



**City of Tangent**  
P.O. Box 251  
Tangent, OR 97389

**PUBLIC NOTICE & AGENDA TANGENT CITY COUNCIL MEETING**

**MONDAY, JUNE 12, 2023**

**7:00 P.M.**

**Meeting at City Hall and available on Zoom**

**Call to Order → Roll Call → Pledge of Allegiance**

**Cascades Council of Oregon Governments Presentation**

**Adoption of Agenda**

**Miscellaneous Correspondence**

**Citizen Comments:** Three Minute Comments by Members of the Public.

**Consent Calendar**

1. May 8, 2023, Meeting Minutes
2. Financial Reports
3. City Manager's Report
4. Utility Report
5. Resolution 23-03 – Accepting Shared Revenue from the State of Oregon

**Unfinished Business**

1. Staff Position Market Evaluation – Discussion – Motion
  - a. If approved, appoint a Point of Contact – Discussion – Motion
2. Independent Contractors Fiscal Year 2024 Contract – Discussion – Motion
  - a. Adair Village Septic Service and Park Maintenance (COLA Rate)
  - b. Willamette Valley Processors Code Compliance (COLA Rate)
  - c. Dyer Partnership Engineering Services (Rate Increase)
  - d. Reeve Kearns City Legal Services
  - e. G&E Planning Community Development Services

**New Business**

1. Fiscal Year 2024 City Budget Resolution 23-01 – Discussion – Motion
2. Transition to Modified Cash Fiscal Resolution 23-02 – Discussion – Motion Fiscal Year
3. 2024 Wetlands Consortium Involvement – Discussion – Motion
4. City Hall Closure Friday Beginning 2024 – Discussion – Motion
5. Budget Amendment Fiscal Year 2023 – Discussion – Motion
  - a. City Attorney
  - b. City Engineer
  - c. City Planner
6. Livestock Ordinance 23-01 – Discussion – Motion
7. **\*Executive Session\*** City Manager Annual Evaluation – Motion (*Public Excluded*)

City Hall  
32166 Old Oak Dr.  
Tangent OR 97389

[www.CityofTangent.org](http://www.CityofTangent.org)  
Phone: 541-928-1020  
Fax: 541-928-4920

Office Hours  
Monday – Friday  
9:00 A.M. – 4:00 P.M.

**Adjournment**

# **New Business 1**

**Fiscal Year 2024 City Budget Resolution  
23-01**

Resolution No. 2023-01

**RESOLUTION ADOPTING THE BUDGET**

BE IT RESOLVED that the City Council of the City of Tangent hereby adopts the budget for fiscal year 2023-2024 in the total of \$5,427,215.\* This budget is now on file at 32166 Old Oak Drive in Tangent, Oregon.

**RESOLUTION MAKING APPROPRIATIONS**

BE IT RESOLVED that the amounts shown below are hereby appropriated for the fiscal year beginning July 1, 2023 for the following purposes:

<b>General Fund</b>		<b>Street Fund</b>	
Org. Unit/Program: <b>Administrative</b>	\$447,451	Org. Unit/Program: <b>Administrative</b>	\$680,932
Not Allocated: Contingency	<u>\$435,579</u>	Transfer Out	\$ 1,500
<b>Total</b>	<b>\$883,030</b>	Not Allocated: Contingency	<u>\$213,989</u>
<b>Sewer Fund</b>		<b>SDC Fund</b>	
Org. Unit/Program: <b>Administrative</b>	\$311,174	Org. Unit/Program: <b>Administrative</b>	\$ 10,667
Not Allocated: Contingency	<u>\$117,843</u>	Not Allocated: Contingency	<u>\$174,856</u>
<b>Total</b>	<b>\$429,017</b>	<b>Total</b>	<b>\$185,523</b>
<b>Parks Fund</b>		<b>StormwaterFund</b>	
Org. Unit/Program: <b>Administrative</b>	\$52,349	Org. Unit/Program: <b>Administrative</b>	\$166,746
Not Allocated: Contingency	<u>\$13,754</u>	Not Allocated: Contingency	<u>\$157,983</u>
<b>Total</b>	<b>\$66,103</b>	<b>Total</b>	<b>\$324,729</b>

<b>TOTAL APPROPRIATIONS, All Funds</b>	<b>\$2,784,823</b>
Total Unappropriated and Reserve Amounts, All Funds	<u><b>\$2,642,392</b></u>
<b>TOTAL ADOPTED BUDGET</b>	<b>\$5,427,215 *</b>

(\*amounts with asterisks must match)

The above resolution statements were approved and declared adopted on June 12, 2023.

