a dangerous or vicious animal upon an order from the court having jurisdiction. The court may issue an order after notice to the owner, if any, and a hearing to determine the status of the animal.

('76 Code, § 6-1-6) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10) Penalty, see § 90.99

§ 90.06 IMPOUNDMENT, NOTIFICATION AND PROPER CARE.

(A) Maintenance of nuisance animals unlawful. It is unlawful for any person to maintain an animal in such a manner that it constitutes a public nuisance, as defined in § 90.01 of this chapter.
(B) **Citation of owner.** When a dog is found unconfined or at large, and ownership is known to the Animal Control Officer, the dog need not be impounded to have court action initiated against the owner.

(C) **Stray dogs.** A stray dog found at large may be seized by the Animal Control Officer and impounded in the Animal Shelter for not less than 72 hours, or 120 hours for a dog wearing a license, unless reclaimed or surrendered by the owner.

(D) **Stray cats.** Any stray cat found at large may be impounded at the Animal Shelter for not less than 72 hours, unless reclaimed or surrendered by the owner.

(E) **Notification of impoundment.** Immediately upon impounding a stray animal, the Animal Control Officer shall make every reasonable effort to check for tattoos or microchip and notify the owner of the impounded animal, and to inform the owner of the conditions whereby they may regain custody of the animal. If an animal owner is known, the animal will be maintained for seven days awaiting reclamation by the owner. All animals impounded will be given proper care and maintenance.

(F) **Owner requesting pick up.** Any owner requesting the Animal Control Officer to pick up their animal(s) shall be charged a fee based on the established fee schedule.

(G) **Animals at public events prohibited; exceptions.** Except as provided in this section, animals shall not be allowed in that portion of a city park in which an event, open to the general public and sanctioned by the Park and Recreation Commission, is being held. Signs to this effect shall be posted in conspicuous places throughout that area of the park by the organizers of the event. This prohibition applies only during hours scheduled for attendance by the public and only in that portion of the particular city park in which the event is being held. These hours shall be posted on the signs specified above. Exempted from the provisions of this division are specially trained dogs for public safety, the visually impaired, or otherwise handicapped persons and animals involved in events pertaining to animals. It shall be the responsibility of the organizers of the events to notify all participants and exhibitors, if any, of this requirement and to post the above-mentioned signs.

(H) **Feeding, maintaining, or harboring of stray or feral animals.** The feeding, maintaining, or harboring of stray and/or feral animals on public or private property without the permission of the property owner shall be prohibited. Any person(s) found feeding, maintaining, or harboring such animals will be in violation of this section. This violator will be responsible for the humane removal of such animals.

(I) **Animal disposal fees.** There will be a fee assessed for each dead animal brought to the animal shelter by the owner for disposal. The amount of the fee is established by the Animal Control Fee Schedule.

(‘76 Code, § 6-1-7) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)  **Penalty, see § 90.99**
§ 90.07 REDEMPTION OF IMPOUNDED ANIMAL; FEES.

(A) The owner shall be entitled to reclaim an impounded animal, except for those animals discussed in § 90.05, 90.20 or 90.21 of this chapter, upon compliance with the licensing provisions of § 90.02 of this chapter or, in the case of a cat, upon verification of the rabies vaccination within 15 days and the payment of the impoundment and boarding fees as set in the fee schedule. At the discretion of the Animal Control Officer, the owner of an impounded animal may be summoned into any court having jurisdiction for a violation this chapter.

('76 Code, § 6-1-9)

(B) A dog or cat shall not be released to its owner from the animal shelter unless one of the following applies:

1) The dog has a current license pursuant to this chapter at the time the dog was impounded.

2) The dog or cat has been surgically spayed or neutered and implanted with a microchip for the purposes of identification at the dog or cat at the owner's expense.

3) There is no veterinary facility capable of performing surgical sterilization within a twenty mile radius of the shelter.

4) A veterinarian determines that a medical contraindication for the surgery exists that reasonably requires postponement of the surgery until the surgery can be performed in a safe and humane manner.

5) The owner pays a fifty dollar recovery fee, in addition to any fees and costs otherwise required by this chapter.

('76 Code, § 6-1-8) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)

§ 90.08 DISPOSITION OF NONRECLAIMED OR UNWANTED ANIMALS; EUTHANIZATION.

(A) Any animal impounded under the provisions of this chapter and not reclaimed by its owner within 72 hours or 120 hours if licensed, may be humanely destroyed by the Animal Control Officer, or placed into the custody of some person deemed to be a responsible and suitable owner who will agree to comply with the provisions of this chapter and other regulations as shall be fixed by the city.

(B) Any owner who requests their animal be euthanized shall be charged a fee as established by the schedule.
(C) Any animal destroyed while impounded shall be destroyed by a licensed veterinarian, or an animal control officer certified in euthanization, in accordance with procedures and methods approved by the state veterinarian.

('76 Code, § 6-1-9) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)

§ 90.09 ANIMAL ADOPTION.

(A) Any animal held at the Animal Control Shelter for the prescribed period and not reclaimed by its owner may be released for adoption, based upon its suitability, as determined by the Animal Control Officer.

(B) Any person desiring to adopt an animal may do so upon paying the prescribed fees and acceptance of the established conditions of adoption. The Animal Control Officer will have the discretion to determine if the animal and the owner are suitable for the proposed adoption.

(1) The Animal Control Officer will be responsible for transporting the adopted animal to the veterinarian once the fee has been collected.

(2) If the veterinarian determines the animal to be unfit for sterilization and vaccination, the owner will have the option to return it to the Animal Shelter for a complete refund or to have the veterinarian reschedule the animal for the above services.

(a) If the veterinarian reschedules the animal, it will be the adopting party's responsibility to advise the Animal Control Officer of the amended date(s) within 72 hours. The adopting party may take possession of the animal at that time.

(b) It will be the adopting party's responsibility to transport the animal to the veterinarian facility for any further treatment within 30 days.

(c) If the veterinarian postpones treatment for more than 30 days, the veterinarian must contact the Animal Control Officer for approval.

(3) The adopting party shall reclaim the animal following the surgery as directed. Failure to comply will result in a charge for extra board fees to the adopting party and unclaimed animals may be declared abandoned.

(4) All city residents will be required to purchase a city dog license for all dogs four months of age and older at the time of the adoption.

(5) Failure to comply with this section shall be a violation and may result in court action being initiated, and sanctions to include but not limited to the return of the adopted animal to the shelter and/or forfeiture of all fees collected by the city.
(C) A person adopting an animal, other than a dog or cat, shall pay a non-refundable adoption fee as established by fee schedule.

(’76 Code, § 6-1-10) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-28-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)

§ 90.10 UNLAWFUL PUBLIC SALE OF ANIMALS.

(A) A person commits the unlawful public sale of animals by knowingly selling an animal on:

(1) Any public highway, street or park or any public property adjacent to a public highway, street or park.

(2) Any commercial private property without written permission of the owner or lessee of the property. Written permission must be in possession of the person and prior to sale, be on file with the Animal Shelter notifying the Shelter of the date and location of the sale.

(B) Subsection (A) does not apply to:

(1) Retail sales on the premises of a pet store.

(2) Sales by a publicly operated or private, charitable nonprofit pound, humane society, animal rescue organization or educational or agricultural organization.

(3) Any rodeo, auction market, county fair, stock show or other livestock exhibit event.

(C) A person who is found responsible for violation of this section is subject to a civil penalty as defined in § 90.99 (A).

(Ord. 2010-001, passed 1-14-10)

§ 90.11 STANDARDS ON DOMESTICATED FOWL.

(A) The keeping of domestic fowl for non-commercial purposes are allowed with the following conditions:

(1) The number of domestic fowl shall be limited to four per any detached single-family residence;

(2) The breeding of domestic fowl is specifically prohibited and the keeping of roosters is not allowed;

(3) No person shall slaughter any domestic fowl on the property.
The domestic fowl shall be provided with a covered enclosure (i.e., henhouse/coop) and must be kept in the covered or a fenced enclosure at all times. Fowl must be secured within a henhouse/coop during non-daylight hours.

The yard area accessible to the domestic fowl must be fenced with fencing adequate to contain the chickens to the property on which they are kept. The henhouse/coop and the yard area available to the domestic fowl for foraging shall be screened from view with opaque fencing;

The space per domestic fowl in the henhouse/coop shall not be less than four square feet per fowl;

The covered enclosure or fenced enclosure shall be located in the rear yard;

The property must be maintained so that odors from the domestic fowl manure, or other fowl related substances are not to be detectable at the property's boundaries;

All enclosures for the keeping of domestic fowl shall be so constructed and maintained as to prevent rodents or other pests from being harbored underneath or within the enclosure. The henhouse/coop must be impermeable to rodents, wild birds and predators, including dogs and cats. Enclosures shall be kept in neat condition, including provision of clean, dry bedding materials and regular removal of waste materials. All manure not used for composting or fertilizer shall be removed promptly.

All feed and other items associated with the keeping of domestic fowl that are likely to attract or to become infested with or infected by rodents or other pests shall be kept in secure containers or otherwise protected against access by rodents and other pests;

The sale of eggs or any other domestic fowl products derived from the keeping of the fowl is prohibited.

RABIES CONTROL

§ 90.20 ANIMAL THAT BITES OR EXHIBITS SYMPTOMS OF RABIES; PROCEDURE.

(A) Whenever an animal bites any person or another animal, any person having direct knowledge shall report the incident as soon as practicable to a city Animal Control Officer or Police Officer.

(B) Any animal that bites any person or another animal shall be subject to quarantine. The quarantine shall be in accordance with the guidelines established by the Arizona Department of Health Services.

(C) A dog or cat that has been impounded as a result from biting a person may not be released unless one of the following applies:
(1) The dog is licensed at the time of impoundment.

(2) The dog or cat has been spayed or neutered prior to impoundment or was spayed or neutered and micro chipped before release from the animal shelter at the owner's expense.

(3) There is no veterinary facility capable of providing spayed or neuter services within twenty miles of the animal shelter.

(4) A veterinarian determines a medical contraindication for the surgery that requires postponement until the surgery can be performed in a safe and humane way.

(5) The bite occurred in the premise of the owner and the victim is a member of the same household.

(6) The owner pays a fifty dollar recovery fee in addition to any other associated costs.

('76 Code, Art. 6-2) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10) Penalty, see § 90.99

§ 90.21 EMERGENCY POWERS OF MAYOR.

Whenever it becomes necessary to safeguard the public from the dangers of rabies, the Mayor or a designee, may declare a rabies quarantine. The quarantine may include ordering every person owning or keeping any animal to confine it securely on his or her premises unless the animal is securely restrained and muzzled to prevent it from biting any person or other animal. All quarantines shall follow the guidelines established by Arizona Revised Statutes Title 11 and Arizona Department of Health Services. Any animal at large during the time of the declaration shall be seized and impounded unless noticeably infected with rabies or displaying vicious propensities, in which case it shall be destroyed by the Animal Control Officer without notice to the owner.

('76 Code, Art. 6-2) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)

CITY TO BE HELD HARMLESS

§ 90.30 CITY TO BE HELD HARMLESS.

The adoption contract shall require the adopting party to agree to hold harmless and defend the city, its officers and employees from any loss, injury, or damages arising out of or in connection with services of this program.
HUMANE TREATMENT

§ 90.40 CRUELTY, ABUSE AND NEGLECT.

(A) Any person or entity that commits an act as defined in §90.01 Cruelty, Abuse and Neglect, of this chapter shall be in violation of this section.

(B) Any person or entity owning or having care, control, or custody of any animal shall ensure:

1) The animal shall receive daily, food that is free from contamination and is of sufficient quantity and nutritive value to maintain the animal in good health.

2) That potable water is accessible to the animal at all times, either free flowing or in a clean receptacle.

3) Except for livestock, all animals have convenient access to natural or artificial shelter throughout the year. Any artificial shelter shall be structurally sound and maintained in good repair to protect the animal from injury and from the elements, and of sufficient size to permit the animal to enter, stand, turn around, and lie down in a natural manner.

4) The animal receives care and medical treatment for debilitating injuries, parasites, and diseases sufficient to maintain the animal in good health and minimize suffering.

5) The animal is given adequate exercise space, either:

   a) Within an enclosure that shall be constructed of material, and in a manner to minimize the risk of injury to the animal, and shall encompass sufficient usable space to keep the animal in good condition; or

   b) On a tie out, consisting of a chain, leash, wire cable, or similar restraint attached to a swivel or pulley. A tie out shall be so located as to keep the animal exclusively on the secured premises. Tie outs shall be so located that they cannot become entangled with other objects. Collars used to attach an animal to a tie out shall not be of a choke type. No tie out shall employ a restraint that is less than ten feet in length.

6) Except for livestock, the animal has access to adequate ventilation and is protected from temperature extremes at all times. In this connection, it is unlawful for any person to keep any animal in a vehicle or other enclosed space in which the temperature is either so high or so low, or the ventilation is so inadequate as to endanger the animal's life or health. The Animal Control Officer or any Police Officer is authorized to use whatever force is reasonable and necessary to remove any animal from a vehicle or other enclosed space, whenever it appears that the animal's life or health is endangered by extreme temperatures or lack of ventilation within the
vehicle or other enclosed space. Nothing in this section shall be deemed to prohibit the transportation of horses, cattle, sheep, poultry, or other agricultural livestock in trailers or other vehicles designed and constructed for such purposes.

(C) Any person who, when operating a motor vehicle, strikes a domestic animal shall stop at once and render any assistance possible and shall as soon as reasonably possible report the injury or death to the animal's owner. In the event the owner cannot be ascertained and located, the operator shall at once report the accident to a City Animal Control Officer or local Police Officer.

(D) Pets Stores shall maintain their facility and animals in accordance with the guidelines set forth by the Pet Industry Joint Advisory Council. (PIJAC)

§ 90.41 AUTHORITY TO REMOVE, INSPECT AND/OR IMPOUND.

(A) If the Animal Control Officer or a Police Officer has issued a citation or complaint for a violation of this section, or A.R.S § 13-2910, and reasonably believes that the violation will continue, the officer is authorized and empowered to remove and impound the animal.

(B) The Animal Control Officer or a Police Officer is authorized and empowered to remove and impound any animal in plain view and suffering from immediate life-threatening circumstances. The Animal Control Officer or a Police Officer shall not be held liable for damages to property caused by the use of reasonable force to remove an animal from a vehicle or other enclosed space under such circumstances.

(C) The owner of any animal removed and impounded under the provisions of this chapter shall be liable for any damage, impoundment, boarding, or veterinarian fees incurred in connection therewith.

(D) The Animal Control Officer shall have the authority to inspect all pet stores and facilities during their normal business hours without prior notice and to mandate, in good faith, the maintenance of the animals in accordance with this chapter. The Animal Control Officer is authorized to have a licensed veterinarian inspect any animal(s) and/or conditions that appear unhealthy or unsanitary at the owner's expense. Any violations of this section could result in revocation of the pet store’s business license and/or be summoned before the City Magistrate, or Justice of the Peace.

ADMINISTRATION AND ENFORCEMENT
§ 90.50 ANIMAL CONTROL OFFICER SHALL ENFORCE; INTERFERENCE WITH OFFICER PROHIBITED.

(A) The provisions of this chapter shall be enforced by the Animal Control Officer or Police Officer.

(B) The Animal Control Officer of the city or a Police Officer shall:

(1) Be charged with enforcing all of the provisions of this chapter.

(2) Be authorized to stop and detain a person as is reasonably necessary to investigate any actual or suspected violations of this chapter or A.R.S. Title 11, Chapter 7, Article 6.

(3) Serve a copy of the complaint for any alleged violation of this chapter or A.R.S. Title 11, Chapter 7, Article 6.

(C) It shall be unlawful for any person to impede any investigation by an Animal Control Officer or Police Officer. Impeding an investigation shall include but not limited to: interfering with or knowingly making a false, fraudulent or unfounded report or statement; or, knowingly misrepresenting a fact for the purpose of interfering with the orderly performance of the Animal Control Officer or Police Officer in the enforcement of this chapter or A.R.S. Title 11.

(‘76 Code, § 6-1-2) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10) Penalty, see § 90.99

§ 90.51 RECORD-KEEPING REQUIREMENTS.

(A) It shall be the duty of the Animal Control Officer to keep, or cause to be kept, accurate and detailed records of the licensing, impoundment, spay/neuter and disposition of all animals coming into his custody.

(B) It shall be the duty of the Animal Control Officer to keep, or cause to be kept, accurate and detailed records of all reported bite cases.

(C) It shall be the duty of the Animal Control Officer to keep, or cause to be kept, accurate and detailed records of all revenues and expenditures. These records shall be open to inspection at reasonable times by such persons responsible for similar records of the city and shall be audited by the city annually in the same manner as other public records are audited.

(‘76 Code, Art. 6-5) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)

§ 90.99 PENALTY.
(A) Unless otherwise provided, any person who does not comply with this chapter shall be guilty of a civil violation. The following non-suspendable fees will be assessed for each violation:

1. First offense: Not less than $40 or more than $75, plus any restitution.
2. Second offense: Not less than $75 or more than $150, plus any restitution.
3. Third and subsequent offenses: Not less than $150 or more than $250, plus any restitution.

(B) Any person violating §§ 90.40, 90.41 or 90.50 shall be guilty of a Class 2 misdemeanor.

(C) Upon a finding that an animal has been the victim of cruelty, abuse or neglect, the Magistrate may order one or both of the following:

1. That the animal be forfeited to the Sierra Vista Animal Control.
2. That the owner not be permitted to own or control an animal within the city for a period not to exceed three years.

(‘76 Code, § 6-1-1) (Ord. 786, passed 9-24-87; Am. Ord. 936, passed 10-28-93; Am. Ord. 938, passed 2-24-94; Am. Ord. 1030, passed 3-27-97; Am. Ord. 1077, passed 10-8-98; Am. Ord. 2005-022, passed 11-11-05; Am. Ord. 2010-001, passed 1-14-10)
April 11, 2018
Dear Mayor and City Council Members,

I am submitting this to comment on the issue of allowing chickens and other foul within city limits. The debate has been ongoing for a number of weeks especially in social media and the participants seem strongly divided on the issue. My opinion is straightforward- I am opposed to any ordinance allowing chickens or any farm animals within city limits. These animals belong in the country. I grew up in Western Pennsylvania in a city about the size of Sierra Vista. I don’t recall any chickens being kept within city limits. I do remember an abandoned chicken coop within the neighborhood I grew up in and even though abandoned, it was a nasty place to visit. There were many ‘chicken’ farms in Western Pa farms and family homes in the countryside. Some were well maintained, and others neglected, some with 100s of chickens and some with just a few. One thing they had in common they were all nasty and not a pleasant place to visit. Compared to Sierra Vista, Western Pa has a much milder and wetter climate. Occasionally we would have a summer heat wave of temperatures in the low 90s for a few days. It wasn’t unusual to read about 1000s of chickens expiring in the heat usually due to poor ventilation. I can’t imagine how these fouls will survive here in Arizona with no or primitive ventilation.

