

**City of Yreka
Planning Department
701 Fourth Street, Yreka, CA 96097
(530) 841-2324**

**Application for Keeping of Animals in City Limits
YMC # 8.04.020 (copy attached)**

Administrative approval – Fee \$125.00 Check Cash

Valid for a period of one year (See renewal below)

Requires a detailed plot plan of the real property (must not be less than five acres in size) showing all structures, wells, fences, animal enclosures, the area within which the animals will be kept, maintained and pastured, adjacent dwelling houses or businesses within three hundred feet of the exterior boundaries of the subject parcel must be submitted with this application.

Additional fee if contested – Fee \$125.00 Check Cash

Renewal Animal Permit – N/C

Renewal required yearly by completed application of valid permit holder

APPLICANT: _____ PHONE#: _____

APPLICANT ADDRESS: _____

IF OTHER THAN APPLICANT,
NAME OF PROPERTY OWNER: _____

PROPERTY OWNER ADDRESS: _____

PROJECT LOCATION: _____

ASSESSOR PARCEL NUMBER: _____

- Number of animals for which permit is requested _____
- Type of animals for which permit is requested _____

Applicant agrees to comply with any terms or conditions of any entitlement issued or permit by the City pursuant to this application.

PROPERTY OWNER'S SIGNATURE: (REQUIRED) _____

APPLICANT SIGNATURE: _____ DATE: _____

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Sections:

[8.04.010 - Herding and picketing animals in city limits unlawful.](#)

[8.04.020 - Keeping of animals.](#)

[8.04.030 - Tying animals to fences or trees on public lots unlawful.](#)

[8.04.040 - Trespassing animals.](#)

[8.04.050 - Disturbance by animals.](#)

8.04.010 - Herding and picketing animals in city limits unlawful.

It is unlawful for any person or persons to herd or picket any horse, mule, ass, sheep, goat, hog, bull or cow in any alley or street within the city limits.

(Ord. 266 §4, 1951).

8.04.020 - Keeping of animals.

- (a) It is unlawful for any person to keep, stable, corral or otherwise maintain within the city limits any horse, mule, fowl [25] ^[25], ass, sheep, goat, swine, cattle or ruminant, or any number of such animals except as specifically provided herein; provided, however, the provisions of this section shall not be construed to prevent the working of any such animals or their use or display in a parade or exhibition.
- (b) Notwithstanding the provisions of subsection (a) of this section, a permit may be obtained for the maintenance of any such animal or animals, on the following terms and conditions:
 - (1) The real property upon which the animal or animals are to be kept or maintained is not less than five acres in size.
 - (2) An application shall be filed with the planning director, which application shall set forth the applicant's name and address, the assessor's parcel number or numbers wherein the animals will be kept or maintained, the number and type of animals for which a permit is requested, and a plot plan of the real property showing all structures, wells, fences, animal enclosures, the area within which the animals will be kept, maintained and pastured, adjacent dwelling houses or businesses within three hundred feet of the exterior boundaries of the subject parcel, and such further information as may be required by the planning director. Said application shall be accompanied by the deposit of such fees as are established by resolution of the city council from time to time, which shall be refunded to the applicant to the extent the same is not used for the actual cost of processing the application. No fee or deposit shall be required for the keeping of any hens as long as the keeping or maintaining conforms with [Section 8.04.020\(c\)](#).
 - (3) Upon receipt of the application and deposit pursuant to subsection (b)(2) of this section, the planning director shall cause to be sent to all property owners within three hundred feet of the parcel or parcels upon which the animals will be kept or maintained a notice summarizing the application and setting forth that if no written objections are made to the application within fifteen days from the date of mailing of such notice, that the permit will be issued by the planning director. In the event no such written objections are received by the planning director