X \_\_\_\_\_  
City Manager, Joe Samaniego

X \_\_\_\_\_  
Mayor, Loel Trulove

# **New Business 2**

**Transition to Modified Cash Fiscal  
Resolution 23-02 – Discussion – Motion  
Fiscal Year**

**RESOLUTION**

**IN THE CITY COUNCIL OF THE CITY OF TANGENT**

**IN THE MATTER OF CHANGING ACCOUNTING ) Resolution 2023-02**  
**BASIS FROM MODIFIED ACCRUAL BASIS OF )**  
**ACCOUNTING TO MODIFIED CASH BASIS OF )**  
**ACCOUNTING )**

The above entitled matter came before the City Council of the City of Tangent at its regular meeting on June 12, 2023.

**WHEARAS**, the City of Tangent currently utilizes the Modified Accrual Basis of Accounting for budgetary and fund financial reporting and the full accrual basis of accounting for the government-wide reports, both of which the City is required to be in compliance with GAAP (generally accepted accounting principles);

And,

**WHEREAS**, the new GASB (Government Accounting Standards Board) has added requirements and methodologies for accruing leases and SBITAs (Subscription Based IT Agreements) which involve capitalizing these arrangements, recording related liabilities, and amortizing/depreciating the values over the lives of the arrangements;

And,

**WHEREAS**, compliance with the two aforementioned GASB requirements may require more work by the Finance Director and the auditors;

And,

**WHEREAS**, there may be a need to have contracts with outside software companies who have developed tools to deal with these GASB requirements;

And,

**WHEREAS**, there will be an additional cost not only for software, but also for extra time for staff as well as extra cost for the Auditor to certify our CAFR (Combined Accounting Financial Reports);

And,

**WHEREAS**, these costs could potentially be \$10,000.00 in additional fees;

**WHEREAS**, the cost of converting from the Modified Accrual Basis of Accounting to the Modified Cash Basis of Accounting is minimal and may actually save hours of staff time preparing documents for the Auditors;

And,

**WHEREAS**, the Oregon Secretary of State approves of converting to the Modified Cash Basis of Accounting regarding the mandatory reporting by the Auditors to the Oregon Secretary of State;

**THEREFORE**, The City of Tangent resolves that converting their Budgetary and Fund Financial Reporting from the Modified Accrual Basis of Accounting to Modified Cash Basis of Accounting. It is also resolved that the Full Accrual Basis of Accounting for Government-wide reports will also convert to Modified Cash Basis of Accounting.

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City Manager, Joe Samaniego

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Mayor, Loel Trulove

# **New Business 3**

**2024 Wetlands Consortium Involvement  
– Discussion – Motion**



## **2024 Wetlands Consortium Involvement – Discussion – Motion**

During the December City Council meeting, a council member asked about the City of Tangent's involvement in the COG Wetlands Consortium. The City has been involved for a long time as the consortium works on a solution for reducing the cost of cities for developing land that is considered wetlands. Currently, the City contributes around \$1,000 annually to the Wetlands Consortium.

The primary reason for questioning the City's involvement was that the City, without a tax base, doesn't see a benefit for developing wetlands. The idea was that if the developers wanted the site, they would do so without the City's involvement.

In January, the council was informed that dues are usually collected in July each fiscal year, and while the work on the consortium is focused on a regional solution from which Tangent would benefit. The council agreed to wait till June's meeting to decide on future involvement.

COG staff has said there are working on grants to reduce the cost of each City's involvement.

**Does the City Council wish to continue involvement with the Wetlands Consortium? (Motion – Second)**

# **New Business 4**

**City Hall Closure Friday Beginning 2024  
– Discussion – Motion**

## City Hall Closure Friday Beginning 2024 – Discussion – Motion

The City of Tangent has a very low rate of people calling or coming to City Hall on Fridays. From October 28 through January 27, 21 people called and give people came in during a span of 14 Fridays. On May 5, two people called, and two stopped by, one being a building permit and one utility payment. While City Staff have stopped regularly logging Friday numbers, Friday remains the least busy day of the week.