Recently in Facebook there was a comment attributed to the current mayor to find a way to let neighbors decide whether to let chickens in their neighborhoods. The comments were generally negative and very sarcastic somewhat typical of what one reads in Facebook. But this might not be a bad idea, especially since it is already done for other subjects and has a mechanism in place to manage the program. We have zoning ordinances to regulate what people can and not do on their properties, like installing storage sheds for example that deviate from established guidelines. To get a variance, the owner must have a public hearing and place sign in his yard for a certain period of time informing his neighbors of his desire for a variance. Why could this not be required for those desiring to have chickens on their property?

I prefer that no chickens or other foul of any quantity be allowed in our Sierra Vista neighborhoods. One of the reasons I moved here was to enjoy the climate, views and times outdoors on my patio or in my yard. I can tolerate a barking dog or a neighbor cat on occasion but not chickens. If chickens come to homes within city limits, I will be looking for somewhere else to live.
Norman P. Wigton
1848 Baywood Ln
Sierra Vista, AZ 85635
1306 Suffolk
Marlene Woznick
BIG FAT NO TO CHICKENS!!!
BRINGS COYOTES, THE SMELLS AND NOISE!

Please Note: NEW INSPECTION TIMES RUN 8AM - 2PM. WE DO NOT DO SAME DAY INSPECTIONS. All inspections must be requested by 5 pm the day prior to schedule for the next business day. Any messages left after 5:00 pm will not be scheduled for the next business day.

Respectfully,

Kristen Gregan-Goodwin
Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov

Sierra Vista
EXTRAORDINARY SKIES. UNCOMMON GROUND.
Dear Mr. Pregler -

It is my understanding that at the next city council meeting there will be a proposal to approve an ordinance that would allow for the raising of chickens within the Sierra Vista city limits. As a voter residing in the Sierra Vista city limits, I strongly OPPOSE the adoption of such an ordinance.

Mike Moats
317 Judd St.
Sierra Vista
520 227-6975
Chickens in yards within the city limits would add an unneeded and unwanted hillbilly/redneck quality to Sierra Vista, and could possibly drive away new residents and business ventures. Folks who want chickens in the yard should move outside the city limits. Once you open the floodgates to livestock within the city, and that is exactly what this does, the next step is someone will want a cow for a pet, and use the domestic fowl rule as an example ie ‘Peggy Sue has chickens for pets in her yard, so why can't my little Hunny Boo Boo have a pet cow?’ We can head this nonsense off at the pass by holding firm on the position that barnyard animals need to kept near the barn, located outside the city limits.

Thanks in advance for adding this to public comments. Please do not include my e-mail address as part of the post, unless those are the rules.
No chickens in town.

Barb Arsenault
2692 Golden Eagle Dr.
No chickens in town.

Joe Arsenault
2692 Golden eagle drive
DATE: 3-5-18  TIME: 

CITIZEN: Carol J. Bossler  
ADDRESS: 2076 Harwood Sierra Vista, AZ  
HOME PHONE: 520-368-2983  WORK PHONE: 

NATURE OF COMPLAINT: We do not want to leave the city from chickens. And in addition this decision should not be made by 6 people that affects the whole city.

REFERRAL:  
DEPARTMENT: 
EMPLOYEE: 
DATE:  
TIME: 
CHICKEN
CITIZEN COMPLAINT FORM

DATE: 3-5-18
TIME: 2:10 P.M.

CITIZEN: WILLIAM J. BOSLER

ADDRESS: 2074 HARWOOD

HOME PHONE: 520-368-2983  WORK PHONE: 

NATURE OF COMPLAINT: ON CHICKEN ORDINANCE

REFERRAL:  DEPARTMENT: 
EMPLOYEE: 
DATE:  TIME: 
Mr. Pregler,

Please don’t allow chicken in the city. A neighbor behind us had chickens for a while and the Coyotes really enjoyed them. We had coyotes walking on top of our 6 foot concrete block wall, walking along the wall to get to the yard behind us to decide what they wanted to do for a meal. I’ve had coyotes just hop up to the top of my wall and hop down in my yard to walk across it to get on the wall to go to the neighbors yard behind me. One time I had my poodle in the back yard and he started barking to alert me and sure enough a coyote was in the yard. Lucky for me I had him on a leach keeping him close to the back door or he may have become a meal for the coyote.

What about people who have children that may be playing in their own back yard? Will they have to give that outdoor environment up because some neighbor wants chickens and that WILL bring coyotes to the area? Chickens do not belong in the city. Parents should be able to allow their children and pets to play in their own yards with fear of being attacked by a coyote just because a neighbor wants chickens. Eggs are available at all grocery stores.

Would you want your family member or pet attacked by a coyote?

DON’T ALLOW CHICKENS IN THE CITY, PLEASE.

Jim Cleven
From: Virginia Cleven
To: Jeff Pregler
Subject: chickens in the city
Date: Sunday, March 04, 2018 8:37:32 PM

I own 8 properties in the city limits of Sierra Vista. I pay taxes in the city and rental taxes to the state which get passed down to the city. I would hate to see chickens allowed within the city limits. First of all, chickens will attract wildlife such as coyote looking for food and mice and rats. They can be very smelly and they carry a lot of germs. Second, I firmly believe this will devalue properties since most folks want to have quiet enjoyment in their home which would include their yards. With the constant clucking noise along with other nuisances, it would not be an ideal situation.

I am totally for people having chickens to be able to have their own eggs but this needs to be done outside the city limits with more land and open spaces so neighbors aren't disturbed, therefore I am completely against chickens in the city.

And this can be counted as 8 emails against chickens.

Realtor® Associate Broker  
ERA Four Feathers Realty  
1993 Frontage Rd. #105  
Sierra Vista, AZ 85635  
O: 520-458-8822 | C: 520-678-0255 |  
F: 520-458-1339 | vcleven@cox.net  
-------------------------------------------------------------------  
A Smarter Community | www.era.com
Chickens and ducks belong on the farm, not in town!

You can eat the chickens or ducks, but we're not sure you'll have eggs without a rooster or a drake. It's good roosters have been banned, but you should also ban the male ducks.

Chicken hens are not as noisy as roosters, but they make a lot of noise too -- as do female ducks. Both chickens and ducks attract mites, lice, and fleas -- all of which can affect humans and other pets.

Mice live with chickens and ducks -- that's a fact of life. Many of the snakes the chicken and ducks kill might be beneficial to the property, because some kill rattlesnakes and even the small snakes. kill mice, rats, etc.

The owners won't walk behind the chickens or ducks and pick up droppings in a plastic bag. With small yards, it won't take long to fill the yards with smelly chicken droppings, plus enzymes (which are dangerous to humans and other animals).

The droppings of the birds and mice are what makes weeds grow. From our experience, chickens and ducks do not keep a yard free of weeds!

Depending upon the number of children and adults per household who want a chicken or duck for a pet, it automatically increases the amount of chicken and duck droppings.
Chickens and ducks also attract hawks, owls, coyotes, foxes, bobcats, and maybe bears to those yards. This puts humans and small pets in danger.

What happens next -- geese, sheep, goats, pigs, cattle, or other livestock?

So, it's best all these animals are left in the country, where they have plenty of space to run or hide and the wind will blow away the enzymes to clear the air.

An aside to the Council Members:

Please start looking at all your codes and regulations as a whole picture. You look at too many with blinders on and do not realize you contradict the codes and regulations you already have in effect. Examples are: building codes that require people who want to add a room to the back of their home to apply for a permit and then wait for neighbors to approve the addition (in case the new room blocks their view of the mountains or other scenery). Once approved, the new room must be built by a contractor.

But yet, a person can build a shed of any size, anywhere in their backyard and may block their neighbors' views. They must get a permit, but the neighbors are not allowed to give feedback about loss of their views of mountains or other scenery. In addition, they are not required to hire a contractor to build the shed. That can mean a person who may not be qualified to put in footings, concrete slabs, and possibly far more electric service than what is
required for a single room, does the work themselves.

I'm sure things like this are an oversight, because some codes are passed years apart and you don't stop to think when you pass new codes or regulations. But, it is starting to create problems in some neighborhoods. Just in the last four months, we personally know about two sheds that now block the neighbors' views of mountains and other scenery. We know one person got a permit, but we don't know if the second one did.

We are private citizens who are not directly involved with the City Council or are in any way involved in the passing of codes or regulations. But, we have been adversely affected by the differences in the codes for adding a room and the lack of a good code for sheds.

If you are going to be on the Council, these are things you should be aware of and know you may have to make decisions about. When you're writing codes and regulations, you should do careful research and then you can consider yourself an effective Council Member. It is definitely not a fun and games position -- is a very important and serious position!

The DancinJs
Mr. Pregler,

I live on Heather Drive in Sierra Vista. I wish to let the Council know that I oppose this ordinance. I believe that chickens should not be raised within the city limits.

Thank you.
Florence DeWitt

Sent from my iPhone
I personally don't approve.

Dixi
Good evening,

My name is Kay Phillips and a member of our Rotary club mentioned that you were the one to email with our vote on the "raising chickens in Sierra Vista" issue. My vote is an emphatic NO.

I live within the Sierra Vista city limits (Canyon de Flores).

Thank you.

Respectfully,
Kay Phillips
Hi! My name is Dawn and I do NOT want chickens in the city I live in. Chickens are messy and loud and belong in the county. The CDC recently published a report on the largest e-coli outbreak in years and the source was chickens in private homes. Please check the cdc.gov for more information. Thank you for your time and consideration.

-Dawn

Sent from my iPhone
Rudy Eerger (520) 249-8291 lives on 2370 Candlewood Drive and is “AGAINST chickens & everything in the backyard. Chickens are dirty & we don’t need them in the city.” Mr. Eeger was “raised on a small farm and doesn’t think that’s something that should be in the city.”

Thank You,

Sabrina Avila
Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
I am against chickens / ducks being raised in residential areas of Sierra Vista. If a neighbor’s dog barks, the neighbor can bring the dog inside. Different story for chickens. Please don’t approve.

Dennis Ehrenberger
2783 Glenview Drive
Sierra Vista, AZ 85650
Live in Winterhaven

Sent from AOL Desktop
Jeff,

We oppose the council approving the proposed amendment regarding domesticated fowl.

Reasons:

Unwanted foul odors from fowl

Required changes to animal shelter for boarding chickens abandoned or without care, coops?
A separate area for chickens at the animal control would be needed as the cats and dogs would think
they are food.
Required cleanup by owners, Bird Mites

Do they have to be registered or have a tag?
Will any shots be required as other animals are?
Could they become a service animal and go to McDonalds?

If they are in a back yard and fly over the fence and the chicken crosses the road and the neighbor's
pet dog kills and eat it because it is food, what violation would there be and for who, the chicken owner
or the dog owner?
Local Vets, what have they recommended for the care and health and cleanliness of chickens as a pet
or for raising them?
Are there some people in the community that already have chickens?

Cleanliness, how do you clean a chicken, do they ever get a bath, etc.?
Chickens can get 13 different illnesses in one internet article including bird flu.
How do the animal control feel about this ordinance? Will it require an additional employee?

Link to chicken mites
www.google.com/search?q=chicken+mites+and+lice&source=hp&ei=UI-dWsGTMIjX0gKsw7T4Bg&ved=0ahUKEwiT0fSri9kQAhWJnOgIHkV6CvYQ_AUICigB
morningchores.com/chicken-diseases/

In God We Trust,
Ron & Shirley Faulkner
520-458-2384
Hi Jeff,

Virginia Francis just called to further explain her vote against chickens. The noise and smell are a concern for her but more importantly, she is worried about chickens attracting more coyotes into the neighborhood. She has poodles that she keeps in their backyard and she thinks even with 8 foot walls, the coyotes could still jump the fence and get to her dogs.

Thank You,

Sabrina Avila  
Administrative Secretary  
City of Sierra Vista  
Department of Community Development  
Planning & Building Division  
1011 N. Coronado Dr.  
Sierra Vista, AZ 85635  
(520) 417-4413  
Fax (520) 452-7023  
www.SierraVistaAZgov
Hi, Jeff - I am writing as a City of Sierra Vista homeowner and tax payer. I second the sentiments of my friend, Barbara Ross, as outlined below. Also, as a Realtor, I am concerned about the impact allowing chickens and ducks in City limits may have on property values and sales. I think it's a BAD idea and I too am vehemently opposed to it.

Thanks, Jan Friedland - 795 Sunset Vista Dr.

From: barbara ross <bross311@yahoo.com>
Date: March 5, 2018 at 9:53:30 AM MST
To: jeff.pregler@sierravistaaz.gov
Subject: Chickens!

Greetings, Jeff. I am writing to vehemently oppose any and all ordinances that would allow chickens and ducks in our residential communities.

1. Most houses too close.
2. Being a neighbor to high heat smells would be intolerable.
3. People being people - many would not keep clean conditions.
4. The fowl would draw coyotes and more wild animals, vermin, bugs into our communities.

5. Small dogs and children may be at risk by #4 above.
6. Health risks due to #4 above.
7. Unnecessary drain on resource officers and animal control for night time issues, neighbor issues that will result from this ordinance.
8. We live in a town, small city...not on farms, ranches, large acreage. People, pets, children will be affected.

Please be respectful of town/city norms and courtesies re added stressors to neighborhood life. Help keep the peace.

Barbara Ross, Sierra Vista, 240.2279
Sent from my iPhone
While I do not live in Sierra Vista, I did want to alert you to the health risks of having chickens in an urban setting and having chickens as pets.

The Center for Disease Prevention (CDC) published an article in MMWR (Morbidity and Mortality Weekly Report) discussing the dangers of handling poultry. Unfortunately, I'm not able to find that particular article; however, the following link will provide information:
https://www.cdc.gov/features/salmonellapoultry/index.html

I am also attaching an article published by CDC about a family that does have backyard chickens. I have highlighted what the family does to keep the chicken and themselves healthy.

Will residents of Sierra Vista take the necessary health precautions in handling chickens?

I am not sure that chicken owners will do what is necessary for the health and safety of the community.

Jo Ann Gasper
Former Deputy Assistant Secretary
U. S Department of Health and Human Services
Public Health Service

--
Jo Ann Shoaf Gasper
7576 S Coyote Song Lane
PO Box 218
Hereford, AZ 85615

Jo Ann Phone: 817-319-5778 (cell)
Meet Anne-Marie and Scarlett, mother and daughter who keep backyard poultry as a hobby

"Chickens are easy, and they're so much fun!" exclaims Anne-Marie, as she holds two beige and pale-blue eggs just laid that day. She's an avid gardener and teaches backyard poultry-keeping at the Wylde Center in Decatur, Georgia, a small city just outside Atlanta. Her daughter, Scarlett, helps with the chickens and co-teaches the Kids in the Coop class.

Anne-Marie and Scarlett share their passion for gardening and for chickens with their neighbor. Together they decided to build a chicken coop directly between both houses, but out of sight from the street. It is perched on a hill, allowing excellent drainage of rainwater into the yard behind their houses.

Not only are chickens fun to have around, but also they're great teachers. "My daughter, Scarlett, has learned about farm animals, how we get eggs and chicken meat, and what it takes to care for them," said Anne-Marie. She feels like sometimes "people are very distanced from nature, and this brings it all back together."

As Anne-Marie approaches the coop, a half-dozen colorful hens scurry to the door, cackling their greeting. It is easy to tell that these chickens are well cared for and happy. There's no odor, and the chickens are clean. As she lets the small flock out into the backyard to scratch and peck in the leaves, Anne-Marie says that, aside from a hawk attack, her chickens have been quite happy in the city.

She attributes her chickens' happiness and health to a strict cleaning and pest control routine. She changes the bedding beneath their roost weekly and cleans feeders and waterers daily. She also washes down their roosts and changes the straw in the nest boxes. She keeps pests at bay by keeping feed in tightly closed metal containers and by using a chicken-friendly pest control service. In addition, the coop's protective covering of wire and mesh keeps out predators, such as hawks.

Human members of her family keep germs at bay by dedicating a pair of shoes specifically for working with the chickens and taking them off before entering the house. Anne-Marie says that the family keeps chickens and their equipment outside and that everyone must wash their hands after handling the birds.

The family has been fostering some chicks over the past few weeks and enjoys watching them play in a pen in the front yard. Scarlett holds the youngest chick, a black ball of fluff. Handling backyard poultry often is important, Scarlett explains, so they are socialized and easy to work with. "They come when we call them," says Scarlett, who bends down to nestle a young hen in her arms. When asked what her role in keeping the foster chickens was, the 8-year-old grins and says, "I'm training them for their next owners." Both mother and daughter are eager to share their passion for chickens with others who might be interested in the hobby.

Page last reviewed: April 30, 2014
Page last updated: April 30, 2014
Content source: Centers for Disease Control and Prevention (http://www.cdc.gov/)
National Center for Emerging and Zoonotic Infectious Diseases (NCEZID) (/ncezid/dw-index.html)
Please no chickens in the Sierra Vista City limits.
I do not want my neighbors or anyone else in the city to have chickens! If you want chickens then live where they allow them!!

Sent from my iPhone
Kristen Gregan
WAYNE GREGAN
2132 LAUREL LANE

NO CHICKENS, CHICKENS IF NOT CARED FOR PROPERLY CAN BE VERY DIRTY ANIMALS AND CAN ATTRACT FLIES, ROACHES AND FLEAS. MOVED INTO CITY LIMITS WAS SO SHE DIDN’T HAVE TO DEAL WITH FARM ANIMALS THAT YOU FIND IN RURAL AREAS. IT IS ABSOLUTELY RIDICULOUS!