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within fifteen days from the date of mailing of such notice, the planning director shall issue a permit for the keeping of such animals if he or she finds that the keeping or maintenance of the animal or animals proposed by the applicant will not unreasonably cause noise, dust, erosion, odor, insects or other problems which would interfere with the peaceful use and enjoyment of adjacent properties. In no event shall a permit be issued for the keeping or maintaining of any animal or animals unless a good and substantial fence or pen is provided for such animal or animals. No permit shall be issued for any animal or animals which are not for the personal use of the applicant upon the subject property. Any such permit issued by the planning director or by the planning commission, as hereinafter provided, shall be valid only for a period of one year and shall be valid only as to the number and types of animals as set forth in the application and the area for their keeping and maintenance as set forth in the application. Provided, the city of Yreka has not received, in writing, complaints from any adjacent property owners during the permit period, said permit shall be renewed automatically, without fee, by written application of the permit holder to the planning director. In the event any adjacent property owner notified pursuant to this subsection objects to the application within the fifteen-day period, said application shall be referred by the planning director to the planning commission for determination as hereinafter provided.

- (4) In the event the city receives any written complaint objecting to the application within the fifteen-day period provided by subsection (b)(3) of this section, then in such event, the planning director shall forward the application to the planning commission, which shall set a public hearing within forty-five days, at which time, any person interested may appear and comment upon the proposed application. At least ten days prior to the time set for the public hearing, the planning director shall cause notice to be given to all property owners within three hundred feet of the parcel or parcels upon which the animals will be kept or maintained, such notice to be given to those persons as appearing on the latest equalized assessment roll of the county of Siskiyou. At the time set for public hearing upon the application, the planning commission shall hear and receive comments from any interested person in regard to said application and such further information as they may require. No such permit shall be issued unless the planning commission makes the same findings as required by the planning director pursuant to subsection (b)(3) of this section.
 - (5) In the event the city receives any written complaint objecting to the manner in which the permit holder maintains and keeps any such animal or animals so as to unreasonably disturb the peaceful enjoyment of adjacent properties or the occupants thereof, the planning director shall immediately give the permit holder written notice thereof to abate the problem as set forth in the complaint. In the event the matters set forth in the complaint are not rectified within fifteen days to the complainant's satisfaction, the planning commission, at its next regular meeting, shall schedule a public hearing within forty-five days, at which time any interested person shall be heard. Notice of such public hearing shall be given to the permit holder and all property owners within three hundred feet of the exterior boundaries of the parcel or parcels upon which the animals are kept or maintained. At such public hearing, the planning commission may revoke such permit if it finds that the keeping and maintenance of such animal or animals by the permittee causes a condition or conditions which would have been grounds for refusal for the issuance of a permit initially as set forth in subsection (b)(3) of this section.
 - (6) Any decision of the planning commission pursuant to this section may be appealed to the city council, which said body shall hold a public hearing and give notice thereof in the manner as required of the planning commission. Upon conclusion of any such appeal hearing by the city council, it may affirm, modify or reverse the determination of the planning commission.
- (c) It is unlawful for any person to keep or maintain within the city, or permit to be kept or maintained upon land belonging to such person, any chickens except as follows: A total of not more than six chicken hens may be kept and maintained in the zones permitted in [Title 16](#). No hen shall be kept or maintained under this provision except in a clean and sanitary pen or structure; no part any pen or structure shall be located within the front yard or in the rear or side yard setbacks in the zones where

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permitted; odors from the animals or the manure or feed shall not be perceptible at the property boundaries and, provided further, that the keeping of such animal shall not create a health or nuisance problem. The condition of the pen or structure and/or odors from the animals, manure or feed shall not cause discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. The pen or structure for the keeping of such animals shall not be closer to a neighboring dwelling than the dwelling occupied by the person owning or keeping such animals. No slaughter of hens is permitted in any yard area of the property where kept, except if a property described in [Section 8.04.020](#)(b). If the property upon which the hens will be kept is a rental property, landlord consent is required for the keeping of the hens. No commercial sales of such animals or eggs is permitted. Any person keeping or maintaining hens under this section shall immediately obtain a permit which shall provide their name, address and phone number to the city clerk along with the address of the location of the hens being kept and acknowledges notice of these provisions. The permit is non-transferrable and indefinite, but is subject to withdrawal or rescission. The permit is subject to revocation only upon violation, in which event no hens shall be allowed on the subject property.

