

Chapter 4

ANIMALS AND FOWL

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Sec. 4-1. Grazing in Streets and Alleys Prohibited.

It shall be unlawful for any person to stake by rope or otherwise, for the purpose of feeding or grazing any animal on, in or about any street or alley within the City. If any animal be staked, roped or fastened in any manner, in or upon any street or alley for the purpose above mentioned, said animal shall be deemed a stray and shall be impounded as herein provided.

Ref. Idaho Code § 25-2112

Sec. 4-2. Owner's Permission Necessary to Graze.

It shall be unlawful for any person to graze, stake by rope or otherwise, any animal on, in or about any vacant ground,

lot or premises or any private premises, whether vacant or occupied, within the corporate limits without first having obtained the written consent and permission from the owner or occupant of such lot, land or premises.

Sec. 4-3. Permission Required to Move Animals.

It shall be unlawful for any person to drive or cause to be driven any loose animals whatever, in, on, through or across any street or alley within the City without first having obtained the written permission from the Chief of Police. Provided, however, that any person may drive not to exceed one head of any such loose animal through or across any street or alley without first having obtained such written consent of the said Chief of Police.

Sec. 4-4. Animals Prohibited on Sidewalk.

It shall be unlawful for any person to permit or allow any animal, while the same is being driven loose in, on, through or across any street or alley to walk, tread or travel upon any of the sidewalks in the City.

Sec. 4-5. Animals at Large Prohibited.

Animals shall not be allowed to run at large or to be herded in any of the streets, alleys, parks or public places or upon any private premises except those being driven through for shipment or other purposes or unless such owner shall first obtain permission from the owner of said private premises.

Ref. Idaho Code § 25-2112

Sec. 4-6. Animals to be Captured.

Any of the animals found at large within the City may be captured by any City or law enforcement officer or by any person and delivered to the Chief of Police and impounded in a pound; such animals shall be provided with proper care, food and water while so confined.

Sec. 4-7. Notice of Impoundment.

The Chief of Police shall give immediate notice of the capture of such

animal by posting three (3) notices of sale containing a description thereof and the time and place of sale, in a conspicuous place and shall have a copy of such notice published in the official newspaper for a period of ten (10) days.

Ref. Idaho Code § 25-2308

Sec. 4-8. Sale of Impounded Animals.

If any animal so captured be unclaimed by the owner thereof at the expiration of said ten (10) days from the date of such notice, the Chief of Police shall sell the same at public auction; and after deducting the City’s legal fees and all costs and expenses of capture, keeping and selling, shall pay the remainder of the proceeds of such sale to the City.

Sec. 4-9. Reclaiming Animals Before Sale.

If at any time before such sale the owner of any animal so captured shall claim the same, such owner shall be entitled to the possession thereof upon the payment of all legal charges and expenses incident to such capture and keeping.

Sec. 4-10. Impounding Fees.

The City Chief of Police shall be entitled to receive reasonable compensation for the capture and keeping of animals and five percent (5%) of the proceeds of any sale. The City shall make no charge for preparing or posting notice of sale.

Ref. Idaho Code § 25-2309

Sec. 4-11. Owner May Receive Proceeds of Sale.

If the owner of any animal sold under the provisions of this Chapter shall, at any time within one (1) year from date of such sale, make satisfactory proof of ownership, such owner shall be entitled to receive the net profit of such sale on deposit in the City.

Ref. Idaho Code § 25-2207

Sec. 4-12. Maintaining Certain Animals Regulated.

A. It shall be unlawful to keep or maintain any fowl, rabbits, horses, cows, sheep or goats within the City, except as

provided in this Chapter or as specifically provided elsewhere in this Code.

1. a. Fowl. For purposes of this subsection, “fowl” shall mean domesticated birds (galliformes and anseriformes), and shall include chickens, ducks, and geese but shall not include peafowl, guinea fowl, ostriches, or emus.

i. A person may lawfully maintain six (6) fowl which are more than twelve (12) weeks from hatch per lot of not less than five thousand (5,000) square feet and one (1) additional fowl more than twelve (12) weeks from hatch for each additional twelve hundred fifty (1,250) square feet per lot up to a total of twelve (12) fowl more than twelve (12) weeks from hatch per lot.

ii. A person may also maintain up to twenty five (25) fowl not more than twelve (12) weeks from hatch, per lot which is of not less than five thousand (5,000) square feet, if such fowl are not intended for sale and do not comprise a commercial agricultural use, as demonstrated by the person keeping or maintaining such fowl.

iii. It shall be unlawful for a person to keep or maintain male fowl within the City limits except for a time period not to exceed twelve (12) weeks from hatch, as demonstrated by the person keeping or maintaining such male fowl.