Please Note: NEW INSPECTION TIMES RUN 8AM - 2PM. WE DO NOT DO SAME DAY INSPECTIONS. All inspections must be requested by 5 pm the day prior to schedule for the next business day. Any messages left after 5:00 pm will not be scheduled for the next business day.

Respectfully,

Kristen Gregan-Goodwin
Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
PATRICIA GREGAN
2132 LAUREL LANE

NO CHICKENS, CHICKENS IF NOT CARED FOR PROPERLY CAN BE VERY DIRTY ANIMALS AND CAN ATTRACT FLIES, ROACHES AND FLEAS. MOVED INTO CITY LIMITS WAS SO SHE DIDN’T HAVE TO DEAL WITH FARM ANIMALS THAT YOU FIND IN RURAL AREAS. IT IS ABSOLUTELY RIDICULOUS

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Fax (520) 452-7023
www.SierraVistaAZ.gov
Hi,

When I lived in Hawaii chickens were allowed in my neighborhood. This resulted in loud crowing (roosters, which the city doesn't include), clucking/pecking and the stench of chicken waste. Also, a hen flew into my fenced yard and was ripped to pieces by my dogs. This was not a pleasant situation.

I feel having chickens in urban neighborhoods is asking for trouble. This puts additional work on our animal enforcement officers and is just generally a bad idea.

V/R,

Margaret Gurney

Sent from Mickie's iPad
RICHARD HAGEN
1548 CARMEILITA DRIVE

NO CHICKENS

Please Note: NEW INSPECTION TIMES RUN 8AM - 2PM. WE DO NOT DO SAME DAY INSPECTIONS. All inspections must be requested by 5 pm the day prior to schedule for the next business day. Any messages left after 5:00 pm will not be scheduled for the next business day.

Respectfully,

Kristen Gregan-Goodwin
Administrative Secretary
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Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
MARION HAGEN
1548 CARMELITA DRIVE

NO CHICKENS

Please Note: NEW INSPECTION TIMES RUN 8AM - 2PM. WE DO NOT DO SAME DAY INSPECTIONS. All inspections must be requested by 5 pm the day prior to schedule for the next business day. Any messages left after 5:00 pm will not be scheduled for the next business day.

Respectfully,

Kristen Gregan-Goodwin
Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ  85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
Mr. Pregler,

I'm writing with my public comment regarding the passing of resolution 2018-016 to change the City Code of Ordinances.

I'm sure you've been hit up with the arguments against it for noise, odor, mice, & predators, but I also see that those items are addressed in the ordinances and shouldn't be a problem... if people follow them properly.

Has the city looked at how this interacts with existing CC&R's for various subdivisions? I've reviewed the CC&R's for a few locations and in all of the subdivisions I've looked at, the keeping of chickens is prohibited. This includes:

1. Mountain Shadows
2. Country Club Estates
3. Winterhaven
4. Fairway Villas
5. Mission Hills
6. Coronado Crossings
7. Chaparral Village
8. Canyon de Flores
9. Holiday
10. La Terraza
11. Pueblo del Sol
12. Sierra Springs

Not to say regulations for the city should be guided by the CC&R's of a few, especially when some locations are quite restrictive. But my thought is, when people move to Sierra Vista and purchase a home, they are more likely to read the CC&R's they are given & are required to sign at closing rather than the city ordinances. That being the case, all of these residents (thousands in the communities listed) have signed paperwork to agree that they are OK living in an area where chickens are prohibited. I think it gives some insight into how many residents who may not be up to date with the city’s current affairs like this 30 day notice, are just fine living in an area that prohibits livestock type animals. I don’t have access to all CC&R's for the communities in the city without going to Pioneer Title, but I would guess a significant portion of the city’s residents in locations that do have CC&R's have signed similar paperwork with verbiage prohibiting the keeping of poultry or livestock, which legally defined would include chickens if a neighbor wanted to take a neighbor to court. I’m not pushing sides on behalf of Castle & Cooke, but looking at it from a developer perspective, changing this ordinance will make the city’s ordinances contradictory to many of the neighborhood ordinances in the city & potentially lead to legal battles between residents. I don’t know where the
residents live that are asking for the change, but it’s quite possible that some of them live in areas where their CC&Rs prohibit them from doing it anyway, in which case they may petition change to city ordinances, only to have a judge force them to remove the animals.

William Hargis  
Senior Operations Manager

Castle & Cooke
4100 Canyon de Flores, Sierra Vista, AZ 85650 – Tel. 520-378-2669
10,000 Stockdale Hwy, Ste. 300, Bakersfield, CA 93311 – Tel. 661-664-6500
Please, NO chickens within the City Limits. Perhaps those who wish to have chickens could work out an agreement with a farmer/rancher and create a chicken co-op on that property. That way they do not infringe upon my rights to not have chickens and they are able to have chickens.

Thank you,
Jeanne Haroldson
We have a house in our area that already has chickens running wild in the backyard where their children play. The chicken housing does not appear to be 5 feet from the fence line. We can hear and smell them from across the street.

Given there is new legislation presented for approval, please consider the following. Owners must get approval from abbutting properties. However, properties across the street are also affected. We still get the noise and smell.

Clinically, how are the possibility of infections going to be maintained? Per the CDC, "Be aware that birds can shed Salmonella, Campylobacter, E. coli, and other germs in their droppings." When droppings dry and the wind picks them up, these germs are spread throughout the area. (Backyard Poultry | Healthy Pets Healthy People | CDC)

Not to mention they can carry Avian Flu. I fear a 'part time' chicken raiser will not know how to keep these deadly diseases at bay. And being in a close community as most of Sierra Vista is could cause major outbreaks.

I urge the deciding parties not to allow chickens in residential areas. I personally do not want my property value to drop because someone decides to get chickens as 'pets' or 'projects.'

Thank you in advance for your time.
Susan Hinshaw
Jeff
This is Jack Isler of 3820 Greenbrier Rd.
For a number of reasons I am against having chickens in the city of SV.
1. Increase in predators-hawks, coyotes, owls and the mess that is created.
2. Property values go down.
3. Mess/smell in yards not being cleaned up-increased calls to law or animal control.
4. Increase of noise, nuisance.
5. Potential health issues from disease and bad eggs/poultry.
That is a good start for my NO vote.
Sincerely,
Jack Isler
Jennifer Osburn

From: Tom Kennedy <twkennedy@cox.net>
Sent: Monday, March 12, 2018 6:36 AM
To: Rick Mueller; Craig Mount; Rachel Gray; GWENDOLYN CALHOUN; MayorAndCouncil
Subject: Re: chicken ordnance

Dear Mr. Mayor and City Council Members,

I sent this objection to you in January, but I am sending it again. I just can't believe that you folks would allow chickens in Sierra Vista.
Please read/re-read my e-mail below.

Tom Kennedy
Citizen

On 1/24/2018 8:31 PM, Tom Kennedy wrote:
> Dear Mr. Mayor and City Council Members,
> >
> > Please do not pass a city ordnance that allows residents to raise chickens in their back yards. These creatures are dirty, noisy, and attract coyotes, wolves, and other predators to areas where there are children and pets. They also lower property values and create incredible and unnecessary feuds between neighbors.
> >
> > This ordnance, if passed, would turn Sierra Vista into a third rate city rather than the jewel that it is today.
> >
> > Tom Kennedy
> > Citizen

---

This email has been checked for viruses by Avast antivirus software.
https://www.avast.com/antivirus
From: Killingsworth, Christophe E CTR USARMY ICOE (US)
To: Jeff Pregler
Subject: NO CHICKENS! (UNCLASSIFIED)
Date: Tuesday, February 27, 2018 8:09:19 AM

CLASSIFICATION: UNCLASSIFIED

Chris Killingsworth
1355 Calle Amable
Sierra Vista, AZ 85635

520-678-3029

CLASSIFICATION: UNCLASSIFIED
Mr. Pregler,

I've been a proud member of Sierra Vista since 1980, and I urge you to take a stand against turning our town into a gypsy camp. No to the chickens! This will only open a door to more outrageous behavior.

Barbara Kilness
I definitely vote NO on the chicken proposal. I had the disgusting experience of residing next door to a family in New Mexico who had several chickens. The chickens created a horrible fly and odor problem. It is now feasible to remove chicken feces as is with other animals, i.e. dogs, cats. I was not aware of the chicken coop when I rented the property and moved immediately when my lease expired. NO ONE should be exposed to this odor and insect problem. If a person desires to raise chickens, they should move to a location outside the city.

Gerald Knuth
SV
Please.
I live in a city for a reason, and don't want farm animals in my neighbor's backyard. What's next? Cows?
Thanks.

Debra L Koltveit
3244 Golden Eagle Drive
SV 85650

Sent from my iPhone
I AM NOT in favor of chickens within the city limits. Many people are not responsible for cleaning up after or taking good care of their dogs and cats so why would they do any better with chickens? The smell alone would be bad but, wouldn't chickens draw even more coyotes near our homes? Please do not allow this to happen.
Debra Kurtz
All:
I do not agree with allowing domestic fowl animals in the city. I do not want this living next door to me. Thank you.

Elaine Lumberry

Sent from my iPad
Yvette Matthias
To the Sierra Vista City Council, Mayor,

We would like to voice our strong opposition to “chickens coming home to roost”, pardon the borrowed expression.

Our youngest daughter lives in Seattle and we have seen first hand how a once nice looking street of homes quickly falls into the “unkempt” category. Her neighbor 2 doors down put a cage of chickens in her front yard after the city passed the ridiculous ordinance allowing poultry in the city. Going for walks became a whole new experience. The dogs barked more to be sure. But what’s more is that it started looking like a neglected property, weeds grew, they let their bushes grow to hide the chickens and finally they put in a raised bed garden in the front yard too!

Our daughter and others decided to go for the raised bed gardens in front, with hanging tomatoes on sidewalks etc. Nothing on that street looks the same. I would NEVER buy a home there if given a choice! It has all gone to the —chickens! I am sure property values have to be affected negatively by the sight of all of this mess.

If people are so anxious to raise chickens, they need to live outside city limits - period!! No one is telling them they are illegal! But there is a place for everything. Jeff Pregler and the Council members should have kept chickens on the agricultural animal list and not put them on the domestic list. They are not “domestic” animals! Chickens are becoming a real nuisance after they are no longer able to lay eggs.

Two year old + chickens are flooding streets and animal shelters when their owners have no use for them. What is Sierra Vista’s plans for not in use chickens?

There is a community garden on Wilcox. Maybe there needs to be a community chicken coop somewhere in the country or perhaps in Mr Pregler’s backyard!

We say, NO Chickens in our city!!

Dr. William C. & Connie M. McCormick
Sierra Vista, AZ

Sent from my iPad.
“Life is short- smile while you still have teeth”!
Connie M. McCormick
Hello Jeff

In response to chickens being in the city. I think if people want to raise chickens, then move out to the county, outside the city limits. If chickens really are so clean and quiet, why don’t these people raise them as INSIDE pets, inside their residence.

I know for a fact they are not clean and quiet. Being on a farm for a week with someone who had a small coop (only about 8 – 12 chickens), they were noisy 24/7 so it was hard to sleep (summer time in a farm house with no air conditioning so the windows were open.) And the smell, they have a horrible odor. I don’t want them close to my property. They keep snake and bug population down? Do they really? We have lizards (which by the way I LOVE) to keep the bugs population down. The chickens would problem eat them, also. What about coyotes? I live by the downtown center of Cochise College (old hospital) and I can’t walk before sunrise or after dusk or I encounter coyotes. Chickens in the neighborhood would only make this problem worse.

I live in the city as I really don’t want to be that close to livestock and those types of critters. That is why I walk up in Ramsey Canyon. I go there to see critters but them come home where I am critter free.

If chickens do come to my neighborhood, they had better be a MINIMUM of 100 yards from my property and I will be reporting any noise, odor or EXTRA coyotes they bring to the neighborhood.
Jennifer Osburn

From: MatthewMiller <msixpack@cox.net>
Sent: Wednesday, February 28, 2018 10:50 PM
To: MayorAndCouncil
Subject: Residents in Sierra Vista and Chickens

Members of the Council and Mayor of Sierra Vista,

I would like to express my concerns with the plan to allow chickens (Farm Animals) to be raised inside the city limits. One of the main reasons I live in the city and willing to pay the additional taxes imposed by the city was for the strict adherence to “health” living areas.

Chickens are not the cleanest animals. Of all the farm animals the chicken is unsanitary, noise, and have a pungent smell. I strongly encourage the city to not accept this ordinance. We already have an issue with barking dogs, adding another animal to this mix will only cause additional calls to the police.

v/r
Matthew Miller
2876 Sierra Bermeja Dr.
Sierra Vista, AZ
H# (520) 458-9642
C# (520) 227-2172
Dear Mr. Pregler and the Honorable Members of City Council:

I request that prior to your next meeting you please reconsider your positive position toward allowing backyard chickens and ducks in Sierra Vista. I am firmly opposed to the movement. I live in the very nice community of Canyon De Flores where property values are already seeing a decline. It is my belief that changing the status of chicken and ducks to allow them to be treated as backyard domestic animals will further decrease the value of properties in Sierra Vista.

When my husband and I made the decision to purchase in this neighborhood, it was not made without a great deal of consideration on our parts. Ultimately, we opted for the conveniences and services provided by the City of Sierra Vista. We also specifically chose a neighborhood without an active HOA to avoid the restrictions that they bring, knowing we would have certain protections through the city. Shortly after we moved in, new neighbors also moved in behind us. They are in the city but built a large coop anyway. I called the city to inquire if chickens are allowed within city limits and was at that point told emphatically that they indeed were not allowed. I asked for and was told that a code enforcement officer would pay the home owner a visit. Whether or not this visit occurred, I do not specifically know. I do, however, know that a few weeks after my call, the neighbor expanded his coop and added additional chickens to the eight living on his property. Code enforcement is evidently already an issue on this matter.

Over the past two weeks I have watched a conversation thread on my community bulletin board grow with comments both in favor of and against the current proposal. The comments in favor of the proposal center on property rights. I appreciate this and argue that I should continue to be afforded the particular "rights" that I agreed to when buying property within the city. Just as they had a choice, we had a choice where to buy a home and chose this city over great options in Hereford, Huachuca City, and surrounding areas because of the city services and protections. Please do not take these away.

The arguments on the bulletin board against the proposal are varied with concerns of attracting additional unwanted wildlife, increased noise and odor, and unsightly structures to house the fowl. These points are indeed debatable and deserve attention. What I found most interesting is that the conversation in the thread turned to aggression over the number of barking and nuisance dogs in the neighborhood. Clearly, we already have a problem with irresponsible dog owners that do not train or control their pets. I find it very difficult to believe that most backyard fowl owners would be any more responsible about the challenges of keeping these animals. Backyard chickens cannot be considered an easy or inexpensive hobby.

This bulletin board thread was one of the longest I have seen for the neighborhood. Whether or not it is directly expressed to you, people are very upset and animated about this issue. I do not understand why you would want to create an ordinance that will potentially pit neighbor against neighbor. Farm fresh eggs are available at the various farmers markets in the area. This is where I buy my fresh eggs. They are absolutely more expensive than the eggs at the grocery store but a lot less expensive than humanely and responsibly keeping chicken or ducks to produce them. If the main reason people want backyard birds is to harvest the eggs, this is not an economical or practical argument.

Thank you for your time. Again, I request that you please reconsider and not allow backyard fowl in the city at this time.

Respectfully,
Melody Minadeo
Sierra Vista City Council
1011 N. Coronado Drive
ATTN: Mayor and Council
Sierra Vista, AZ 85635

SUBJECT: Reasons Why Backyard Chickens, Ducks, and Other Fowl Should Not Be Permitted Within the City of Sierra Vista

1. Enclosure 1 is my prior submission to the Sierra Vista City Council, dated June 9, 2011, subject: Problems and Costs Related to Allowing Urban Poultry farming in Sierra Vista.

2. An additional reason why urban poultry farming should not be permitted within the city of Sierra Vista.

Number of chickens per “city block”. The Council may set limits on the number of chickens per city LOT (individual house and depending on lot size), but what about limits per city BLOCK or adjacent city blocks? Example: On my side of the street there are 6 houses — with my house being in the “middle” of the block; across the street there are 10 houses; and on the side of the street directly behind mine there are 8 houses. So, surrounding my house, there are 23 houses (not including mine) and a potential for 184 chickens if each house is permitted 8 chickens. Whether or not such a situation would occur is unknown, but just say that it does occur. Can you imagine the noise, the smell, the number of predators attracted to potentially easy meals? And what about neighborhood pets affected: The cats, if they are permitted to wander (to say nothing about feral cats or cats from outlaying neighborhoods) will do so towards the chicken yards; dog-barking will increase, because that is what dogs do. Hawks and owls will become a problem — easy dinners. Do we really need all of these problems and can the city financially afford to resolve them or handle the lawsuits?? I find the very thought appalling!

3. Responsibility of the City. If the city condones backyard poultry farming, then the city implicitly assumes some of the responsibility for what happens when their bylaws are followed. If complaints come in about chickens freezing to death in a poorly made coop, city council will be asked why they permit that to happen. If the chickens become ill because of poor nutrition or unsanity conditions, that is cruelty to animals. If someone gets very ill, or dies from food borne illness from backyard eggs, fingers will point towards city hall. If there is a family of children that get sick from playing in the backyard amongst the manure of hens, the city hall will be contacted.

4. The City Council should be concerned with the health, welfare, and interests of the entire population of the city, not a special interest group. All citizens of this city need to voice their opinion concerning whether to permit or not permit backyard chicken farming and this should be done by voting in a special election.
SUBJECT: Reasons Why Backyard Chickens, Ducks, and Other Fowl Should Not Be Permitted Within the city of Sierra Vista, 19 March 2018

5. I sincerely hope the City Council does not approve backyard chicken farming. The problems it will cause will become unmanageable and very expensive to the city.