(d) Definitions. For the purposes of this chapter, the following definitions apply:

"Chicken" consists of any animal within the scientifically classified subspecies of *Gallus gallus domesticus*;

"Rooster" is any chicken of the male gender;

"Hen" is any chicken of the female gender;

"Keep" or "kept" means to own, possess, maintain or control;

"Keeper" means owner or person keeping the animal;

"Setback" is the area described in [Title 16](#) wherein construction of a structure is not permitted.

(e) It is unlawful for any person to keep, harbor or maintain any rooster within the city, or permit to be kept, maintained or harbored any rooster within the city.

(f) Roaming of chickens is prohibited. No owner or keeper of a chicken shall allow or permit such chicken to roam within the city in or upon any public place or premises, or in or upon any private place or premises other than those of the owner or keeper, as provided in subsection (c), except with the consent of the person in charge of the private place or premises.

(g) A violation of this section shall constitute an infraction and be subject to all of the civil and criminal remedies set forth in [Title 1](#) of this code.

(Ord. 806 § 1(part), 2008; Ord. 788 § 2, 2006; Ord. 625, 1987; Ord. 573, 1982; Ord. 266 § 4.1, 1951).

(Ord. No. 827, § 1, 6-21-2012)

8.04.030 - Tying animals to fences or trees on public lots unlawful.

It is unlawful to tie any horse, mule, bull or cow, or any number of the animals to any fence, or shade or ornamental trees growing or standing upon any public or vacant lot or place in the city.

(Ord. 266 § 5, 1951).

8.04.040 - Trespassing animals.

Any animal found trespassing upon any private property in the city may be taken up by any person and committed to the custody of the pound master, who shall hold the same subject to reasonable demands for actual damage done by the animal, in addition to the fees prescribed in [Section 8.12.090](#).

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(Ord. 266 § 6, 1951).

8.04.050 - Disturbance by animals.

- (a) It is unlawful and a public nuisance for any person owning or having custody of any animal, fowl, or bird within any residential neighborhood, or adjacent to a residential neighborhood, to cause, permit or allow any such animal, fowl, or bird to make or utter any frequent or long continued noise which by reason of its raucous, loud or irritating nature causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.
- (b) It is unlawful and a public nuisance for any person owning or having custody of any animal, fowl, or bird to maintain any such animal, fowl, or bird upon any private property in the city within a residential neighborhood or adjacent to a residential neighborhood whereby said property is maintained in a manner so as to cause noxious odors causing discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.
- (c) Persons desiring to complain of disturbing noise or odor shall notify Yreka Police Department. A written warning will be issued to the owner or keeper of the animal, or to the address where the animal resides or is being kept. Any additional complaint against the same animal or address, occurring within thirty days of any other complaint shall constitute a violation.
- (d) An additional complaint from the same person, against the same animal or address, occurring within thirty days of any other complaint shall include a log of the disturbance for seven consecutive days. The disturbance is to be confirmed by the Yreka Police Department Animal Control Officer's investigation. Any person owning or having custody of any such animal found to be in violation is guilty of an infraction.
- (e) Every violation is punishable by:
 - (1) A fine not exceeding fifty dollars for the first violation;
 - (2) A fine not exceeding one hundred dollars for the second violation of the same section within one year;
 - (3) A fine not exceeding two hundred fifty dollars for each additional violation of the same section within one year.

(Ord. 566 § 2, 1980).

(Ord. No. 832, § 2, 12-6-2012)

FOOTNOTE(S):

⁽²⁴⁾ * Penalty for violation, see Section 8.12.170 ([Back](#))

⁽²⁵⁾ The term "fowl" as used in this chapter shall not apply to racing pigeons or homing pigeons as described in Government Code Section 65852.6. ([Back](#))