The City allows staff off early to avoid overtime on council meetings, park, and planning commission weeks. Generally, this occurs on Friday, when staff post notice of City Hall closed on the door and attempt to do so on the website.

Staff is asking the City Council to consider closing City Hall to the public on Fridays beginning in January 2024. This would allow six months to inform the public and get in the habit of scheduling appointments away from Fridays. This will also allow the Finance Director two remote work days from home. The City Manager will continue to come to City Hall due to the nature of the position.

We will answer septic maintenance calls and urgent code enforcement matters. With the increasing workload of land development, one day to allow staff to focus on projects like Public Records Requests without interruptions would be beneficial.

Out of the seven cities in Rural Economic Alliance, we will be the first to have a four-day-a-week open City Hall.

### Potential Public Information on Closure

<b>July</b>	Post on the newsletter that beginning January 2024, City Hall will close to the public on Fridays.
<b>August</b>	On the newsletter, have open hours displayed as Monday – Thursday, but will operate City Hall as normal.
<b>September</b>	The website will be updated to display Monday – Thursday.
<b>October</b>	Second reminder in the newsletter. All callers and in-person visits to City Hall will be reminded about the closure in 2024.
<b>November</b>	City Hall staff will put a temporary signature with a reminder of new hours in 2024.
<b>December</b>	The newsletter will have a third reminder.
<b>January</b>	Newsletter with final reminder and City Hall will operate as usual.

**Does the City Council wish to consider having City Hall closed to the public on Fridays in 2024? (Motion – Second)**

# **New Business 5**

**Budget Amendment Fiscal Year 2023 –  
Discussion – Motion**

## **Budget Amendment Fiscal Year 2023 – Discussion – Motion**

With the increase in land use, code compliance, and enforcement, we request the City Council for one more budget amendment.

### **City Attorney – Increase by \$2,500.00**

Increased land use, including the joint Council-Planning Commission, has increased the City Attorney's time. Plus, an increase in code compliance, code enforcement, and preparing for a court date in June means the workload has increased. The City Attorney is projected to go over by \$2,261.33 by the end of the fiscal year, but if the City does go to trial, more time would be needed.

### **City Engineer – Increase by \$1,000.00**

The City Engineer has been involved with the increased workload of Land Development, which is the first increase. The current projection is \$975.36 to go over the budgeted amount.

### **City Planner – Increase by \$800**

The increased land development, including new development and general planner questions, has eaten up most of the first amendment. Currently projected to go over by \$755.90, so \$800 should cover the remaining month.

If the budget is not amended, City staff will ask the independent contractors to cease work on any project not funded by an Agreement to Meet Cost. This could save funds but potentially increase the workload in July, the new fiscal year.

The Finance Director has said the total budget increase of \$4,300.00 is covered in the funds available.

**Does the City Council wish to amend the budget limit for the City Attorney, Engineer, and Planner? (Motion – Second)**

# **New Business 6**

**Livestock Ordinance 23-01 – Discussion  
– Motion**

## **Livestock Ordinance 23-01 – Discussion – Motion**

Back in September, as the City Council decided to use an informal two-reading system, the City introduced a livestock ordinance. The ordinance is code compliance and not a land use rule enacted when there is a nuisance. It was no secret that this was brought up because of one resident who had neglected his animal care. However, after that resident was jailed, by the second reading, it was tabled, and the notion that the one problem was gone. Once that resident returned, no issues and full compliance between the City and the resident lasted between November 2022 and March 2023.

However, in April, six different residents complained to City Hall, and City Staff confirmed the resident purchased three bull calves. City staff and Attorney informed the District Attorney and Parole Officer that this violated the resident's condition of release. However, since no municipal laws were violated, this took a much lower priority, and the Parole Officer said at least a month or longer before any action was taken.

While the resident no longer has three calves on his property and is cooperating with the resident, it would be in the city's best interest to consider the ordinance. If the livestock ordinance had been in place, the City could have cited the resident with a \$500 ticket, court summons, and a faster response from the Parole Officer. This cost the City over \$1,000 in Attorney and City Staff time.

With the proposed ordinance, the keeping of livestock is legal unless there is a nuisance or disturbing neighboring residents due to noise, odor, contaminated runoff, trespassing animals, damage, or threats to public health. City staff will not count animals as this is a code enforcement matter. The only properties not allowed to have livestock are Community Commercial (CC), Highway Commercial/Industrial (HCI), and General Industrial (GI.) Residents in those zones are grandfather in, and the City will extend that to future residents if they notify the City in a six-month window.