Thank you,

[Signature]
Nancy Moses
532 Howard Drive
Sierra Vista, AZ 85635
June 9, 2011

Sierra Vista City Council
1011 N. Coronado Drive
ATTN: City Clerk
Sierra Vista, AZ 85635

SUBJECT: Problems and Costs Related to Allowing Urban Poultry Farming in Sierra Vista


2. As a concerned resident of Sierra Vista, I recommend that the following problems and costs be addressed by the Sierra Vista City Council before the City Code is amended to allow urban poultry farming, and that the City Code not be so amended if these problems and costs cannot be resolved to the satisfaction of the majority of the community residents. Please note that my use of the word “chicken” or “poultry” includes “any domesticated birds, including, but not limited to, chickens, turkeys, ducks, geese, guineas and squabs” as cited in Chapter 90 of the City Code.

   a. Permit. Require all owners to register/obtain a permit for their urban farming venture with Animal Control as a way for the City to keep tract of the number and types of poultry being maintained. This information would be needed to tract any outbreak of poultry disease, such as Avian Flu, or parasite contamination, which might occur, and as justification for hiring additional city personnel to handle problems concerning these animals.

   b. Number of Chickens. According to research, chickens may live for five to ten years, and sometimes longer depending on the breed, and after 12 months or so, the hen’s egg-laying ability starts to decline. Eggs are purported to be the main purpose for urban chicken farming and therefore chickens which no longer produce eggs will not be wanted. Sometimes when new replacement hens join a flock it leads to fighting and injury. Allowing non-crowing roosters will foster breeding and result in more than the three chickens per lot; it may also provide roosters for cock-fighting. This may result in owners killing the unwanted or injured birds themselves and disposing of the remains using the city’s sanitation service where disease could spread, setting them loose in the neighborhood, or turning them over to Animal Control. Basically a health risk to all concerned including the chickens.

   c. Health of the Chickens. Chickens are susceptible to lice, mites, ticks, fleas, intestinal worms, fungi, viruses, and other diseases, some of which can cause problems in
SUBJECT: Problems and Costs Related to Allowing Urban Poultry Farming in Sierra Vista

people and in their homes. Chickens should be vaccinated against certain diseases. Local veterinarians may not be versed in treating chicken illnesses, injuries, and diseases.

d. **Enclosures.** Appropriate enclosures are essential to help ensure the safety and well-being of the chickens. Adequacy standards must be followed. Pre-fabricated hen housing and enclosures are available for purchase. Chickens can escape by flying (to a certain height), and thus violate proposed 90.11(G) which states that “Chickens shall be confined to the property on which they are raised.” Owners would have to clip their wings and keep them clipped so they are unable to fly over the fence surrounding the enclosure or cover the top of the outside portion of the enclosure.

e. **Predators, Rodents, and Insects.** Snakes (poisonous and non-poisonous), wild animals such as bobcats, skunks, coyotes, feral dogs, as well as neighborhood cats and loose dogs will be attracted to the poultry by the smell and noise of the birds and to the eggs; wild birds, rodents, cockroaches, etc. to the poultry feed and manure; flies and other insects, including mosquitoes, to everything – and mosquitoes can carry the West Nile Virus. Some of these animals may be rabid, may transmit diseases to the poultry, and may directly endanger owners, children, pets, neighbors, and animal control and law enforcement personnel when trying to apprehend them.

f. **Additional City Staff.** Any complaint about an owner not following the City’s poultry provisions, or problems caused by other animals, will probably require an inspection by an Animal Control Officer or Police Officer (per section 90.50 of the City Code). Depending on the number of complaints, the City may be required to hire additional Animal Control staff and police officers. This will only increase existing budget problems.

g. **Animal Shelter Preparation.** When poultry has to be confiscated from the owner, they probably will have to be housed at the Cochise Country Animal Shelter. Adequate accommodations need to be constructed in advance, proper food kept on-hand, and a contract for veterinarian services awarded, again increasing City/Country budget problems.

h. **Animal Shelter Information.** Information in the Sierra Vista directories lack sufficient and correct information about the Sierra Vista Animal Care and Control Shelter. This will add to the difficulty owners will face concerning assistance with their unwanted poultry and problems with other animals.


(a) In the Sierra Vista City Government section, it is listed as the Animal Control Shelter at 1124 North Avenue. This address is wrong.
SUBJECT: Problems and Costs Related to Allowing Urban Poultry Farming in Sierra Vista

(b) In the White Pages, there is no listing under “animal shelter”.

(c) In the White Pages under Sierra Vista City Government, the Animal Control Shelter listing is under Police, and again, the address is wrong.

(d) In the Yellow Pages under Animal Shelters, there is no listing.

(2) In the Sierra Vista Yellowbook for 2010 2011: Under Animal Shelters, only the Benson shelter and the Humane Society of Cochise County Sierra Vista are listed.

(3) In the Sierra Vista and Cochise County Value Pages for 2011-2012:

(1) In the Yellow Pages there is no listing for animal shelters.

(2) In the white pages, there is a listing of Animal Shelter in Benson.

3. The following responses are offered to the benefits listed in the referenced memorandum above of raising chickens on single-family residential property:

a. Reason: Reduced food allergies.

Response: According to research, a person can be born with an immune system which overreacts to proteins in the egg or the allergy can be developed over time and to any type of food.

b. Reason: The ability to know how the chicken was raised (organic or non-organic).

Response: Organic raising usually starts with a 2-day old chick. See http://www.raising-chickens.org/raising-organic-chickens.html

c. Reason: Knowing where the eggs are being produced.

Response: If the concern is becoming sick from infected eggs, the research states that eggs should be refrigerated, used within two weeks, cooked thoroughly and that raw eggs should never be consumed.

SUBJECT: Problems and Costs Related to Allowing Urban Poultry Farming in Sierra Vista

"Egg shells act as hermetic seals that guard against bacteria entering, but this seal can be broken through improper handling or if laid by unhealthy chickens. Most forms of contamination enter through such weaknesses in the shell."
SUBJECT: Problems and Costs Related to Allowing Urban Poultry Farming in Sierra Vista

“The surface of any egg can be contaminated with pathogenic bacteria like Salmonella enteritidis. Contamination of eggs exiting a female bird via the cloaca may also occur with other members of the Salmonella genus, so care must be taken to prevent the egg shell from becoming contaminated with fecal matter. In commercial practice, eggs are quickly washed with a sanitizing solution within minutes of being laid. The risk of infection from raw or undercooked eggs is dependent in part upon the sanitary conditions under which the kens are kept.”

To guard against Salmonella bacteria, the hens need to be vaccinated against this type of bacteria.

d. Reason: Decreased grocery expenses.

Response: Considering the cost of an appropriate henhouse, fenced enclosure, food, veterinary care, insect control, maintenance, replacement, and the time required every day to clean, repair, inspect, etc., I doubt that the cost of urban chicken eggs would be less than store-purchased eggs at $1.50 a dozen ($0.125 each), and many times a dozen eggs sells for less than $1.50, and granted sometimes for a bit more.

e. Reason: Insect control.

Chickens are omnivores and will eat worms and other insects as well as grain, seeds, fruit, other vegetation, and corn. Unless they are free-ranging, there probably will not be enough bugs in a regular yard to sustain them, and there are some ants, perhaps because of the formic acid, that they will not eat. But they can’t be raised just eating worms and bugs, for healthy chickens they also need mash, wheat, chicken pellets, and any food scraps (except citric things, garlic, onion, egg shells or meat).


4. I love listening to the songs of wild birds around my home. I despair at the thought of having to hear the clucking and cackling of chickens – and all associated problems.

5. I disagree with this proposed ordinance and recommend that it not be implemented.

Respectfully yours,

Nancy Moses
532 Howard Dr, Sierra Vista, AZ
458-0569
Hi Jeff,

I just received a phone call from Susan Nagle at 2393 Willow Brook. She is AGAINST chickens. She believes “chickens should not be raised within the city limits. If a homeowner is interested in raising chickens they should do so in a more rural area.”

She can be reached at (520) 236-7477.

Thank You,

Sabrina Avila

Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
To me it would have a negative impact on the ability to rent or sell properties next to someone who has Chickens.

As the owner of multiple properties in the City I am opposed to the raising of chickens in the City.
Hello again!

I just received a call from Leonard Nezuch, who is AGAINST chickens within Sierra Vista city limits. Mr. Nezuch lives in the county but he has multiple properties in Sierra Vista such as 1001 Monte Vista Avenue. He believes “having chickens would diminish property values.” and make it harder for him to rent out his properties. He also thinks that if citizens want to own their own chickens they should move out to the country.

Mr. Nezuch can be reached at 456.5240 or via email at LNesuch@cox.net

Thank You,

Sabrina Avila
Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
I strongly oppose allowing domesticated fowl allowed in Sierra Vista city limits. This ordinance would add more enforcement duties to the Animal Control Dept. Domesticated fowl are dirty, noisy, harbor pests and will bring blight to our lovely neighborhoods. In addition, I would encourage the city council to respect Homeowners Associations that prohibit any farm type animals to be kept on homeowner’s property.

Thank you for your consideration on this matter.
Sandy O’Brien
2713 Glengarry Way
Sierra Vista, AZ
Do you have the email below?

Thank you! Maria G. Marsh
Deputy City Clerk
520-439-2174

From: Kristine Wolfe
Sent: Monday, March 05, 2018 1:28 PM
To: Maria Marsh
Subject: Fw: Fowl policy change

I don't know if this is already in the reading room, but if not, please add it.
Thanks,
Kristine

Sent from Surface

From: Douglas Phillips
Sent: Monday, March 5, 2018 10:34 AM
To: Kristine Wolfe

Dear Council Woman Wolfe,

Hopefully I will be able to meet you in the future as you have a background that has some similarities to my own in working with the law and political science.

But today I wanted to let you know that I oppose the proposed fowl policy as I believe it will affect property values and it may pose a health risk to individuals with fragile health situations. My wife suffered with severe chronic illness for 30 years before she passed away. The ramifications of having something like chickens next door would have added a very frightening element to her fragile health. Therefore, I request that you please vote against broadening present policies to include fowl. Thank you, Douglas Phillips

Sent from Mail for Windows 10
PLEASE!!! No chickens in the city limits
Mr. Pregler,

I am against people having chickens within Sierra Vista city limits. I have been a resident here for 14 years, I am retired military, and I am a registered voter.

Thanks,

George Purvis
Hello Jeff:
I am adamantly AGAINST the City Council approving homeowners much less tenants to raise chickens within the City Limits. I have already sent the City Council a long email expressing my deep concerns for the health, safety and disposition of these animals. Please DO NOT advise approval of this measure.

As a REALTOR I will be happy to sell the person's home for them and find them another in the rural areas of the County if they truly want to raise chickens or other farm animals.

Thank you.
Warm regards,
Nancy Rea
Associate Broker
RE/MAX HomeStores
2100 Paseo San Luis
Sierra Vista, AZ 85635
Cell & Text: 520-227-3817
Hello,
After reading the Sierra Vista Herald article on this ordinance, we find that we must comment.
Although we are sure the people involved with initiating this ordinance have the very best intentions of keeping their animals in their yards and quite enough to not disturb their neighbors I also feel strongly that would more than likely not be the case. Many of the people in my neighborhood cannot control their children and their truly domesticated animals let alone undomesticated animals.
Removing female chickens from the agricultural-animal list and calling it a domestic fowl is quite obviously a political move to move this ordinance forward.
We live in a suburban neighborhood for the very reason that we do not want to be burdened with exactly this kind of nuisance. We take pride in our home and neighborhood. If we wanted to live on agricultural land that is where we would be.
It is my sincere hope that the council will consider that there many more homeowners that do not wish to have agricultural animals in their suburban neighborhoods than there are that do.
Thank you for your consideration of this matter.

Michael and Kelli Redd
2673 Cartegena Dr.
Sierra Vista AZ 8550
"Just Say No" to Chickens

Being a former deputy sheriff in California, it is recommended for the the City of Sierra Vista not to allow chickens.

Legitimate nuisance calls with roosters sounding off, often starting three hours before sunrise, were not uncommon. The result was a waste of resources to cite and prosecute offenders. This questionable variance in the City codes, allowing chickens to be housed in our neighborhoods, will unquestionably add an unnecessary burden to our police department and criminal justice system.

"Just Say No" to chickens.

Bill Riordan
Sierra Vista

520-678-8694
Greetings, Jeff. I am writing to vehemently oppose any and all ordinances that would allow chickens and ducks in our residential communities.

1. Most houses too close.
2. Being a neighbor to high heat smells would be intolerable.
3. People being people - many would not keep clean conditions.
4. The fowl would draw coyotes and more wild animals, vermin, bugs into our communities.
5. Small dogs and children may be at risk by #4 above.
6. Health risks due to #4 above.
7. Unnecessary drain on resource officers and animal control for night time issues, neighbor issues that will result from this ordinance.
8. We live in a town, small city...not on farms, ranches, large acreage. People, pets, children will be affected.

Please be respectful of town/city norms and courtesies re added stressors to neighborhood life. Help keep the peace.

Barbara Ross, Sierra Vista, 240.2279
Sent from my iPhone
Hi Jeff,

I received a phone call from Roger Rowley around 9:30 am. He would like to vote AGAINST chickens in the backyard. He believes we need to “get out of the 18th century” and “enter the brighter future”. He declined leaving any contact information.

Thank You,

Sabrina Avila
Administrative Secretary
City of Sierra Vista
Department of Community Development Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
Good Afternoon,

Jeanne Sciacca at 2211 Candlewood Court called to give her opinion on two topics for the city council.

First, she would like for the city council to reconsider renewing their contract with Cox Cable. She is concerned about their price increases and would like for the council to do more research. If the mark up is legitimate then she’s fine with the company continuing but she recommends going with Cable 1 instead. She has had the same cable plan for over two years and the price has been raised from $134 to $166. She says that Cable 1 offers the same package for $127.

Second, she says “Absolutely NO CHICKENS in the city!” She’s “lived where chickens were”. She believes they are “smelly, stinky & harbor disease”. She knows in her neighborhood of Winter Haven, farm animals are not allowed, so she is not concerned for herself personally but doesn’t want it to negatively impact her neighbors. She’s also concerned about who will be enforcing the chicken legislation and policies. She believes that the police have enough on their plate without having to worry about tracking down someone who is illegally selling chicken eggs or some other violation. She declined leaving contact information.

Thank You,

Sabrina Avila

Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
Absolutely not. Please do not change the city's current restriction on urban chicken farming. It’s one of the worst ideas that I’ve ever heard of.

Thank you.

_Pati Sechrest_

*Be a rainbow in someone else's cloud.*  
*(Maya Angelou)*
I am against property owners having chickens within city limits.

Wendy L. Sindelar  
ph 520-459-4592  
fax 520-459-4602  
wendy.sindelar@ptaaz.com  

For a PDF copy of Pioneer Title’s "Arizona Home Guide" go to our website Pioneer Title Agency | A Commitment to Service or click on this link: Arizona Home Guide
Jeff

I took your name and email address out of the SV Herald at the tail end of the article regarding allowing chickens within the city limits. Hopefully, you will be able to get my comments to the City Council Members that will be voting on this issue.

I'm 100% AGAINST allowing chickens, ducks and any other kind of barn-yard animal to be maintained within the city limits. Barking dogs, and free roaming cats already consume many hours of our understaffed and overburdened enforcement officials, they don't need this headache. Not to mention how additions such as these to our neighborhoods will further attract the coyote and fox population running the washes and ally ways in search of an easy and attractive meal.

Any City Council Member that votes in favor of allowing these animals to be raised within the city limits should consider running for County Supervisor during the next election.

v/R
Daniel L. Sinnard
2111 E. Foothills Drive
Sierra Vista, AZ 85635
dansin123456@hotmail.com
CITIZEN COMPLAINT FORM

DATE: 26 FEB 2018

TIME: 2 PM

CITIZEN: JOHN SPENGLER

ADDRESS: 2248 ELMWOOD LANE

HOME PHONE: 520458-1638

WORK PHONE: ________________________

NATURE OF COMPLAINT: No CHICKENS 10 Y CITY

REFERRAL: ________________________

DEPARTMENT: ________________________

EMPLOYEE: ________________________

DATE: ________________________

TIME: ________________________
In reference to allowing chickens and ducks within the city of Sierra Vista limits, I am absolutely **AGAINST** any regulation allowing fowl to be kept in residential yards.

Barbara Ann Spengler  
2248 Elmwood Lane  
Sierra Vista, AZ 85635
MARGARET STEVENS CALLED IN 2/26/2018 IN THE AM
SHE DOES NOT WANT CHICKENS, MANY REASONS TO INCLUDE THE NOISE!

Please Note: NEW INSPECTION TIMES RUN 8AM - 2PM. WE DO NOT DO SAME DAY INSPECTIONS. All inspections must be requested by 5 pm the day prior to schedule for the next business day. Any messages left after 5:00 pm will not be scheduled for the next business day.

Respectfully,

Kristen Gregan-Goodwin
Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ  85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
PHONE CALL FROM THOMAS STEPHENS (HUSBAND TO MARGARET)
SAYS NO TO CHICKENS
378-2195
Golf Links address

Please Note: NEW INSPECTION TIMES RUN 8AM - 2PM. WE DO NOT DO SAME DAY INSPECTIONS. All inspections must be requested by 5 pm the day prior to schedule for the next business day. Any messages left after 5:00 pm will not be scheduled for the next business day.

Respectfully,

Kristen Gregan-Goodwin
Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
Clifford Taylor
2115 Valley Sage

If you want to live in the country then move to the county...no chickens in the city!!

Please Note: NEW INSPECTION TIMES RUN 8AM - 2PM. WE DO NOT DO SAME DAY INSPECTIONS. All inspections must be requested by 5 pm the day prior to schedule for the next business day. Any messages left after 5:00 pm will not be scheduled for the next business day.

Respectfully,

Kristen Gregan-Goodwin
Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ  85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
No to chickens in the city. If they really are so quiet and clean, why can’t people raise them inside their house?? I have been on farms for extended times with people who have chicken coops, small coops with 8 - 12 chickens. It was so loud I couldn’t sleep and the smell, it is just horrible. So I say no. If people want chickens, let them move out to the county. I live in the city because I don’t want to be that close to livestock. Now if the coops are at least 100 yards from your neighbor, then I am OK with it.
I am opposed to keeping chickens in Sierra Vistacity limits.

There may be an economic impact to the people who choose to live in the area to raise chickens to have eggs to sell, if every neighborhood is now zoned to raise chickens/eggs.

Along with chickens come other animals such as skunks and coyotes - or wild cats seeking "food." Rabies then became a concern.

If a person knew they wanted to have chickens, they can choose to live in a zoned area for livestock, domestic fowl. Not try to change where others live.
Martha Ima Utley – 3540 E Atsina Drive, Sierra Vista, AZ irmautley@cox.net

Opposed – “chickens will bring down property value” Ms. Utley owns several rentals & believes it would make it difficult to rent with chickens next door.

