

**Posting Language**

Approve an ordinance amending City Code Chapter 3-2-16 (Enclosures for Fowl) relating to enclosure setback distance.

**Lead Department**

Austin Public Health

**Fiscal Note**

This item has no fiscal impact

**Prior Council Action:**

November 21, 2013 – Council approved amendments to Part 3, Section 25-2-863(F) and Chapter 3-2 on a 6-1 vote. The decision updated ordinance language relating to “raising, processing, and composting of fowl, rabbits, and aquatic foods . . . “

**For More Information:**

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**Council Committee, Boards and Commission Action:**

No action to date.

**Additional Backup Information:**

Currently, the City regulates the distance between an animal enclosure and an adjacent residence or business structure. An enclosure used to keep two or more fowl must be located at least 50 feet from a residence or business structure, excluding the residence or business of the fowl’s owner or handler. Staff worked with the Office of Sustainability to identify how City regulations and policies can be amended to reduce the barriers of allowing residents in our community to raise fowl and provide an additional food source.

Staff worked to identify other cities in Texas that have enclosure requirements in place. The investigation showed that some cities were more restrictive, while others were less restrictive. Of the cities that defined a setback distance in their code, 30 feet was the smallest setback distance defined. APH is recommending these changes:

- **City Code Chapter 3-2-16** currently references 50 feet as the allowable distance for an enclosure from a residence or business structure. Amend Chapter 3-2-16:
  - Reduce setback distance from 50 feet down to 30 feet.
  - Incorporate a provision that allows APH to consider neighbor concerns on a case-by-case basis.

**Strategic Outcome(s):**

Health and Environment.