**Does the City Council wish to make a motion to adopt Ordinance 23-01? (Motion – Second)**

**IN THE CITY COUNCIL  
FOR THE CITY OF TANGENT, OREGON**

An Ordinance Repealing in its entirety Title 7 (Public Peace, Morals and Safety), Chapter 30 (Poultry Control Ordinance) of the Tangent Municipal Code and Adopting in its Place a new Chapter 30 (Livestock) that Regulates the Types and Numbers of Farm Animals in the City

Ordinance 23-01

The Tangent City Council adopts the following findings:

**WHEREAS**, the City regulates the types and numbers of domestic fowl that may be kept within the City limits in Title 7 (Public Peace, Morals and Safety), Chapter 30 (Poultry Control Ordinance) of the Tangent Municipal Code; and

**WHEREAS**, since the time the City adopted its Poultry Control Ordinance, it has noticed an increase in residents keeping a whole host of farm animals and livestock – goats, pigs, sheep and the like – as domestic pets in residential areas within the City’s Urban Growth Boundary, and sometimes in alarming densities and unsanitary conditions, which has led to a rise in conflicts and nuisance complaints in the UGB; and

**WHEREAS**, in light of the nuisances that these situations create, residential neighbors complain to the City and seek City enforcement to curtail and end these unreasonable concentrations of farm animals in residential areas within the City; and

**WHEREAS**, the proliferation of these nuisance situations and difficulty of enforcement has convinced the City Council that it needs more enforcement tools to prevent nuisances in residential areas caused by people keeping livestock as domestic pets in the UGB as a way to prevent unsanitary conditions and conflict with residential neighbors; and

**WHEREAS**, the City Council scheduled a public hearing at its regular meeting on September 12, 2022 to consider a code amendment to replace the City’s Poultry Control Ordinance with a more comprehensive chapter regulating the keeping of livestock generally in the City, which is attached as Exhibit A to this Ordinance and is incorporated herein by this reference; and

**WHEREAS**, due to the broad applicability and public interest in the subject matter of this Ordinance, the City provided these proposed livestock regulations to every property owner in the City of Tangent online and mailed newsletter prior to the Council’s June 12, 2023 hearing; and

**WHEREAS**, the City Council accepted all manner of public testimony and written comment on the proposal at the June 12, 2023 public hearing.

**NOW THEREFORE**, based on the foregoing Findings, the Tangent City Council Ordains as follows:

**Section 1: Repeal:** Except for continued validity and applicability for those properties and cases pending in Court or any other adjudicative forum for code violations, the Tangent Municipal Code



Title 7 (Public Peace, Morals and Safety), Chapter 30 (Poultry Control Ordinance) of the Tangent Municipal Code is hereby repealed in its entirety. The requirements of unamended TMC Chapter 7.30 (Poultry Control Ordinance) shall remain in place solely for purposes of enforcement actions pending on the date of adoption of this 2023 Ordinance.

**Section 2: Adoption and Amendment:** Tangent Municipal Code Title 7 (Public Peace, Morals and Safety) is hereby amended by the adoption of Exhibit A, attached hereto and incorporated herein by this reference, as Chapter 30 (Livestock) to be applicable to all lands within the City of Tangent.

**Section 3. Implementation and Effective Date:** The sanitation, public health safety and welfare requirements of this amendment in Sections 7.30.010, 020, 050 and 060 shall take effect immediately upon passage and adoption of this 2023 Ordinance. The animal limitation requirements in Sections 7.30.040 and 050 shall have a delayed implementation and shall not take effect until 60 days following passage and adoption of this 2023 Ordinance, at which point it shall be fully effective and enforceable.

**Section 4. Severability:** If any portion, provision, section or subsection of this ordinance is found to be invalid or unenforceable for any reason, such finding shall not affect the validity or enforceability of any other provision, section or subsection of the ordinance.

**Passed and Adopted on** \_\_\_\_\_, 2023.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Loel Trulove, Mayor

Attest:

\_\_\_\_\_  
Joe Samaniego, City Manager

### **7.30.010 Purpose of Applicability**

The City is looking into adopting the new livestock ordinance to prevent nuisance impacts and having a more straightforward solution if a nuisance occurs.