Thank You,

Sabrina Avila
Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
No chickens! Please and thank yoh
Helen Workley against having chickens in the City.

Jennifer Osburn
Executive Secretary
City of Sierra Vista
1011 N. Coronado Drive
Sierra Vista, AZ 85635
Phone: (520) 439-2149
Fax: (520) 458-0584
I am against any proposal and/or change to Sierra Vista codes and/or policies that would allow chickens to be in the city limits of Sierra Vista.

Arthur L. (Larry) York
1211 Heather Drive
Sierra Vista, AZ  85635
(520) 266-0045
Dear Jeff,

> I wanted to let you know that I am "against" chickens in the city. I understand why some folks want them, but if I wanted to live next door to a chicken coop I would live in the country. There are too many people who would get them and then not take of them. We have CCR for a reason.

Thank You for the opportunity to voice my concerns

Shirley York
1211 Heather Dr
Sierra Vista
520-266-0044

Shirley
I have no problem with chickens being raised within the city limit as long as they have adequate space and are cared for humanely. I think perhaps a license fee could be imposed and used to pay for inspections - at least quarterly.
From: nick baldowski <firemaster325@gmail.com>
Sent: Wednesday, March 07, 2018 6:10 PM
To: MayorAndCouncil
Subject: Domestic Fowl

Make like palpatine and do it, cheesy yes, i'm all for domestic fowl and id like to see neighbors or others on our street care for the birds like family rather than stuck in a factory.
I absolutely support this! Fresh eggs, all natural pest control, manure for gardens, less trash waste since chickens love kitchen scraps. This will also benefit Sierra Vista kids who participate in 4-H.

Thank you.

Tami Baldowski
I support this. If it is not currently legal, I have a neighbor who is in violation, whom I also suspect of hoarding. If she can keep chickens without offending the senses of her neighbors, it seems logical that others could as well. There are many advantages to raising chickens.

Dana Beach

Sent from my Sprint Samsung Galaxy S8+.
I just wanted to tell you, in case you were not privileged at some point in your life to have made the acquaintance of a friendly little hen, what social little beings they are. I'm well past 70, and among my fondest memories are those of my dear little hens that would follow me around our yard cluck-clucking when I was a little girl. I learned a lot about bugs and flowers, predators and weather—and responsibility, because of them. Absolutely, chickens are good for kids!

From a practical view, fresh eggs are really nice to have, hens are not a lot of work to keep and they are great at keeping bugs off one’s flowers. I think allowing families to have a small flock is a good thing.

However, as with keeping any living thing, I think there must be well thought out protective rules such as the requirement of appropriate shelter. Sometimes people can be pretty dumb so just like for dogs, cats (and kids), there needs to be a means of intervention/education/protection.

Sent from my iPhone
I support self sufficiency and the ability to raise a sustainable protein source for my family. Please continue to allow small flocks of chickens/ducks to be raised in backyards if that's what a citizen chooses to do.
I believe this is wonderful! My parents have them in town where they live.  
Kendra Bratko
Hon. Mayor and Council,

I just moved to Sierra Vista last year. At my former residence in the Warren area of Bisbee, I kept 5 chickens. I had an enclosure and a henhouse, cleaned the pen weekly, and fed them table scraps and commercial feed. I did not have complaints from my neighbors, and they kept weeds, scorpions and black widows at bay. They reduced the amount of waste going to the landfill, as I composted the straw and waste from their pens (and gave some of the hay/manure mixture to other gardeners). Like any pet, there is some expense and care involved in keeping them, but the owner is rewarded with eggs as well as companionship.

Please consider removing the ban on keeping pet hens in the Sierra Vista city limits. I would hope to be able to keep chickens when I retire in a few years, as they are pleasant and useful pets.

Thank you for your consideration. If you have questions, please do not hesitate to contact me.

Respectfully,

Sandra Calhoun
2099 Santa Catalina Dr
Sierra Vista, AZ 85635
(520) 432-2451
calhoun_sandra@yahoo.com
I support having chicken in city limits. I also support having several if the person can take care of them.

We are a family of 8 and 1 hen would not supply enough eggs for all of us.

Thank you,
Adela Carnaghi
I support the rights of others to own chickens and ducks with no restrictions.

Hunter Clayton
I would strongly like to cast a vote for the approval of folks to raise a few laying hens on their property. They cannot fly and will be contained to each person’s own property. They do not cause any noise like dogs, and unless you got a rooster, no noise at all. No need for a rooster anyways. Folks these days just want to raise as much of their food as possible. Eggs are a fantastic protein. Young and old alike loves fresh eggs from hens people have in their yards. And for retirees, selling a dozen here and there makes a little pocket change. Mostly, this doesn’t hurt or bother anyone. People have their gardens, hens are another good way of staying healthy 😇👍

tina collison
Jeff,
Showing support for chickens.
Thank You,

Scott Culp
I am writing to express my position as FOR domestic fowl in Sierra Vista city limits.

Haley Davis
520 559 9018
I fully support the ordinance to allow hens and other domestic fowl to be kept by my neighbors. The chickens aren't going to attract any more predators than we already have, create any more noise, or create a free-ranging chicken problem. I can't keep chickens myself, my German Shepherd would think they were very fresh nuggets, but I fully support my neighbors in their desire to do so! I'm so tired of the cranky old people in this town who don't want anybody to do anything!

Thank you very much,

Becah Degnan
Management Analyst
NETCOM G7
Ft Huachuca AZ
520-533-1363
This is just a quick note voicing my support for the chicken ordinance. Please pass the ordinance to bring Sierra Vista into the 21st century.

Thank you.

Respectfully,
John Denson
815 San Jacinto Drive
Sierra Vista, AZ 85635
Against Chickens

For Chickens

Reason for your vote: 

Circle One:

Phone: 414-1854
Address: 85635 5W 14
Citizen: 5205 Avenida Encelia
Date: 10 - Mar - 2018

Sierra Vista Chicken Vote
While doing an internet search of other communities and their fowl ordinances, I found that some communities limit fowl to female chickens only while others include ducks and geese. It appears that communities are moving ahead with ordinances of this type. I know of at least two properties in town that have chickens already and believe having an ordinance in place would define the rules and expectations for property owners. The only question I have is whether having more fowl in neighborhoods will attract more coyotes into our neighborhoods.

Respectfully
Sue Fick

Sent from my iPad
LACY FITZPATRICK
3415 TREVINO DRIVE
SHE IS ALL FOR CHICKENS!

Please Note: NEW INSPECTION TIMES RUN 8AM - 2PM. WE DO NOT DO SAME DAY INSPECTIONS. All inspections must be requested by 5 pm the day prior to schedule for the next business day. Any messages left after 5:00 pm will not be scheduled for the next business day.

Respectfully,

Kristen Gregan-Goodwin
Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
Dear Mr. Pregler,

I am very much in favor of allowing the citizens of Sierra Vista to have chickens in their backyard. This is nothing new, many communities are doing it, and it wasn't that many years ago, that it was quite common for individuals living in "urban" areas to have chickens. The way the proposal is written is good; prohibit the noisy roster, limit the number of hens. If someone violates the ordinance preclude them from having chickens again...period. This should reduce problems/concerns.

Recent activity by the Arizona senate to "loosen" the sell by date on eggs to beyond 24 days after being laid is a big concern...who wants to eat eggs that are that old???? I am already concerned with the quality of eggs in the stores.

Please let us who are concerned with our health raise our own eggs.

Sherry Garcia
VERA TINA GILBERTSON
970 CATALINA DRIVE

Please Note: NEW INSPECTION TIMES RUN 8AM - 2PM. WE DO NOT DO SAME DAY INSPECTIONS. All inspections must be requested by 5 pm the day prior to schedule for the next business day. Any messages left after 5:00 pm will not be scheduled for the next business day.

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(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
Mayor and Council,

I want to formally express my support for the poultry amendment that the city is currently considering. There are so many reasons why this should be allowed, and very few legitimate concerns. Concerns that it might have a negative impact are largely fear and ignorance based. The so called justification that they just don't belong in the city is ludicrous and it is simply an excuse for there to be restrictions on my own personal property rights. Having a few chickens on my property is less disturbing to my neighbors and neighborhood than a dog.

Please pass this amendment?!

Thank you for your time.
Respectfully,
Markessa Graeber
Recipient: Sierra Vista City Council, MayorandCouncil@SierraVistaAZ.gov

Letter:

Greetings,

2017 Sierra Vista Poultry Amendment

Please allow chickens* and ducks in Sierra Vista!

*no roosters.