iv. In no event shall the coop and/or run constructed for containing fowl be less than twenty five feet (25’) from a dwelling other than that of the

person keeping or maintaining fowl.

v. It shall be unlawful for a person to keep or maintain peafowl, guinea fowl, ostriches, or emus within City limits.

vi. This subsection shall not apply to zoning districts which allow commercial agricultural uses, or to areas otherwise exempted by this Code or to uses specifically permitted by this Code.

b. Domesticated Turkeys. Domesticated turkeys are allowed within City limits pursuant to the following minimum standards:

i. A person may lawfully maintain up to a total of three (3) female domesticated turkeys which are more than twenty five (25) weeks from hatch per lot of not less than five thousand (5,000) square feet.

ii. A person may also maintain up to six (6) domesticated turkeys not more than twenty five (25) weeks from hatch, per lot which is of not less than five thousand (5,000) square feet, if such turkeys are not intended for sale and do not comprise commercial agricultural use, as demonstrated by the person keeping or maintaining such turkeys.

iii. In no event shall the coop and/or run constructed for maintaining domesticated turkeys be less than forty feet (40') from a dwelling other than that of the person keeping or maintaining such turkeys.

iv. This subsection shall not apply to zoning districts which allow commercial agricultural uses, or to areas otherwise

exempted by this Code or for uses specifically permitted by this Code.

c. Rabbits. To maintain and keep rabbits, there must be at least five thousand (5,000) square feet of real property for each twenty-five (25) rabbits, and in no event shall any person keep or maintain more than fifty (50) rabbits, and in no event shall the rabbit hutch, or rabbit run be less than forty feet (40') from a dwelling other than that of the owner.

2. To maintain or keep one (1) cow, or one (1) horse, or one (1) goat, or one (1) sheep, the owner must have at least ten thousand (10,000) square feet of real property for one (1) animal and five thousand (5,000) square feet for each additional animal.

B. Fences enclosing such animals shall be so constructed as to prevent the animals from leaving the lot of the person(s) keeping or maintaining such animals.
(Ord. 2009-23, 11/16/2009)

Sec. 4-13. Hogs and Pigs.

It shall be unlawful to maintain any hogs or pigs within the City except as hereinafter specifically provided in this Chapter.

Sec. 4-14. Locations; Structures; Pens; Enclosures.

Animal locations, structures, pens, corrals, and any other premises or structures used for the keeping of and maintaining of horses, cows, sheep, goats, rabbits, chickens, doves and pigeons must be kept in a clean and sanitary condition, free from obnoxious odors and substances. All persons who keep or maintain any horses, cows, sheep, goats, rabbits, chickens, doves, or pigeons shall keep them confined at all times in enclosures strong enough, or staked out, or picketed on the premises, or in such a manner as to prevent said animals or fowl from going upon the premises or property of another. It shall be unlawful for any person keeping or maintaining any of said animals or fowl to allow the same to create a disturbance to the residents in the particular locality by

creating any noise, odor or damage to the adjacent property, and the keeping and maintaining of said animals and fowl shall not interfere with the peaceful and quiet enjoyment of such property by such adjacent owner and residents.

shall be punished pursuant to this Code and the Idaho Code unless otherwise specifically provided for in this Chapter.
(Ord. 2000-20, 09/18/2000)

Sec. 4-15. Exception.

When the requirements to maintain an animal pursuant to this Chapter cannot be met by the owner, the owner may request a permit to keep or maintain fowl or animals, provided the owner submits a statement signed by more than seventy five percent (75%) of the property owners within a radius of two hundred feet (200') of said property. The request for the permit will be acted upon by the Council in a public meeting.

Sec. 4-16. Inspection.

Whenever the City shall determine that the requirements of the Chapter, this Code, or the Idaho Code are not being complied with, it shall cause a written notice to be sent to the owner. The owner shall have forty-eight (48) hours from the time of receipt of the notice to comply with the requirements or cause the animal or fowl to be removed from the property.

Sec. 4-17. Loading Pens and Sale Yards.

For the purpose of selling, loading and shipping any horses, cows, pigs, goats, chickens, and other fowl, it shall be lawful to keep the same in loading pens provided for said purpose, but no such animals shall be kept in such pens within the City, for a period of more than thirty-six (36) hours except by written permission of the City.

Sec. 4-18. Exempt Area.

The following described area shall be exempt from the requirements of Code Section 10-4-12 through Code Section 10-4-17: South of the Pullman Road and west of the projection to the centerline of Rayburn Street.

Sec. 4-19. Penalties.

Any person violating the provisions of this Chapter shall be deemed guilty of an infraction and, upon conviction thereof,