The definition of nuisance is “any condition or use of property that annoys, injures or endangers the safety, health, comfort or repose of the public, unlawfully interferes with, obstructs or tends to obstruct or render dangerous for passage a public park, sidewalk, street or alley. Any violation of a substantive requirement of any Tangent Municipal Code, ordinance, or any permit or approval issued by the City of Tangent constitutes a nuisance.” (TMC 7.20.020)

The chapter only applies to properties inside the urban growth boundary (UGB) and excludes Exclusive Farm Use (EFU). All zones that allow Farm Use may continue farm use and be in good standing unless there is a nuisance.

### **7.30.020 Owner Responsibilities**

The livestock owners within city limits are responsible for meeting the requirements in this new chapter and the existing Land Use requirements in Title 4 of the Tangent Land Development Code (LDC). Any of the following violations may enact a nuisance complaint and city involvement:

1. A complaint because of excessive:
  - a. Noise (TMC 7.20.050 & Currently 7.30.050(1))
  - b. Odor (Currently 7.30.050(5))
  - c. Contaminated runoff (Currently TMC 07.30.050(6))
  - d. Trespassing animals – New for livestock except for poultry (TMC 7.30.040)
  - e. Damage or threats to Public Health (Currently TMC 7.30.050(3) &(4))
  - f. Animals get on the right of way or other private property. (TMC 7.30.040)

An owner is responsible for responding to complaints such as waste removal, capturing escaped animals, noise, and upkeep of the livestock facility.

### **7.30.030 Backyard Livestock**

This section addresses the kind of livestock in residential zones and will replace the current poultry control ordinance 7.30.040 in Tangent Municipal Code. Community Commercial, Highway Commercial, General Commercial, and General Industrial are the zones where no farm use is allowed. Those zones are red, purple, blue, and pink on the City of Tangent Zoning Map

<b>Existing Poultry Ordinance</b>	<b>New Poultry Ordinance</b>
<ul style="list-style-type: none"> <li>• 5 Chickens</li> <li>• 12 Pigeons</li> <li>• 2 Any Others</li> <li>• Chicks under four months don't count</li> <li>• No rooster in City Limits</li> </ul>	<ul style="list-style-type: none"> <li>• 6-12 domestic fowl 20,000 or less.</li> <li>• 6 larger domestic fowl 20,000 or less.</li> <li>• 4 small domestic fowl under 12 weeks of age.</li> <li>• Over 20,000 more fowl are allowed.</li> <li>• No roosters except EFU land allowed &amp; for agricultural use, and no therapy roosters.</li> </ul>

### **Rabbits**

4-12 rabbits on lots up to 20,000 square feet and does not count baby rabbits under 12 weeks. Currently unregulated.

### **Mini Goats & Sheep**

Mini goats and sheep do not exceed 100lbs; over 100 are subject to 7.30.040 "Large Livestock."

- 3-5 miniature goats on the property up to 20,000 sq ft.
- 12 weeks or younger goats do not count.
- If an issue occurs, the owner needs documentation of the animals.

### **Miniature Pigs**

- Adults no more than 150lbs.
- Maximum height 22 inches at the shoulder.
- 2 on any lot where farm use is allowed.
- If an issue occurs, the owner needs documentation of the animals.

### **7.30.040 Larger Livestock**

Livestock larger than the ones in the prior chapter fall under this category. This includes:

- Full sized horses
- Cows
- Llamas
- Goats
- Sheep
- Ponies

- Miniature Horses

For lots under 20,000, only two of these are allowed. One additional for every 10,00 square feet, with a maximum of five on lots 2 acres or more.

### **7.30.050 Livestock Facility Standards**

The current code only covers poultry with at least 3 square feet per chicken inside the structure and 10 square feet per chicken outside the structure in the fenced property. This remains unchanged and adds additional requirements for rabbits, miniature livestock, and large livestock.

The general standards are similar to the current 7.30.090 but go into more detail in the new code to ensure the owners easily access, clean, and maintain the area.

An additional section is what creates a health and sanitation issue; this includes:

- Violation of the current Nuisance Laws
- Accumulation of manure
- Presence of flies
- Presence of rats & rodents
- Odors smelled by nearby neighbors
- Off-site surface water without sanitary drainage

### **7.30.060 Preexisting Animals held Harmless**

The “Grandfather” clause that any pre-existing owners may notify the City, and we will have recorded. Anyone new moving into the area has the ability to register and be entitled to the same number before the law (perpetuity) as long as in good standing.