Thank you!
<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Date</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Pepper</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-24</td>
<td>Because I believe that Chickens and other poultry should be allowed as long as they do not become a disturbance to neighbors.</td>
</tr>
<tr>
<td>Anna Schutze</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-24</td>
<td>I believe keeping chickens is an important, healthy, educational activity that city government should not prevent citizens from practicing as long as it does not create a nuisance to fellow citizens. Chickens have many wonderful benefits such as pest control, tilling of soil, weed control, companionship, and of course eggs. Please let chickens in!</td>
</tr>
<tr>
<td>Lou Rusk</td>
<td>Fayetteville, AR</td>
<td>2017-02-25</td>
<td>Want to be able to have chickens!</td>
</tr>
<tr>
<td>Rebecah Degnan</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-25</td>
<td>Hens should be allowed if Sierra Vista wants to be seen as progressive. There is a great deal of interest in backyard farming, and chickens are no more disruptive than any other pets, additionally they eat bugs, which is a plus in my book.</td>
</tr>
<tr>
<td>Haley D.</td>
<td>Tombstone, AZ</td>
<td>2017-02-25</td>
<td>I support ones decision to keep fowl as pets.</td>
</tr>
<tr>
<td>vickie jones</td>
<td>Stephenville, TX</td>
<td>2017-02-25</td>
<td>My daughter loves chickens and we had to rehome them when we moved here which broke her heart, she hatched and raised them.</td>
</tr>
<tr>
<td>Reuben Turner</td>
<td>Hereford, AZ</td>
<td>2017-02-25</td>
<td>Keeping hens should be allowed in Sierra Vista as it is in several other towns and large cites.</td>
</tr>
<tr>
<td>Nick Graeber</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-25</td>
<td>Chickens are good for the environment.</td>
</tr>
<tr>
<td>Barbara Bohlen</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-25</td>
<td>Poultry make beautiful pets. They can open up opportunity for the youth in the city to be apart of 4-H or even compete in poultry shows. Give the chicken a chance!!</td>
</tr>
<tr>
<td>Juanita Wygge</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-25</td>
<td>I would like to raise one for my own enjoyment. The thought of having fresh eggs is great!</td>
</tr>
<tr>
<td>Vicki Ford</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-25</td>
<td>It is a step towards sustainability and food security in scary economic times, in urban areas that desperately need this.</td>
</tr>
<tr>
<td>Miranda Young</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-25</td>
<td>I think it's a great idea. Back in the 80's I had a flock in my backyard on Mockingbird Drive. I sold the extra eggs to a coworker.</td>
</tr>
<tr>
<td>Christi Moody</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-25</td>
<td>Small flock of chickens should be allowed. They are great for keeping ants and bugs under control without pesticides.</td>
</tr>
<tr>
<td>Deb Thompson</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-25</td>
<td>I had 3 chickens at one time. They produced fresh organic eggs and my son enjoyed playing with and petting them. They are great to keep and were not a nuisance.</td>
</tr>
<tr>
<td>Cathy Walton</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-26</td>
<td>I would like to raise some chickens for pets and to have fresh eggs every morning.</td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Date</td>
<td>Comment</td>
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</tr>
<tr>
<td>Max Sturtevant</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-26</td>
<td>I'd like to have a couple of chickens for pest control, garden purposes, and egg production.</td>
</tr>
<tr>
<td>Mike Jensen</td>
<td>Tombstone, AZ</td>
<td>2017-02-26</td>
<td>My kids live in Sierra Vista and loved when we raised chickens. It's a good education for all people and help alleviate so many problems found in city living.</td>
</tr>
<tr>
<td>Christie Sullivan</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-26</td>
<td>I believe everyone should be able to be self sufficient.</td>
</tr>
<tr>
<td>Michelle Vosburgh</td>
<td>Hereford, AZ</td>
<td>2017-02-26</td>
<td>I live in Hereford because I own chickens and they bring so much joy and fresh eggs! I would love to live in Sierra vista, but I also love owning chickens more. There's no reason for a town like Sierra vista to have a ban on chickens!</td>
</tr>
<tr>
<td>Diana Kerr</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-26</td>
<td>Everyone should have the freedom to have their own source of food!</td>
</tr>
<tr>
<td>Shaylamar Fowler</td>
<td>Fort Huachuca, AZ</td>
<td>2017-02-26</td>
<td>I do agree with keeping chickens for eggs and meat. I am concerned about crowing roosters in city limits. I hope that this goes forward in a thoughtful way that protects the neighbor's right to enjoy their homes - and SLEEP IN.</td>
</tr>
<tr>
<td>Carolyn Weaver</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-27</td>
<td>I had a few chickens when I was growing up in Burbank, CA, a big city in the San Fernando Valley. A great experience as long as no roosters! Do not want to disturb neighbors.</td>
</tr>
<tr>
<td>Eileen McPeak</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-27</td>
<td>We want to provide fresh and healthy eggs for our family!</td>
</tr>
<tr>
<td>Sara Eisenmann</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-27</td>
<td>I firmly believe people should have the right to raise poultry on their property.</td>
</tr>
<tr>
<td>Jennifer Clifton</td>
<td>Clarksville, TN</td>
<td>2017-02-28</td>
<td>I want fresh eggs, not eggs that have been on the shelf for a month.</td>
</tr>
<tr>
<td>Felicia Tucker</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-28</td>
<td>Adjoining our property is County land right here in the middle of town and they have chickens. They bother no one. My family would like the option to have chickens and fresh eggs as well. We shouldn't be penalized just because of our zip code.</td>
</tr>
<tr>
<td>Allen Bingham</td>
<td>Hereford, AZ</td>
<td>2017-02-28</td>
<td>I'm signing because a few chickens without a rooster are not a problem. In fact, they are much less disruptive than the barking dogs in the neighborhood.</td>
</tr>
<tr>
<td>Jordan Turner</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-28</td>
<td>Banning chickens is completely unnecessary. They have not been a problem up until now so I don't see why they should be banned.</td>
</tr>
<tr>
<td>Marianne Reiber</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-02</td>
<td>Keeping chickens within city limits should be allowed. The health benefits alone are so many: good quality and healthy eggs to feed the family. Mass produced eggs come from stressed and literally tortured hens who are reduced to cannibalism from eating food made from ground up little peepers. Diseased eggs from filthy living conditions. The stress hormone is passed on through the food chain to us! Raising chickens is a fun, educational and quite peaceful pass time. And for those of you who have only thought of “chicken” as something you get from the meat section, chickens are</td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Date</td>
<td>Comment</td>
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</tr>
<tr>
<td>Sheila Selby</td>
<td>Elfida, AZ</td>
<td>2017-03-02</td>
<td>Having a backyard flock has many benefits including pest control and fresh organic eggs. You are also not contributing to the horrific conditions that factory farms subject chickens to.</td>
</tr>
<tr>
<td>Bethany Correia</td>
<td>Hereford, AZ</td>
<td>2017-03-02</td>
<td>I'm not currently in city limits and own 17 chickens myself. Owning chickens has been beneficial in many ways, and I know people can keep chickens without it being bothersome to neighbors and/or other citizens. With limits or restrictions applying (like how many, or owning roosters etc) I believe city dwellers can happily enjoy flock without being a bother to anyone.</td>
</tr>
<tr>
<td>Maribel Gonzalez</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-02</td>
<td>I would like to provide fresh eggs to my family.</td>
</tr>
<tr>
<td>Peter Bitticks</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-02</td>
<td>I believe in the rights of all. This is a small request.</td>
</tr>
<tr>
<td>Andrea St. Germain</td>
<td>Tucson, AZ</td>
<td>2017-03-03</td>
<td>I think hens should be allowed! They are a great source of eggs, which are becoming very expensive. Also they are great pets to have.</td>
</tr>
<tr>
<td>Marie Holloway</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-03</td>
<td>I have experience with chickens and advocate for the most generous and useful laws for as many residents as possible.</td>
</tr>
<tr>
<td>Morgan Elias</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-03</td>
<td>I want chickens</td>
</tr>
<tr>
<td>Kelly Mangan</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-03</td>
<td>I think keeping and raising chickens is less nuisance than many other allowed animals and the community benefit of fresh eggs and agriculture recognition and education is invaluable.</td>
</tr>
<tr>
<td>Nijlah Johnson</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-04</td>
<td>I'm signing this petition because all Sierra Vista residents should be allowed to own and keep poultry on residential lots within city limits.</td>
</tr>
<tr>
<td>Katie Gabel</td>
<td>APO, AE</td>
<td>2017-03-05</td>
<td>Hens are much less disruptive than other pets - quieter and more beneficial to a backyard as well! They eat vegetable scraps, bugs, produce eggs, and are great pets. I grew up with chickens and miss having fresh eggs!</td>
</tr>
<tr>
<td>Scott Butterfield</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-09</td>
<td>Responsibly raising hens should be legal. If there is a concern about the noise hens make then the city needs to outlaw all the dogs in my neighborhood. They make as much or more noise than hens do.</td>
</tr>
<tr>
<td>Diana Kerr</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-10</td>
<td>Everyone should be able to grow their own food if they want! Chickens, even roosters, are no more smelly or loud than dogs!</td>
</tr>
<tr>
<td>Diana Kerr</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-10</td>
<td>Everyone should be able to grow their own food if they want! Chickens, even roosters, are no more smelly or loud than dogs!</td>
</tr>
<tr>
<td>Lauren Wilde</td>
<td>Coeur d'Alene, ID</td>
<td>2017-03-15</td>
<td>(This says 'I'm from Idaho, but just moved to Sierra Vista. I'm not sure how to change that) We want chickens so we can use them as a work ethic tool for our children.</td>
</tr>
<tr>
<td>Brian Ward</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-16</td>
<td>I want to be allowed to have fresh eggs</td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Date</td>
<td>Comment</td>
</tr>
<tr>
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</tr>
<tr>
<td>Anthony Babeski</td>
<td>Hereford, AZ</td>
<td>2017-03-16</td>
<td>Come on people... It's chickens!!! Some peoples dogs are more of a nuisance if you ask me, and I love dogs!</td>
</tr>
<tr>
<td>Amanda Dickerson</td>
<td>Hereford, AZ</td>
<td>2017-03-16</td>
<td>I believe that people should be able to keep chicken. Chicken can serve many purposes. Plus they can save money on buying eggs.</td>
</tr>
<tr>
<td>Sarah Story</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-16</td>
<td>I'm signing because I think people should be allowed to legally own chickens within city limits in Sierra Vista</td>
</tr>
<tr>
<td>John Husson</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-16</td>
<td>Chicken tenders.</td>
</tr>
<tr>
<td>Margaret Birchall</td>
<td>Huachcha city, AZ</td>
<td>2017-03-16</td>
<td>My god kids want to have pet hens. They desperately want to raise their own eggs.</td>
</tr>
<tr>
<td>John Petrello</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-16</td>
<td>I like chickens more than I like politicians.</td>
</tr>
<tr>
<td>Loretta Meaffey</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-17</td>
<td>I love animals and a good friend</td>
</tr>
<tr>
<td>Tanya Duarte</td>
<td>Douglas, AZ</td>
<td>2017-03-17</td>
<td>Owning and caring for a small amount of hens not only produces healthy eggs for residents, but they also provide educational opportunities for children in the area. Hens are easily cared for, quiet and if taken care of properly will produce no odor and much less mess and noise than other household pets. Also, contrary to popular belief, they do provide emotional care and mental stimulation to their owners. Chickens do make good pets.</td>
</tr>
<tr>
<td>Robin Dumas</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-17</td>
<td>With small numbers and correct enforcement, I believe people should have the opportunity to raise chickens within the city limits.</td>
</tr>
<tr>
<td>Tami Baldowski</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-18</td>
<td>Fresh eggs!</td>
</tr>
<tr>
<td>LaRae Means</td>
<td>Hereford, AZ</td>
<td>2017-03-18</td>
<td>City residents should be allowed to benefit from having chickens</td>
</tr>
<tr>
<td>Tabitha Rogers</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-20</td>
<td>Laying Hens and even the Meat chickens should be allowed!!!</td>
</tr>
<tr>
<td>Shayna Durazo</td>
<td>Sierra Vista, AZ</td>
<td>2017-03-29</td>
<td>I think homeowners should have the freedom to do what they wish with their properties. As long as the homeowner is responsible and properly houses the chickens, why not?</td>
</tr>
<tr>
<td>Philip Wilde</td>
<td>Sierra Vista, AZ</td>
<td>2017-04-04</td>
<td>Because my family needs poultry</td>
</tr>
<tr>
<td>Connie Scott</td>
<td>Cleveland, TX</td>
<td>2017-04-04</td>
<td>Chickens are fun and educational and produce FOOD!!</td>
</tr>
<tr>
<td>Luke Wheless</td>
<td>Sierra Vista, AZ</td>
<td>2017-04-04</td>
<td>I would like to keep a few chickens for eggs and to control bugs in my backyard and garden.</td>
</tr>
<tr>
<td>Heidi White</td>
<td>Nampa, ID</td>
<td>2017-04-21</td>
<td>I would personally like to raise a small flock.</td>
</tr>
<tr>
<td>Christina Anderson</td>
<td>Sierra Vista, AZ</td>
<td>2017-05-05</td>
<td>I want to get chickens for egg laying purpose. This will also be an interactive and educational experience for my kids and grandkid.</td>
</tr>
<tr>
<td>Theresa Emrie</td>
<td>Sierra Vista, AZ</td>
<td>2017-05-14</td>
<td>We had a few hens. It was nice havung eggs. City annexed us in and chickens out. So unfair.</td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Date</td>
<td>Comment</td>
</tr>
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</tr>
<tr>
<td>Peter Everhart</td>
<td>Sierra Vista, AZ</td>
<td>2017-05-19</td>
<td>I support the proper raising of chickens within city limits.</td>
</tr>
<tr>
<td>Clinton Copeland</td>
<td>Sierra Vista, AZ</td>
<td>2017-06-05</td>
<td>Chickens are my favorite animal.</td>
</tr>
<tr>
<td>Brittany Adams</td>
<td>Westminster, MD</td>
<td>2017-08-13</td>
<td>I owned chickens for several years, and the benefits are many. I was able to offer my chickens scraps from the kitchen instead of throwing them away, so I eliminated any food waste in my home. Additionally, we had healthy, free range, organic eggs to eat and to sell. This stimulated the local, small business economy which I think is important. I also had a rooster, which serves to protect the hens. In reference to early morning crowing, he was hardly a disturbance to the surrounding neighbors. The noise was no more disruptive than the ordinary noises resulting from the hustle and bustle of the area.</td>
</tr>
<tr>
<td>Jeri Fisher</td>
<td>Sierra Vista, AZ</td>
<td>2017-08-17</td>
<td>Chicken soup are beneficial all around.</td>
</tr>
<tr>
<td>Gail White</td>
<td>Sierra Vista, AZ</td>
<td>2017-08-17</td>
<td>I have had flocks elsewhere I’ve lived. Denying families the ability to raise hens is ridiculous with the cost at stores constantly increasing. It teaches children responsibility for another life and offers families the chance to learn a skill and possibly open the doors for children to desire to be self-sufficient instead of dependent on the government resources.</td>
</tr>
<tr>
<td>Melissa K</td>
<td>Sierra Vista, AZ</td>
<td>2017-08-29</td>
<td>I see no reason why raising poultry shouldn’t be allowed in city limits.</td>
</tr>
<tr>
<td>Paula Smith</td>
<td>Sierra Vista, AZ</td>
<td>2017-09-01</td>
<td>Tanya D. said precisely what I think. Additionally the hand of government is here to enrich peoples lives and choices not to limit them.</td>
</tr>
<tr>
<td>Reta Drake</td>
<td>Sierra Vista, AZ</td>
<td>2017-09-29</td>
<td>Do not see a problem with it. I grew up with them.</td>
</tr>
<tr>
<td>Zane Willis</td>
<td>Sierra Vista, AZ</td>
<td>2017-10-07</td>
<td>We’d love to see poultry allowed in the city!</td>
</tr>
<tr>
<td>Shannon Lawrence</td>
<td>Sierra Vista, AZ</td>
<td>2017-10-10</td>
<td>Please allow poultry to be kept inside city limits.</td>
</tr>
<tr>
<td>Tiffany Brown</td>
<td>Sierra Vista, AZ</td>
<td>2017-10-15</td>
<td>There would be many benefits to allow poultry within the city. Chickens are wonderful pets, and provide a sense of self-sufficiency to people. Kids are able to learn from the experience as well.</td>
</tr>
<tr>
<td>Judith Baurle</td>
<td>Glens Falls, NY</td>
<td>2017-11-05</td>
<td>It should be every person’s right to keep a limited amount of poultry, properly contained and cared for, on their property!</td>
</tr>
<tr>
<td>Tania Durley</td>
<td>Texas</td>
<td>2017-11-05</td>
<td>I would like to have fresh eggs for my family. Having and caring for my own poultry will give me the peace of mind, knowing my eggs are not filled with any chemicals. Plus, I know my chickens will be loved and cared for.</td>
</tr>
<tr>
<td>Rick Bable</td>
<td>US</td>
<td>2017-11-05</td>
<td>Chickens can be fun, educational, and it should be a fundamental right to be able to raise a source of food to provide for your family. I own several chickens and even ducks. Additionally, I enjoy waking to a rooster call which is nothing compared to nuisance dogs that bark all hours of the night.</td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Date</td>
<td>Comment</td>
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</tr>
<tr>
<td>Kimberly Montgomery</td>
<td>Sierra Vista, AZ</td>
<td>2017-11-05</td>
<td>to allow people their own chickens would be fantastic. It is time to allow backyard farming within reason.</td>
</tr>
<tr>
<td>Valerie Davidson</td>
<td>Hereford, AZ</td>
<td>2017-11-05</td>
<td>I think folks should be allowed to keep chickens in the city.</td>
</tr>
<tr>
<td><a href="mailto:Silnardy48@gmail.com">Silnardy48@gmail.com</a> Linardy</td>
<td>Sierra Vista, AZ</td>
<td>2017-11-06</td>
<td>A small amount only. I grew up on a farm and chickens can be very annoying and they're dirty.</td>
</tr>
<tr>
<td>Elizabeth Ray-Horne</td>
<td>Sierra Vista, AZ</td>
<td>2017-11-06</td>
<td>We would love to raise hens for eggs, for the educational opportunity and because they can’t be any worse than the obnoxious happy dogs around us that are virtually ignored by their owners.</td>
</tr>
<tr>
<td>Sara Fletcher</td>
<td>Sierra Vista, AZ</td>
<td>2017-11-07</td>
<td>Chickens are a great source of healthy protein production. Many communities allow hens without allowing roosters. This is a great idea!</td>
</tr>
<tr>
<td>Jared Falvo</td>
<td>Sierra Vista, AZ</td>
<td>2017-11-10</td>
<td>I would like to be able to have chickens or quail or other small livestock in our backyard. If there is no noise nuisance (or no worse than current levels of dogs barking), and no health issues, why not?</td>
</tr>
<tr>
<td>Robert Silverman</td>
<td>Sierra Vista, AZ</td>
<td>2017-11-12</td>
<td>Hope the city allows raising chickens within city limits. I would enjoy raising 3 or 4 for their fresh eggs and showing the hens to our friends' kids.</td>
</tr>
<tr>
<td>Diana Jones</td>
<td>Sierra Vista, AZ</td>
<td>2017-11-13</td>
<td>I manage the Sierra Vista Farmers Market. We support the petition because it encourages people to raise their own local foods.</td>
</tr>
<tr>
<td>Rodney Warner</td>
<td>Pflugerville, TX</td>
<td>2017-11-13</td>
<td>Even Austin Texas encourages poultry in the city.</td>
</tr>
<tr>
<td>William Harrison</td>
<td>Sierra Vista, AZ</td>
<td>2017-11-13</td>
<td>I think it's a great idea, but definitely needs to be limited to hens only. A rooster at Sam is a no go, no matter where you are.</td>
</tr>
<tr>
<td>jennifler lovachoff</td>
<td>Sierra Vista, AZ</td>
<td>2018-02-03</td>
<td>I think it's reasonable and we should allow it.</td>
</tr>
<tr>
<td>Cynthia Denson</td>
<td>Sierra Vista, AZ</td>
<td>2018-02-04</td>
<td>We should have the right to choose reasonable pets - hens are very reasonable pets! Safer than dogs, don’t leave their messes in other peoples’ yards, and very cute and friendly. Many cities have allowed small hen flocks with no major issues.</td>
</tr>
</tbody>
</table>
# Signatures

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Markessa Graeber</td>
<td>Olympia, WA</td>
<td>2017-02-24</td>
</tr>
<tr>
<td>Laura Baer</td>
<td>Sierra Vista, AZ</td>
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<tr>
<td>Lucas Baer</td>
<td>Sierra Vista, AZ</td>
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<tr>
<td>John Pepper</td>
<td>Sierra Vista, AZ</td>
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<tr>
<td>Noel Wolfe</td>
<td>Tucson, AZ</td>
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<td>Anna Schutze</td>
<td>Sierra Vista, AZ</td>
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<td>Joanna Sipes</td>
<td>Sierra Vista, AZ</td>
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<tr>
<td>jessica tigner</td>
<td>Hereford, AZ</td>
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<td>Keith Rae</td>
<td>Hereford, AZ</td>
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<td>Michael Schutze</td>
<td>Sierra Vista, AZ</td>
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<tr>
<td>Lou Rusk</td>
<td>Fayetteville, AR</td>
<td>2017-02-25</td>
</tr>
<tr>
<td>Emily Putney</td>
<td>Sierra Vista, AZ</td>
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<tr>
<td>Susan Yakush</td>
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<tr>
<td>Daniela Girlinghouse</td>
<td>Huachuca City, AZ</td>
<td>2017-02-25</td>
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<tr>
<td>Rebecah Degnan</td>
<td>Sierra Vista, AZ</td>
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<td>Michele Aranzullo</td>
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<tr>
<td>Laird Schrock</td>
<td>Tooele, UT</td>
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<td>Haley Davis</td>
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<tr>
<td>Antoinette C. Gonzales</td>
<td>Victorville, CA</td>
<td>2017-02-25</td>
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<tr>
<td>Jean Boughan</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-25</td>
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<tr>
<td>Vickie Jones</td>
<td>Sierra Vista, AZ</td>
<td>2017-02-25</td>
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<td>Reuben Turner</td>
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<td>Ananya Boonyarattaphan</td>
<td>Bangkok, Thailand</td>
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<td>Martha Schafer</td>
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<td>catherine owen</td>
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<td>Amy McLaughlin</td>
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<td>Kerry Hales</td>
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<td>helga jones</td>
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<td>Miranda Allison Young</td>
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<td>Kelley Muriente</td>
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<td>Penny Rogers</td>
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<td>Jessica Hitt</td>
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<td>Crystal Fetting</td>
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<td>Kathryn Meador</td>
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<td>WENDY HUBER</td>
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<td>Vail, AZ</td>
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<td>Shanin Nettle</td>
<td>APO, AP</td>
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<td>Diana Kerr</td>
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<td>Fort Huachuca, AZ</td>
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<td>Kay Mckee</td>
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<td>Ben Keating</td>
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2017 Sierra Vista Poultry Amendment

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Chickens are great. You should pass the amendment.

Respectfully,
Nick Graeber
Jeff, appreciate opportunity to provide public comments on the ordinance.

Rep. Norgaard, AZ House, introduced HB2464 in this legislative session to extend sell-by dates for eggs sold in Arizona from 24 days to 45 days. At this time, with a few modifications, the bill was voted out of the Commerce Committee. That said, Glen Hickman, CEO of Hickman Farms (one of the largest egg producers in Arizona) expressed his concerns about quality of eggs with an extended “sell by” date for Arizona consumers. That is a noteworthy observation.

Personally, if HB2464 passes, I will only purchase eggs at our local farmer’s market going forward.

Agree no roosters should be permitted if the ordinance passes.

Dogs versus chickens: lots of literature shows that chicken waste (poop) from 6 chickens is about half up to about 5/6ths the amount from an English Springer Spaniel for the same time periods. Also, I have never observed a backyard dog eat insects like a chicken will. I certainly can hear dogs barking in our La Terraza neighborhood; I don’t think the same would be true for chicken (hens).

I support city council approving the urban-chicken ordinance.

Dave Grieshop
3673 La Terraza Drive
I support the keeping of chickens in Sierra Vista.

Yvonne Grossi
Mr. Pregler,
I own a single detached property on Freihage in the city of Sierra Vista. I am in favor of allowing domestic fowl (I actually would be interested in having some on my property) in the city of Sierra Vista based on the definitions described at

§ 90.11. STANDARDS ON DOMESTICATED FOWL of the ordinance list.

Thanks,
Sherry Hendershot
125 E. Freihage Dr
Sierra Vista, AZ 85635
This day and age, people are just getting by. Therefore, I see no reason to forbid chickens in their backyards. You let houses, mobile homes etc. that are clearly not up to code to be occupied. Isn't there and ordinance, that these slum landlords have to obey. I went to a lady's rented mobil home, that had no running water or heat. Some of us knew she was mentally unstable, and called for intervention to see about a new living situation. But this landlord is known in Sierra Vista, for his slum housing. I come from the Bay Area, in California. This oversight in this county, would never be tolerated.
Just wanted to express my support for allowing chickens within city limits. Having owned chickens in the past, I believe that having them allowed in city limits would be fine, within the limitations established that ensure no one is being bothered.
Gentlemen. I would like to give my support to the people who want to have chicken hens in the city. I know several people who have 9 to 15 hens on their property and have visited these people more than once. And have never noticed any noise, smells or other disturbing incidences. I think present rules are adequate and the need to placate a few progressive liberal’s is not necessary.

Daniel Ivanich
5140 Calle Granada
Sierra Vista
Hi Jill,

I am for the ordinance change to reclassify chickens so that they would be allowed to be kept by people within the city limits. I also think that the proposal which limits the total number and square footage is to restrictive. I think the numbers and the square footage suggested by the citizens that did all the research should be given more consideration than an arbitrary number.

I spoke to several city citizens (at their front door) about allowing chickens (minus roosters) within the city limits. Everyone that I spoke to had no problem with it.

Kale Kiyabu
I would love to see chickens and backyard flocks officially allowed in town. Chickens are great pets that keep weeds and pests in line all while giving eggs! I can’t wait for them to be officially allowed!

-Lisa Friel

--
-Lisa

Some heroes wear capes . . . . Mine wears combat boots
Michael Lyman, 990 Catalina Drive. Is in support of chickens. He grew up around chickens and thinks they would be good for the community.
DEFINITELY FOR THE CHICKENS
KAREN MADTES
1188 OCOTILLO DRIVE
236-8627

Please Note: NEW INSPECTION TIMES RUN 8AM - 2PM. WE DO NOT DO SAME DAY INSPECTIONS. All inspections must be requested by 5 pm the day prior to schedule for the next business day. Any messages left after 5:00 pm will not be scheduled for the next business day.

Respectfully,

Kristen Gregan-Goodwin
Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
Allow hens in city limits using existing sufficient ordinances and codes to protect neighbors from nuisance/odor. I oppose the creation of extra duties for enforcement officers, extra ordinances etc. No limits on fowl except what is a natural 1/1000sq feet plus no nuisance. Getting neighbors permission is a terrible idea and a good way to cause problems that don't exist.
Thank you for listening.
Kelly Mangan

Sent from Yahoo Mail on Android
Just wanted to voice my support for all those who want to own hens in the city limits

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MR Pregler,

I have read the proposal to allow Domestic Fowl on Residential Properties in the City Limit of Sierra Vista. I support the update to the Code of Ordinances.

Thank you
John Marcus
521 Raymond DR
Sierra Vista AZ 85635
Cell: 520-236-1561

Sent from Mail for Windows 10
Dear Sir,

I approve of the new amendment to the city’s ordnance to allow raising of chickens and ducks in town.
I have no

Gwendolyn Marcus
521 Raymond DR
Sierra Vista Az
520-234-4897

Sent from Mail for Windows 10
Good afternoon,

I am emailing you regarding the proposed amendments to the City Code of Ordinance, Chapter 90: Animals. I believe that being able to have domestic fowl will help keep the bugs at bay, save money on eggs if the fowl happen to lay any, and teach responsibility and work ethic to anyone taking care of the fowl. All regulations and conditions are reasonable and should be able to be followed with ease. I hope this is helpful to the case. Have a wonderful day.

Warm regards,

Jessica Marcus
Sierra Vista Resident
To whom it may concern,
I think it's silly that hens as pets is even an issue. I have never had a problem with my neighbors having hens and I would rather get healthy eggs from happy hens then the ones at the store from hens that lead sad miserable tortured lives. I support backyard hens.

Thank you for your time,
Sierra Vista resident for 20 years
Mr. Pregler,

I have read the proposed changes for Chapter 90 on animals and believe that this is a reasonable compromise. Sierra Vista citizens should be enabled to own domestic fowl on their property while adhering to the Sub-section 90.11 standards.

Presence Massie
I support allowing people to own chickens.
Thanks!

Amanda Mills
Helen Patterson

In Support of Chickens for the following reasons:

1) Fresh Eggs, non-hormone food
2) Chicken manure is great for the garden
3) No odors
4) Don’t make any more noise than dogs
5) Nice Animals

Jeff Pregler, AICP  
Senior Planner  
City of Sierra Vista  
1011 N. Coronado Drive  
Sierra Vista, AZ 85635  
(520) 439-2203  
Jeff.Pregler@SierraVistaAz.gov
I support backyard flocks.
Dear Jeff,

I am writing in support of City Residents being allowed to raise chickens on their properties. I do not raise them myself but I see the value of having chickens should a national emergency cause shortages of groceries. If there are not violations of any public health standards, then I fully support residents being able to choose to raise chickens within our city limits.

Thanks for your service in our local government.

Sincerely,

Joseph Quinn
2048 Elmwood Lane
Sierra Vista, AZ 85635
520-335-6658
rafquinn@hotmail.com
I am writing to ask that you ask the city council to approve and proceed with the proposal to allow homeowners to have chickens in their yards. Not only would this allow us the opportunity to have fresh, free range eggs, but it would also help control the insects that invade our yard.

Please let me know if there is anything that we can do to ensure passage of this proposal.

Thank you.

Connie Quinn
2048 Elmwood Lane
Sierra Vista
I am in favor of allowing urban chicken farming in Sierra Vista. They can't make more noise than barking dogs and I think they are asleep at night anyway.
Carole Salminen
2949 Calle Pkwy
520-335-6974
Correction to (8)... We should NOT make laws and ordinances to appease just them.

Dear Sir:

I recently became aware that the city is considering implementing a new ordinance related to domesticated fowl. Having read the intended ordinance, I now would like to provide my feedback on several of the planned rules.

Many of these rules seem to intend to minimize or prevent altogether the ability to keep backyard chickens in Sierra Vista. If that is not the intent, then I believe these policies need to be revised.

**Regarding § 90.11, (A)(2):** The number of domesticated fowl should *not be limited* so long as the health and welfare of the chickens and the people are not at stake. Specifically, as long as the citizen maintains the living conditions so as to not to create noise, odor or rodent problems.

**Regarding § 90.11, (A)(3)(a):** No neighbor should have the power to prevent someone else from having chickens. Requiring consent grants that power and as neighbors move away and new ones come, the dynamics of a chicken keeper would be constantly at risk of losing everything they have invested into keeping chickens on the whim of someone next door.

**Regarding § 90.11, (A)(3)(b):** Considering the small lot sizes within the city of Sierra Vista, there should not be any setback greater than ten feet from the neighboring homes (not property line).

**Regarding § 90.11, (A)(4):** There is no valid reason to prohibit breeding chickens. This is how people resupply their flock as “layers” have a limited time. You are thereby forcing them to have to purchase chickens when they can easily hatch some eggs. I *am* concur with the No Rooster rule in the city, so if a person wants to breed her chicken, she would have to take it to the rooster or buy fertilized eggs to hatch.

**Regarding § 90.11, (A)(5):** Chicken keepers often keep them for meat. That requires slaughtering them. It is not fair to prevent this with an ordinance. Instead, try to limit just the number and frequency of it to prevent a major slaughtering environment from coming about.
Regarding § 90.11, (A)(7):  Ten feet from any other house should be sufficient, regardless of the fence location.

Regarding § 90.11, (A)(8):  Opaque fencing should not be required as it also blocks the sun for the chickens. This rule makes us wonder if it isn’t a realtor who lost out on $20K on a sale just because someone used the view and proximity of chickens next door as successful bargaining leverage. I KNOW of just such a case...and I also KNOW that the person only did that as a way to save money and had no real issues with the view or the existence of the chickens. That is just poor skills on the part of the Realtor. We should make laws and ordinances to appease just them.

Regarding § 90.11, (A)(9):  Chickens need no more than two square feet per chicken for healthy existence. There is no need to double that. Just seems like you are making it difficult to keep chickens.

Regarding § 90.11, (A)(11):
(1) Even our homes are not impermeable to rodents and pests. It is unreasonable to expect a chicken henhouse, coop, run, or pen of any kind to meet that type of stringent requirement. They should be constructed and maintained in such a manner as to minimize and attempt to prevent rodents or other pests anywhere in or near the chickens.
(2) It is not fair or practical in ANY way to force chicken owners to minimize wild birds. While I agree with its prudence for the health of the chickens and people, unless you set an ordinance for all citizens to stop putting bird baths and feeders out, then it is unfair to the chicken owners to have to worry about them.
(3) Chicken owners are naturally going to be concerned with predators. There is no need for an ordinance making it a requirement.

Regarding § 90.11, (A)(13):  Many times backyard chicken owners will sell extra eggs to friends, family, coworkers, etc. This intended rule makes that illegal. This is only done as (1) a hobby or (2) as a means to get rid of extra eggs and keep down some of the cost of keeping them in the process. THEREFORE, All backyard chicken owners should be permitted the freedom to sell some of their eggs as hobby income. I recommend wording it differently if you are just trying to prevent someone from having a home business from chicken egg sales.

Sir, that is all I have to give for feedback on the newly intended ordinance for domestic fowl. I don’t disagree with the need for some ordinance to be in place, but do feel some of these are way too prohibitive and need quite a bit of revision.

Respectfully,
Cheryl Schaffer
Sierra Vista Resident
Mr. Pregler,

I realize the limits this ordinance proposes is probably intended as a first-year trial to see how it goes and maybe expand on the leniency the following year or so. Well, these proposed rules just beg a why. Why were they written. Anyway, I'm grateful the city is recognizing that people want to raise some birds as a homesteading trial, hobby, for therapy like gardening. It's a wonderful thing. I'm not exactly politically correct in my comments so put a little humor in them and just hear what I have to say and take it for what it's worth. I'm no expert, but I tend to see things probably a little simplistically, not looking at the big picture maybe. But hopefully will give the leaders something to think about. So, onward...

(A)(3)(b) I'm pretty sure increasing the setback per fowl above 8 makes no difference as far as the influences onto the neighbors are concerned. How about allowing the rule to stand but get rid of the setback increase per fowl?

(4) Is prohibiting breeding a way of forcing the consumer to buy fowl? I don't see this happening anyway, since roosters, at their first crow would pretty much be their last, which brings me to (5).

(5) Is it that offensive to society to kill a bird in our own back yard? Because I don't think this is about polluting the ground with blood or throwing dead carcasses in the trash. People need to wake up. This must be about the realtor market. So, where and how does the council suggest we slaughter our birds when their time has come? I have no idea. This rule simply destroys the purpose of having birds as a hobby, a way of homesteading, being therapeutic like gardening. Instead of denying slaughtering altogether, how about moderating it to maybe 4 fowl per year without limiting how many can be slaughtered at once and insert a proviso for sick birds. If you deny slaughtering altogether, that sick fowl may be around a while and cause the rest get sick before arrangements can be made to mail it to Iran or drop it off the side of the road somewhere for the coyotes or shoot it and then leave it for scavengers.

(7) I'd really like to know why this number was chosen. What difference does 20 feet verses 5 feet make? When a hen squawks because she laid an egg, she wants the entire neighborhood to know it. Maybe I'm wrong, but a lot of backyards that look like 20 feet is the distance from the house to the back fence. Is this discriminating those home owners from having even just one bird? Since (A)(3)(A) requires documentation attesting neighbors acceptance, why does this rule even have to be stated? Either the neighbor accepts it or not. So now we're at the mercy of our neighbors because they think it'll affect their property value. No. I smell a realtor's arm pit in this somewhere. This is not fair. How about we meet in the middle and call it 10 feet from the abutting neighbor boundary, regardless the number of birds.

(8) If I understand this rule correctly, I think it may work for ducks but is impractical for hens. "Adequate fencing to contain [chickens]" pretty much means the entire yard must be enclosed from above. A six-foot fence will not stop a hen from flying out and don't expect the owner to clips its
wings regularly. That is not a permanent solution to a recurring problem. Drop this rule altogether. If the owner can't keep hens in the yard, as with a dog on the street without a leash, call animal control.

As far as the opacity goes, I smell a realtor's dirty sock.

(11) Why does a coop have to be impermeable to critters when there are a billion other hidden places for them to hide? Why keep out wild birds when the neighbors can hang bird feeders? I don't think pests can survive in a coop. Birds must eat them or pester them away. I don't know. I've never seen a critter bigger than a grub in a coop of hens. If this is about preventing wild birds from infesting the town or transmitting disease from flock to flock, let us fowl owners tend to that. We know how to minimize wild birds because if we don't, they eat the food faster than our birds can so rest assured, we are on top of it, and newbies will quickly discover the same.

(13) Let me get this straight. I can sell cars, household goods, sell stuff as a secondary income on ebay, pretty much anything I own, all from my house, but I can't sell my eggs? Who's the nut that wrote in this rule? The store manager?
Good Afternoon,

I would like to express my concerns regarding the Amendment to Chapter 90 in regards to domestic foul. I believe that people should retain the right to keep a small flock within their property for purposes of gathering eggs and personal enjoyment. I believe that a small flock, 8 or so, would not cause any more of a disturbance than a pair of dogs whether it be noise, smell, or mess. Domestic foul are clean creatures by nature as they spend much of their time grooming themselves. As long as their enclosure is tended regularly, it does not smell. Families that cannot afford a large plot of land should not be denied the ability to gather eggs as a source of food since foul are small "agricultural animals." Thank you for taking the time to read my concerns.

-Jordon Schulze
I would like to write in to express my support for the passing of the Domestic Fowl ordinance.

We shouldn’t allow fear mongering about property values, coyote attacks, and nuisances prevent the citizens of Sierra Vista from keeping animals that as less bothersome than other domestic animals that are permitted. In fact there is a lot of evidence to the contrary. Even the urban vs rural argument doesn’t hold weight when we have Tucson and our own capital Pheonix just north of us allowing them.

Please allow us to reclaim this property right that we once had.

Anna Schutze
SV resident since 2003

Sent from Mail for Windows 10
Hello Sirs and Ma’am’s

My name is Michael Schutze and I live in the City of Sierra Vista. I am for allowing chicken and ducks in the back yards of the residents of Sierra Vista.

Thank you
Michael Schutze
Hello,

I wanted to let you and board members know that my wife and I fully support the proposed allowance of chickens within the city limits.

Thank you,
Charles Shinn.
Mr. Pregler,

I am a 23+ year resident of Sierra Vista.

I am very much in favor of allowing S.V. residents to raise hens on their property within established guidelines. I encourage the city council to approve the measure on the 12th of April.

The fresh eggs provided by the hens would be beneficial to me and my wife. I look forward to the opportunity to responsibly raise and care for the animals.

Sincerely,

Robert C. Silverman
3817 N Mallard Circle
Sierra Vista, AZ 85635-2915
520-236-4013
Hello Jeff,

I have read the article in the Herald regarding the proposal for allowing homeowners to raise chickens in their backyards. And heartily agree with the proposal allowing people to raise chickens for their own purposes. I will definitely be watching this ordinance vote carefully as any item that increases peoples options for better living on their own property has my full support.

Thank you for your time. If you should have any questions or comments please feel free to reach out to me.

Paula Smith
4521 Camino del Norte
Sierra Vista AZ 85635
Ladies and Gentlemen,

I am writing this letter urging you to vote YES for backyard poultry. I've read arguments for and against. It appears that the "For" crowd has backed up their stance with science. The arguments "Against" do not seem to hold any water. I would like Sierra Vista to follow in the footsteps of many other successful communities and allow for the keeping of hens in the backyard. The proposal is soundly written w/o unnecessary burdens. I also find it utterly ridiculous that my across-the-street neighbor can keep as many hens as he'd like because he is in a "county enclave", but because I am on the wrong side of the street I cannot.

Thank you for your time.

Sincerely,

Timothy Rich
As a resident of Sierra Vista, I strongly support allowing property owners to have chickens inside the city limits. The eggs from chicken are an excellent food option. I was raised on a farm and we always had chickens and ducks that provided all the eggs we needed for cooking and baking. Chickens are quiet domestic fowl and much quieter than noisy barking dogs that bark every time a walker passes by in the street. It is about time for the city council to do something positive for the city residents. Vote yes for chickens in the city limits.

Mike Steiger
Good evening –

I am writing to let you know that I wish to be recorded as being in favor of allowing chickens within the city limits. First, I have experience with chickens and do not see them as a nuisance. While living in Boise, ID, my son kept chickens in his backyard and, aside from being remarkable dumb birds, they were not a problem in any way for him or his neighbors. Second, I applaud the current movement toward knowing the source of one’s food and against the industrialization of agriculture. Fresh eggs are among the most accessible answers to this desire, and chickens in a backyard are a perfect solution. Finally, whatever noise a few chickens might make, and I know that to be minimal, it in no way can equal the noise of motorcycles roaring down my street, which happens frequently. Since I strive to be a good neighbor and have not complained about that, I would hope others would be as neighborly regarding chickens.

Thanks for your time,

Pamelia A. Steiger
Mr Pregler:
I am contacting you regarding the pending issues about chickens being allow within the city limits of Sierra Vista. This seems to be an exercise in stupidity. Dogs and cats create more problems than chickens ever will. Dogs bark all night, crap on the sidewalks and run lose all over our neighborhoods turn over garbage cans looking for scraps. Cat pee and poop in our gardens which destroys the plants and soil costing money to replace the plants and soil. Cats have litter after litter creating a feral cat population that roams from house to house looking for food. Why can’t chickens be consider pets? Chickens are quiet and do not share their feces with everyone else and is actually a great sustainable fertilizer. They actually produce an commodity, eggs, which is a benefit to the community.
Those running around yelling that the sky is about fall down, are a bunch of Chicken Littles.
Fred Stickler
Sierra Vista AZ
520.236.5325

Sent from Mail for Windows 10
Hello-

I’m writing in support of the chicken ordinance allowing chickens within the city limits. I recently moved here from Bloomington Indiana where I was the CEO of the Humane Society. The City of Bloomington enacted a chicken ordinance many years ago and there have been no problems with people and their chickens within the city limits. I also sat on the animal control board the crafted the ordinances and hears ticket appeals, etc.

Allowing chickens caused no issue in that community.

Here is Bloomington’s ordinance as reference:

https://bloomington.in.gov/animal-shelter/chicken-flocks

I hope Sierra Vista will join the countless communities across the country that allow backyard chickens.

Best,

Sarah Taylor
Mr. Pregler,

I support having backyard chickens. I feel a limited number is not any different if not better than having dogs (more quiet) or cats (that roam the neighborhood).

Thank you,
Nancy Thompson
Mr. Pregler,

I'd like to go on record as being fully supportive of Sierra Vista residents being able to legally keep chickens on their property. It is not just a matter of having the freedom to do what you want on your own property as long as it doesn't harm or disturb others, but also enjoying the benefits of a healthy food option and controlling insects and other pests.

Thank you.

Bruce Thompson
Sierra Vista
Mr Pregler,

I hope this finds you in good health. I appreciate your efforts to support the CITY and its many (too many in my eyes) functions here in Our beautiful desert 'sky island'.

I am writing to support the folks who want to raise fowl without the CITY crying foul. It is nothing more than the creation of Value (protein for food source) without having to go to the market and be taxed, either on the use of a vehicle, fuel, and/or any other revenue streams for the CITY. Instead, the good folks can go to market once for feed (honestly I hope the good folks use an online source such as Amazon to save 7.5%) since they will still pay taxes on the H2O.

I remind you that a generation of Warriors have been attacking the critical requirements of networks overseas on your behalf for a generation (consult w/ Mr Boone for clarification) and have been trained, right down the road on Fort Huachuca, which the city annexed for the population count in the 70's.

Thank you for your Valuable time and your continued Service to Our Community.

GO CHICKENS!

Michael J DeCarlo
1165 N Catalina Dr
Sierra Vista, AZ
Caller from 1023 Plaza Topaz is FOR chickens in Sierra Vista. He would like to get a couple of chickens for his daughter as a pet however, he believes there should be a limit to the amount of chickens on a property.

Thank You,

*Sabrina Avila*

**Administrative Secretary**
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
[www.SierraVistaAZ.gov](http://www.SierraVistaAZ.gov)
Hello Jeff,

I am in favor of this being allowed. If the criteria is one per 1,000 sq feet, I think that would allow me 2 hens/ducks? Kind of lonely for the animals don't you think?

Any way, yes. I have lived at 940 Mesquite Dr Sierra Vista for 22 years.

Thank you.

Carolyn Weaver
From: Amy Weierman <aweierman@cochisedermatology.com>
Sent: Monday, March 12, 2018 8:31 AM
To: MayorAndCouncil
Subject: Hens as pets

I think Sierra Vista should be more like Silicon Valley. Millionaires there are putting coops in their yards!


Amy Weierman, PA-C

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I would like to write to express my support in favor of passing the Domestic Fowl ordinance.

We should not allow personal feelings and unfounded fears to dictate whether the citizens of Sierra Vista can keep animals that are less bothersome than other domestic animals that are already permitted. Even the urban vs. rural argument is invalid, as Tucson and our own capital of Phoenix both allow urban fowl. In my opinion, the very fact that tax-paying property owners are "asking for permission" for this is absurd. My husband and I have discussed leaving this town which we have come to call home should the council vote against this small but important property rights issue. We moved here from Illinois partly to get away from the ridiculous overreach of local and state government, and it would be disappointing to see the council vote against the simple freedoms of home owners.