### **7.30.070 Violation of Penalty**

Per the Civil Enforcement chapter, a \$ 500-a-day citation may be issued for anyone refusing to comply with the City.

## **Tangent - Public Peace, Morals and Safety**

### General Provisions

#### **7.30.010 Title.**

This chapter shall be known as the Poultry Control Ordinance of the City of Tangent Oregon.”

#### **7.30.020 Purpose.**

The purpose of this chapter is to set forth regulations as they apply to the keeping or raising of poultry within the City of Tangent

#### **7.30.030 Definitions.**

“City” means the City of Tangent, Oregon.

“Poultry” means any domesticated birds which serve as a source of food. The term “poultry” includes poultry, domesticated pigeons, turkeys, ducks, and geese.

#### **7.30.040 Poultry running loose.**

1. No person, company or corporation shall allow or permit any species of or poultry to run loose upon any public property.
2. No person owning or having possession of any poultry shall permit such poultry to be tethered or pastured in any manner upon public property.

#### **7.30.050 Health and sanitation.**

The keeping or raising of poultry must not be conducted so as to create an unsanitary condition resulting in a nuisance as may be determined by the City Council or County Health Department. No person keeping or raising such poultry shall create or maintain a nuisance by allowing or permitting unusual or excessive:

1. Noise.
2. Accumulation of manure.
3. Presence of flies.
4. Presence of rodents.
5. Production of odors.
6. Accumulation of surface water without adequate sanitary drainage in or about any barn, stable, roofed structure for the shelter of poultry, corral, or fenced area.

#### **7.30.060 Penalty.**

Violation of any provision of this chapter is punishable upon conviction by a fine not more than \$500.00. Each day of occurrence of such violation shall constitute a separate violation of this

## NUISANCES

chapter.

### **7.30.070 Severability.**

The sections and subsections of this chapter are hereby declared severable. The invalidity of any one section or subsection shall not affect the validity of the remaining sections or subsections.

### **7.30.070 Secondary use.**

The keeping and raising of poultry shall be secondary to the principal residential use of the property.

### **7.30.080 Limitation on number.**

The maximum number of poultry allowed on a residential lot shall be limited to five chicken hens, but no roosters, 12 pigeons, and two of any other kind of poultry. Chicks under the age of four months shall not count towards the maximum numbers allowed.

### **7.30.090 Housing Poultry.**

Poultry shall be kept in a fenced enclosure at all times. Poultry shall be shut into the chicken house at night (from sunset to sunrise). During daylight hours, adult poultry shall have access to their chicken house and outdoor enclosure adequately fenced to contain the poultry and prevent access to the poultry by dogs or other predators. Poultry shall be provided with house (also known as a Coop) that:

- Is thoroughly ventilated
- Does not allowing mice or other rodents to live underneath or within any part of the structure
- Is sufficient in size to admit free movement of the poultry
  - At least 3 square feet per chicken inside the structure
  - At least 10 square feet per chicken within the enclosed chicken area outside the structure.
- Is designed to be easily accessed, cleaned, and maintained by the owners.

**EXHIBIT A**  
Chapter 7.30 - Keeping Livestock

Sections:

- 7.30.010 Purpose and Applicability
- 7.30.020 Owner Responsibilities
- 7.30.030 Backyard Livestock
- 7.30.040 Large Livestock
- 7.30.050 Livestock Facility Standards
- 7.30.060 Preexisting animals held harmless
- 7.30.070 Violation and Penalty

**7.30.010 Purpose and Applicability.**

- A. The purpose of this chapter is to prevent or curtail nuisance impacts of maintaining livestock in urban areas on urban sized lots by limiting the kinds and numbers of animals to a level appropriate for an urban area such as Tangent. The most stringent limitations apply in the most urban zones with the smallest lot sizes.
- B. Ownership and maintenance of livestock is a Farm Use. Livestock as defined in this chapter, are allowed on every property in the City of Tangent located within the Urban Growth Boundary as prescribed in this chapter, so long as Farm Uses are allowed in the zone corresponding to the property. If Farm Uses are not listed as an allowed use in a property's zone, all livestock regulated in this chapter are prohibited on that property. The livestock number restrictions in Sections 7.30.030 and 040 apply only within the City's Urban Growth Boundary (UGB) and do not apply to portions of the City outside of the UGB. All other sections of this Chapter (Sections 7.30.010, 020, 050 and 060) apply to all areas of the City, including those outside of Tangent's Urban Growth Boundary.