Respectfully,
Amy Weierman, MMS, PA-C
Sierra Vista resident since 2013
There was an article that several media outlets (NPR, CBS, CNN) picked up a few months back regarding the hazards of backyard chickens. I am assuming that someone who is opposed to the ordinance may have sent you this article and therefore I am submitting this letter as a rebuttal. When we look at the factual numbers, it is evident that this article was an example of extremely poor journalism and there are several problems with it.

First, they state that there were 1,120 cases of salmonella last year attributed to backyard chickens. They make this statement without placing it context. There are an estimated 1.2 million overall salmonella cases in the US each year according to the CDC.\(^1\) Given the current population in the US of 323.1 million people, this gives us a contamination rate of 0.37%. \((1.2/323.1=.0037)\). The USDA estimates .8% of residents have backyard chickens\(^2\). Using these numbers, we can calculate that approximately 2.5 million people in the US have backyard chickens. With 1,120 cases of salmonella late year being directly attributed to backyard chickens, we can calculate a contamination rate of 0.05% for backyard chicken owners, \((1120/2.5 = .0005)\) which is statistically significantly lower than the general public. These facts show something very interesting. People who have backyard chickens are less likely to contract salmonella than the general public even though they have daily exposure to chickens. We can speculate why this is, but I won’t go into that now.

My second issue with this article deals with their statements regarding Avian flu. It is interesting that the article cites the Egyptian outbreak of 2014. The US also had an outbreak in 2014\(^3\), however the article cites Egypt and not the US. This may be because only 21 cases in the US were attributed to “backyard chickens”, and if we remove flocks that were larger than 24 hens, we are left with only 4 cases\(^3\). This can hardly be considered outbreak. Because Avian flu is natural in wild fowl and is spread through saliva and feces\(^4\), it is primarily spread by infected birds using the same ponds and uninfected birds, and droppings from migrating birds. This concern is mitigated by the fact that wild fowl prefer ponds and lakes, and do not use the waterers set up for backyard chickens.

I hope this information is helpful. I have my citations listed below.

Sincerely,

Robert Weierman

\(^1\) [https://www.cdc.gov/salmonella/index.html](https://www.cdc.gov/salmonella/index.html)


\(^4\) [https://www.cdc.gov/flu/avianflu/avian-in-birds.htm](https://www.cdc.gov/flu/avianflu/avian-in-birds.htm)
City Council Members of Sierra Vista,

I am writing to state my support of this ordinance. I am in favor of allowing residents of Sierra Vista to raise chickens in their backyards.

After reading several posts online from individuals who believe chickens should not be allowed in city limits, it seems to come down to two fears: 1) health risk and 2) nuisance issues: noise and smell. Research shows that chickens are healthier pets to keep than dogs and provide several significant benefits. Regarding nuisance issues, chickens are quieter than dogs and do not smell in our arid climate. People who state otherwise are not knowledgeable on the topic. Also, we already have laws in place to deal with nuisance issues.

Backyard chickens allows residents to provide fresh, healthy, high protein organic food for their families, along the same lines as having a backyard garden. It gives us control over the quality of our food.

Some people just don’t like the idea of having chickens next door. I understand that and respect that fact. However, it seems that their views are based on fearful emotions and not a rational assessment of facts.

I hope that this council, the city manager, and planning and zoning commission will base their decisions on facts and not base them merely on feelings. This is an issue that is more about property rights than chickens. Tax paying residents should have the right to do what they want on their own property as long as they cause no harm. I fail to see any harm in allowing residents to have backyard chickens.

Respectfully,

Robert Weierman

(815) 793-9980
robert.weierman@gmail.com
Greetings!

I am in favor of chickens and ducks for backyard flocks. I am adamantly opposed to having to get neighbor approval for waivers. It is grossly unfair to put a limit on something which makes infinitely less noise than dogs. You don’t require my neighbors to get my approval before they add more dogs to their yards or leave them outside at all hours of the night to bark at everything. Please drop the neighbor approval for the waiver. I don’t mind requesting a number larger than 8 on paper but to be told my neighbors get to impinge on my sleep with their backyard pets AND they have a day about what I do with my yard is ridiculous.

Blessings to you. Gail White
Mayor Mueller, Members of the City Council,

I support self-sufficiency with backyard flocks. Please allow residents to have chickens and/or ducks. Thank you and have a great day!

Sincerely,

Brian P. White
Sierra Vista Resident
Dear Mayor and council,

I just wanted to let you know I am in favor of having chickens in Sierra Vista. I think it is a good thing for those who want it and I feel the cities proposed recommendations would keep things under control.

Emily Wilde
To Whom It May Concern:
I am writing to reaffirm my support of approving chicken ownership within city limits.
Thank you,
Angel Willis

Sent from my iPhone
Mr. Pregler,

I wanted to offer my continued support for domestic foul in the city.

Zane Willis
937 Paso Robles

"Do you see a man skilled in his work? He will stand before kings; He will not stand before obscure men." - Proverbs 22:29 NASB
Jennifer Osburn

From: Helen Wilson <azwilson2@gmail.com>
Sent: Wednesday, March 07, 2018 6:31 AM
To: MayorAndCouncil

Dear Mayor and City Council,
I am writing to let you know I am greatly in favor of allowing the residents to have chickens within the city limits. Personally I have raised chickens since I was young and old so I've had them most of my life and they have been one of the greatest joys for our family.

First of all they're a great source of wholesome food since we can feed them organic items instead of feed that is full of the GMO which Studies have shown is detrimental to our health.

They make great pets and allow children to learn the importance of caring for animals. They also provide a great deal of comfort and joy to those who care for them as pets.

Growing up I had a pet chicken that would jump into my lap because she wanted to be petted. She loved the attention.

People who have never owned a chicken do not understand the joy that they can bring to someone. Even the elderly would benefit from being able to raise a few chickens to supplement their food source. Especially since they're on a very limited income knowing that they would have something wholesome to eat will benefit them, not only physically but emotionally.

As far as the argument stating that having chickens will bring in more Predators is a bunch of hogwash. They're already here going after people's pets and garbage that's been left out there really are already problems with predators that were created even without chickens. Having chickens isn't going to make any difference in as long as the owners correctly build their coops to be predator-proof it will not be an issue. Most people have fenced-in yards so that barrier is already in place.

The other argument stating that it will bring in rodents is another hogwash and obviously being brought up by people that know nothing about chickens. Chickens eat rodents. So unless someone were planning to have 100 or more chickens, which is not going to be the case, rodents will not be a problem because the chickens will take care of it themselves as well as insects including scorpions.

I can only see that it would be a benefit for us to be allowed to have chickens because of all the pluses and so few minuses. They have fewer diseases than a dog and there's no ordinance against people having dogs so I do not understand the argument about having a chicken when they are less of a problem than dog would be. Dogs are noisy much noisier than a chicken would ever be plus their excrement can actually be reused in the garden where a dog's feces could not. There is just so much benefit to having a chicken I do not see why there is so much of an argument it doesn't make sense. Except to those who are close-minded and know nothing about the benefits of a chicken and do not even care to know the benefits of a chicken.

I pray with all my heart that this city council votes favorably on allowing chickens to be raised within the city limits. Many of the largest cities have seen the benefit of allowing this so I would hope that our city council would be forward enough thinking that they would concur with their decisions.

Thank you for allowing me to share my feelings towards this very personal item on the city council agenda.

Respectfully,
Helen Wilson
664 Savanna Dr
Sierra Vista AZ 85635

Helen Wilson
I am in favor of allowing the keeping of hens in Sierra Vista.

Noel
I am in favor, provided we have responsible fowl ownership and limited fowl quantities. I also think the document should show what is allowed and what is not allowed in a clear fashion to avoid confusion and abuse.

In the attached Word doc are my detailed comments. I look forward to the day I can have 2 ducks. And, the feeding of wild / feral birds (Doves and Pigeons) should be prohibited and violators fined.

Thanks for allowing my input.

CHUCK WOODALL  
2436 Thunderbird Drive  
Sierra Vista, AZ 85650

Chuck.Woodall@cox.net  
(520) 456-6069

------------------------------- TEXT VERSION -------------------------------

FERAL ANIMAL. Add examples of feral birds or fowl such as Doves and Pigeons (wild animals that can be a huge nuisance in a community if unchecked or fed to negatively encourage their over population within a community). These are annoyance species and health hazards (bird flu due to wet feces on structures or dried feces blowing in the wind).

PUBLIC NUISANCE ANIMAL. Add examples of fowl such as Doves and Pigeons that are noisy and which defecate on cars and roofs causing destruction and degrade of paint, shingles and tile. That also is unsanitary, smelly, and a health hazard for diseases. Plus their noise interferes with sleep (esp those on shift work or on weekends). And also prohibit residents from feeding Doves and Pigeons thus encouraging larger populations to come within the housing area (much more than that which is tolerable and natural). Doves and Pigeons should not allowed as pets for these reasons and be restricted from the definition of "allowed fowl."

SECURE ENCLOSURE. Requirement is unreasonable for fowl, since it is better for them to be kept in well ventilated enclosed housing with a floor that is elevated off the ground (e.g., chicken coops). For dogs okay.

"(a) The floor will be made from concrete, cement, or of blocks or bricks set in concrete (too restrictive, expensive, and never really used with small quantities of fowl); or

(b) The footing will be made of concrete or block that starts at the ground level and is at least one foot in depth (way too excessive to require one foot depth or this type material - wood is better). "
Mr. Pregler:

First off, I agree with the ordinances as stated in the city code in regards for the exception of domestic fowl. Secondly, I would like to thank you and the city council for this positive change in our community and allowing our children and their friends the opportunity for a first hand educational experience. Thank you again and God Bless our community of Sierra Vista.

--

Christopher Leon
GARY SALEH
205 BAINBRIDGE DRIVE

Please Note: NEW INSPECTION TIMES RUN 8AM - 2PM. WE DO NOT DO SAME DAY INSPECTIONS. All inspections must be requested by 5 pm the day prior to schedule for the next business day. Any messages left after 5:00 pm will not be scheduled for the next business day.

Respectfully,

Kristen Gregan-Goodwin
Administrative Secretary
City of Sierra Vista
Department of Community Development
Planning & Building Division
1011 N. Coronado Dr.
Sierra Vista, AZ 85635
(520) 417-4413
Fax (520) 452-7023
www.SierraVistaAZ.gov
Jeff,

I live at 4468 Calle Vista and have read the proposed change in the ordinance regarding domestic fowl. Seems like a good idea to me.

Eric Silverberg
NO ONE should have to check with their neighbors to bring home a few hens, no more than they should have to check with their neighbors before they bring home a cat or a dog, or put ugly tacky cement figures in their yard. I, for one, am so tired of the City Council bending to the loud minority of cranky old blue hairs who have nothing better to do than to donate their money to people's election campaigns and sit around reading the newspaper to find things to complain about. You want to know why our fair city is struggling? Because for far too long we've been bowing down to a declining population. You want Sierra Vista to thrive? Then you need to think outside of the Blue Hair Box, and actually vote yes on some items that are important to the younger population.

Rebecah Degnan
I heard that an amendment was added in today's council work session that would require surrounding residents to approve of chicken ownership prior to acquiring chickens. To the best of my knowledge, no other property requires this onerous requirement. Dog owners, whose pets bark far louder than hens are not regulated in such a way. There is no need for this amendment and I strongly urge that the mayor and council vote no.

Thank you for your support in this citizen-guided process thus far. I strongly support passing the chicken ordinance.

Respectfully,

John Denson
815 San Jacinto Drive
Sierra Vista, AZ 85607
I am writing to say how absolutely disappointed I am at what I've just heard about tonight's city work session regarding chickens.

Mayor Mueller announced his intent to propose an amendment to the domestic fowl code that is going up for vote on Thursday. This amendment will require that all citizens receive neighbor consent to own chickens of any number on our properties.

This was not put to the citizens until now?? As a citizen, I am furious that this seems to have come out of nowhere and appears to be an attempt of manipulation of the city council to ensure this vote does not go through.

My neighbors have not asked for my permission regarding their loud dogs, their loud parties on Friday and Saturday afternoons and into the early evenings, or their trees that hang over the wall onto our property creating more yard work. But what I do know is that "I" can either talk to them if I have a problem with what "they" are doing on their own property that affects me, or I can report it. Why in the world would this be any different?

I will be at Thursday's meeting and I will surely be voting during the Mayoral election as well.

A disappointed and concerned citizen of Sierra Vista,
Yvonne Grossi
--
To the Mayor and Council,

I have recently learned of a potential proposed action by some members of the Council to amend the chicken ordinance to require property owners to obtain permission from neighbors. I think we all know this is a bad idea on so many levels, and it seems that any last-minute changes to add such a requirement has no other purpose than to ensure the ordinance does not pass.

If the proposed ordinance is amended to require neighbor's permission, it puts Council members who support the idea of chickens in an impossible position. I won't hold their "no" votes against them. However, I will not vote for, and will actively campaign against, any member of the council that takes action to include an amendment such as this.

The amendment is unnecessary and problematic for many reasons:

1. No other legal action on one's own property requires permission from neighbors. This singles out chickens and sets a terrible precedent for property rights.

2. It is not standard. I have researched chicken ordinances throughout the United States, and found that fewer than 10% of municipalities that allow chickens require neighbor's permission. We need to model our ordinance after those that have become standard and proven to work.

3. It leaves many questions that will need to be addressed. What if the house next door is a bank-owned property? What if I am next door to a church, school, or commercial property? If the property next door is a rental, do I need permission from the owners or renters? What if the neighbors cannot be reached and do not respond?

4. It opens up so many possibilities for new feuds between neighbors, which ultimately could create an added burden for Law Enforcement and a potential safety issue for citizens.

A group of Sierra Vista residents has worked extremely hard to get this amendment passed, while working with the city council to address any concerns they had. They showed up at the Council meeting where the vote was taken to proceed with the comment period, en masse, to speak in favor of chickens while no major opposition came forward. They have attended work meetings, researched other ordinances, spoken and written letters. These residents have done everything that has been asked of them. To wait until the comment period is over and add a last minute amendment that will sabotage the passing of this ordinance is simply low.

I ask any council member who is considering taking this action to reconsider. Allow this ordinance to pass or fail on its own merits, as created by the efforts of so many dedicated citizens working hard in tandem with the City Concil.

Respectfully,

Roxanna McGinnis
Hello Sierra Vista Mayor and City Council

I just learned that the Mayor is proposing to amend the foul ordinance to be voted on this Thursday. Many citizens of Sierra Vista have put a lot of work into this new ordinance, and have done a great job of doing so. Many other citizens have agreed with the proposal and like it the way it was written prior to the thirty day comment period starting. Mr. Mayor, I’m having a hard time trying to figure out your idea of amending the proposal to include the need for neighbor’s permission prior to having foul on your property. As of now, city ordinance does not require me to ask my neighbor if I can have one dog, or two, or however many. It also does not require me to ask before getting cats, or birds, or any other animals currently allowed by the city ordinance. So why the different approach here? I don’t talk to many of my neighbors. The cops are at my direct neighbor’s house many times a month dealing with his domestic violence issues, which by the way, my kids have to hear his loud yelling, swearing, and threatening constantly. Also, my neighbor’s dog barks incessantly and frequently jumps the fence and tries to dig under my fence into my yard. I don’t report this, I just deal with it (with of course the domestic violence). My neighbor has also threatened me before, so there is absolutely no way I will ever go to my neighbor’s house to ask his permission to have foul on my property. I will NEVER ask my neighbor permission for anything! But I want to own foul. They can be educational to my children, teach them responsibility, and feed us (eggs). So why the pushback? Is it because many other citizens don’t want foul in Sierra Vista? Are these same people attempting to change the current ordinances in regards to dogs or cats? Do these people have their own dogs or cats? I’m guessing quite a few of them do. I’m asking all of you to vote to allow foul without requiring neighbor permission. If your don’t want foul in this city, then have the courage to simply vote no. Don’t add bloat to the proposed ordinance just to get others to be the bad guys and vote no.

Thank You
Michael Schutze
I sent in the following comment regarding chickens during the comment period and it was left out. How accurate is your "count" of for and against when you have omitted comments such as mine?

Diana Sanchez

---------- Forwarded Message ----------
Subject: Hens in Sierra Vista
Date: Fri, 16 Mar 2018 12:13:14 -0700
From: Bobby & Diana Sanchez <bdsanchez@cox.net>
To: mayorandcouncil@sierravistaaz.gov

Hello,

I would like to state I am in favor of allowing Sierra Vista residents the opportunity to own hens. I have a neighbor who owns chickens. The coop is against the wall that my bedroom is on the other side of. The only time, and I stress only time--I hear chickens is if I go outside in my backyard and it is in the morning when they are laying. Even then it is a low key clucking I hear and I enjoy listening to them. I have two dogs, they never react to the hens being there and we have never had smells from the hens either. I do not see the problem in people keeping hens. I can understand if someone gets a rooster—but I don’t believe that is what is being requested here. I just wanted to have my voice heard as someone who already knows what it is like to live next door to hens. Please allow hens in Sierra Vista.

Thank you,

Diana Sanchez
From: Gail White <mamagigi@icloud.com>
Sent: Wednesday, April 11, 2018 7:22 AM
To: MayorAndCouncil
Subject: Chicken

Mayor and council,

The proposed amendment to require neighbor approval for backyard flocks is sneaky and downright wrong. You were elected to do what is right. The proposal that was just given a 30 day comment period was based on NO neighbor approval. Mr. Mayor I’m ashamed to hear you decided to circumvent the process and abuse the power and trust placed in you by the voters. You basically chose to be an ineffective leader by not listening to the people you were elected to represent and lead.

I’m asking you all to abide by the proposal as it stood prior to the addition of the amendment on Tuesday. That is what your constituents discussed and in previous meetings this proposal was shot down because of over regulation. If you choose to move forward with requiring neighbor approval, I encourage you to pass legislation further destroying the pursuit of happiness and neighborhood cohesiveness to require my neighbors to gain my permission before having dogs that will bark all night, vehicles that rev, loud outdoor parties, and loose cats.

Blessings to you. Gail White