**7.30.020 Owner Responsibilities.** The owner(s) of property where livestock are kept and the users/operators of those properties (collectively "livestock keepers") are jointly and severally responsible for compliance with the requirements of this chapter and are liable for any violations of it.

- A. Requirements and best practice recommendations. All livestock keepers must meet the provisions of this chapter and comply fully with the nuisance prohibitions and requirements set forth in Title 7 and all applicable land use requirements in Title 4.
- B. Nuisance complaints. The keeping of livestock shall not create a nuisance or disturb neighboring residents due to noise, odor, contaminated runoff, trespassing animals, damage or threats to public health. Livestock keepers are required to respond immediately to eliminate or remediate nuisance complaints, including but not limited to: waste removal and general clean-up, capture of escaped animals, noise, and upkeep of the livestock facility, feeding or watering practices that could attract rats.
- C. Contagious diseases. A livestock keeper shall contact a licensed veterinarian to examine any animal believed to have a disease contagious to animals (e.g., bird flu, mange, eczema) or humans (e.g., ringworm, hepatitis, rabies). The animal in question shall be confined in a secure enclosure until it is declared free of the disease by a licensed veterinarian.

- D. Keep livestock on the property. Livestock keepers are responsible for keeping all of their animals on their property and shall not allow them to trespass onto the public right-of-way, other public property or private property.

### **7.30.030 Backyard Livestock.**

A. Chickens and other domestic fowl.

1. A maximum total of 6 domestic fowl may be kept on any lot where Farm Uses are allowed. This includes chickens, ducks, pigeons and/or other similarly sized domestic fowl but no roosters, guinea fowl or pea fowl. A maximum total of 12 domestic fowl may be kept on any lot that is 20,000 square feet in size or larger where Farm Uses are allowed, but no roosters. In addition to these numbers, up to 4 small domestic fowl under 12 weeks of age are allowed.
2. A maximum of 6 geese, turkeys, peacocks, emus and/or other larger domestic fowl that have a tendency to be loud and/or aggressive, may be kept on lots 20,000 square feet or greater where Farm Uses are allowed, or that have an approved conditional use.
3. It is unlawful to have or keep roosters anywhere in the City except for agricultural purposes on lots zoned for Exclusive Farm Use (EFU).

- B. Rabbits. A maximum of 4 rabbits may be kept on any lot where Farm Uses are allowed. Up to 12 rabbits may be kept on lots 20,000 square feet and greater where Farm Uses are allowed. These numbers do not include rabbits under 12 weeks of age that are the offspring of a resident female rabbit.

- C. Miniature goats and miniature sheep. Miniature goats and miniature sheep are varieties that do not exceed 100 pounds adult weight. Goats and sheep larger than 100 pounds adult weight are subject to the limitations in Section 7.30.040.

1. A maximum of 3 miniature goats and/or miniature sheep may be kept on any lot where Farm Uses are allowed. Up to 5 miniature goats and/or miniature sheep may be kept on lots 20,000 square feet and greater where Farm Uses are allowed. Nursing offspring that exceed the number allowed may be kept until weaned, but no longer than 12 weeks from birth.
2. Upon request from the City Manager, animal keepers must produce documentation that their animal is a recognized miniature breed and weights no more than 100 lbs.

- D. Miniature pigs. Miniature pigs are commonly referred to as Miniature Vietnamese, Chinese or Asian Potbelly pigs (*sus scrofa vittatus*) and grow to an adult weight no greater than 150 pounds and a maximum height of 22 inches at the shoulder.

1. Up to 2 miniature pigs may be kept on any lot where Farm Uses are allowed.
2. Upon request from the City Manager, animal keepers must produce documentation that their animal is a recognized miniature breed and weights no more than 150 lbs.



3. With the exception of Subsection 7.30.030(D)(1), it is unlawful to have or keep any live pigs or swine for a period longer than 3 days.

**7.30.040 Larger Livestock.** Large Livestock (full-sized horses, cows, llamas) and smaller livestock (goats, sheep, ponies and miniature horses) are allowed only on lots where Farm Uses are allowed.

- A. A maximum of 2 smaller sized livestock are allowed on lots 20,000 square feet or greater where Farm Uses are allowed. One additional animal is allowed for each 10,000 square feet above 20,000 square feet.
- B. A maximum 5 full-sized large livestock animals are allowed on lots 2 acres or greater that allow farm uses.

### **7.30.050 Livestock Facility Standards**

A. Required area dedicated to livestock.

1. Chickens and other domestic fowl. Each fowl over 12 weeks of age must be provided a minimum of 10 square feet of usable shelter or pen area.
2. Rabbits. Each animal over the age of 12 weeks must be provided a minimum of 4 square feet of usable shelter or pen area. A doe and her litter must be provided at least 7.5 square feet of shelter or pen area.
3. Miniature goats, sheep and pigs. Each of these animals, other than their young under the age of 12 weeks, must be provided a minimum of 200 square feet of usable shelter or pen area.
4. Miniature horses and standard size goats and sheep. Each of these animals, other than their young under the age of 6 months, must be provided a minimum of 10,000 square feet of usable shelter or pen area.
5. Cows, horses and similar large livestock. Each of these animals, other than their young under the age of 6 months, must be provided a minimum of 25,000 square feet of usable shelter or pen area.

B. General standards. The following standards must be met to ensure the livestock facility is in good repair, capable of being maintained in a clean and sanitary condition, free of vermin, disease, and obnoxious smells.

1. The health or well-being of the animal must not in any way be endangered by the manner of keeping or confinement;
2. The livestock facility must be adequately lighted and ventilated;
3. A replaceable ground cover, appropriate to the type of animal being kept, must be used to reduce smells and flies; and
4. All food and any materials that attract vectors must be stored in vector-proof containers.

C. Secure enclosure.

1. Livestock facilities must be designed and maintained to confine the livestock. Under the livestock keeper's supervision livestock may be allowed outside of the livestock facility but must stay on the property it is being kept. Livestock may never be allowed to roam at large.
2. On lots with more than one residential unit, livestock must be confined to the livestock facility at all times.
3. Adequate safeguards must be made to prevent unauthorized access to the animals by general members of the public.

D. Health and Sanitation. The keeping or raising of livestock must not create an unsanitary condition resulting in a nuisance as may be determined by the City Council or County Health Department. No livestock keeper shall create or maintain a nuisance by allowing or permitting unusual or excessive:

1. Noise in violation of TMC 7.20.050(2)
2. Accumulation of manure
3. Presence of flies
4. Presence of rats or other rodents
5. Production of odors that can be smelled from any near-by property
6. Accumulation or release off-site of surface water without adequate sanitary drainage in or about any barn, stable, roofed structure, corral, or fenced area.

E. Setbacks.

1. Structures in a livestock facility must be located no less than 3 feet from side and rear property lines and at least 10 feet from the front property line. Setbacks shall be greater if so required by the underlying zone.
2. On lots with more than one residential unit, livestock areas must be located at least 15 feet from the walls of all residential units and any outdoor spaces used for activities such as, but not limited to, seating, playgrounds and recreational fields.

F. Other development standards. All development and construction associated with a livestock facility shall comply with all applicable building and development code requirements and shall be consistent with any applicable development permit of land use approval.

**7.30.060 Preexisting Animals held Harmless.** This 2022 Ordinance shall have prospective effect only. Any property owner or tenant that keeps types or numbers of animals not otherwise allowed by Sections 7.30.040 and 050 and has no record of causing a nuisance, may register those animals and that level of use with the City Manager within 60 days following adoption of this 2022 Ordinance. Any tenant or property owner that registers their animals within 60 days following adoption shall be entitled to maintain those types and numbers of animals in perpetuity. Once those nonconforming animals leave any such property for a period of 12

months or more, the property shall come into full compliance with, and be subject to the limitations of, Sections 7.30.040 and 050 as adopted.

**7.30.070 Violation and Penalty.** Violation of any provision of this chapter shall constitute a nuisance to be prosecuted as a civil infraction under TMC Chapter 2.15 (Civil Enforcement) and shall be punishable upon conviction by a fine of not more than \$500. Each day that any such violation exists shall constitute a separate violation of this chapter and susceptible of a separate citation and fine.

# **New Business 7**

**\*Executive Session\*\* City Manager  
Annual Evaluation – Motion**