

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BUHL, IDAHO, AMENDING TITLE 9 OF THE CITY OF BUHL CODE (2010), RELATING TO NONCONFORMING USES AND ANIMAL KEEPING REGULATIONS; REPEALING SECTION 9-5-5, "NONCONFORMING USE OF LAND FOR GRAZING OR KEEPING OF DOMESTIC FARM ANIMALS," AND RENUMBERING SECTION 9-5-6 AS SECTION 9-5-5; AMENDING CHAPTER 8 TO REORGANIZE AND UPDATE ANIMAL KEEPING REGULATIONS; AMENDING SECTION 9-8-1 (SCHEDULE OF LAND USE CONTROLS); ADOPTING AND AMENDING SECTIONS GOVERNING GENERAL STANDARDS, POULTRY AND FOWL, LIVESTOCK, RABBITS, AND BEES; TO PROVIDE AND ESTABLISH STANDARDS FOR SUCH USES INCLUDING BUT NOT LIMITED TO LOT SIZE REQUIREMENTS, LIMITATIONS ON ANIMALS, PERMITTING, COMPLAINT PROCEDURES, AND ENFORCEMENT STANDARDS; REPEALING ALL ORDINANCES OR CODE SECTIONS IN CONFLICT HEREWITH; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT UPON ITS PASSAGE, APPROVAL, AND PUBLICATION.

WHEREAS, the Buhl Planning and Zoning Commission held a duly noticed public hearing and recommended approval of amendments regulating the keeping and grazing of animals, including domestic farm animals, poultry, fowl, rabbits, and bees, on residentially zoned properties within the City; and

WHEREAS, the proposed amendments repeal obsolete nonconforming use provisions and replace them with a unified permitting and enforcement framework intended to improve clarity, consistency, and neighborhood compatibility; and

WHEREAS, the Buhl City Council held a duly noticed public hearing on said amendments, and all hearings were conducted after proper notice in accordance with Idaho law; and

WHEREAS, the City Council finds that the amendments reorganize and modernize Title 9 animal keeping regulations, establish uniform standards for lot size, animal density, permitting, inspections, complaints, and enforcement, and are consistent with the goals and objectives of the Buhl Comprehensive Plan, including protection of residential character and the public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BUHL, IDAHO:

SECTION 1. AMENDMENT TO TITLE 9, CHAPTER 5—NONCONFORMING USES
(AS SHOWN IN EXHIBIT A)

- A. Repeal of Section 9-5-5: That Title 9, Chapter 5, Section 5 of the Buhl City Code (2010), entitled "NONCONFORMING USE OF LAND FOR GRAZING OR KEEPING OF DOMESTIC FARM ANIMALS," is hereby repealed in its entirety.
- B. Renumbering of Section 9-5-6: That existing Section 9-5-6, "USES UNDER CONDITIONAL USE PROVISIONS; NOT NONCONFORMING USES", is hereby renumbered as Section 9-5-5, and all internal references shall be updated accordingly.

SECTION 2. AMENDMENT TO TITLE 9, CHAPTER 8, SECTION 1 (AS SHOWN IN EXHIBIT B)

- A. Update to Section 9-8-1: That within the “Agricultural” table of Section 9-8-1 (SCHEDULE OF LAND USE CONTROLS), the line item “Animal, Grazing and Keeping of Domestic Farm Animals” shall list as a permitted use (“P”) in applicable residential zoning districts, subject to compliance with the animal-specific standards and permitting requirements contained in Sections 9-8-2 through 9-8-6, as referenced by footnote.
- B. Addition of Footnote #7: That a new footnote #7 shall be added to the Agricultural table of Section 9-8-1 clarifying that poultry, fowl, rabbits, and bees are limited to noncommercial use in residential districts and are subject to the applicable standards and permits required by this chapter.

SECTION 3. REORGANIZATION AND ADOPTION OF TITLE 9, CHAPTER 8 SECTIONS (AS SHOWN IN EXHIBIT B)

- A. Rename and Amend Section 9-8-2: That Section 9-8-2 is hereby renamed “9-8-2: ANIMAL KEEPING AND GRAZING – GENERAL STANDARDS”. Section 9-8-2 is adopted and amended to establish definitions, applicability, permitting requirements, inspections, complaint procedures, enforcement standards, and appeals applicable to all animal keeping and grazing activities regulated under this chapter.
- B. Addition of Section 9-8-3: Section 9-8-3 is hereby named “Poultry and Fowl” and adopted to regulate the keeping of poultry and fowl, including allowed and prohibited types, minimum lot size, density limits, enclosure and setback standards, nuisance prevention, and waste disposal
- C. Addition of Section 9-8-4: That Section 9-8-4 is hereby named “Livestock” and adopted to regulate livestock keeping and grazing, including permitted animal types, minimum parcel size, animal density, location restrictions, maintenance standards, and nuisance prohibitions.
- D. Addition of Section 9-8-5: That Section 9-8-5 is hereby named “Rabbits” and adopted to regulate the noncommercial keeping of domestic rabbits, including lot size, density, neighbor consent thresholds, enclosure standards, and sanitation requirements.
- E. Addition of Section 9-8-6: That Section 9-8-6 is hereby named “Bees” and adopted to regulate residential beekeeping, including permit requirements, hive density, flyway barriers, setbacks, maintenance standards, and compliance with applicable Idaho law.

SECTION 5. REPEALER

That all ordinances, resolutions, or code provisions in conflict herewith are hereby repealed

SECTION 7. EFFECTIVE DATE

This ordinance shall be in full force and effect after its passage, approval, and publication as provided by law.

PASSED by the Buhl City Council on the _____ day of _____, 2026.

APPROVED by the Mayor of the City of Buhl, the _____ day of _____, 2026

CITY OF BUHL, IDAHO

Doug Howarth, Mayor

ATTEST:

Chelsea Popplewell, Clerk-Treasurer

EXHIBIT A

~~9-5-5: NONCONFORMING USE OF LAND FOR GRAZING OR KEEPING OF DOMESTIC FARM ANIMALS:~~

~~Land previously zoned for the keeping of domestic farm animals which has been or is subsequently annexed and/or rezoned to a residential district not permitting such use shall be subject to the following:~~

~~—A. Front Or Side Yard Area: In no case shall domestic farm animals be permitted in the front or side yard area of a home.~~

~~—B. Extending Existing Pasture or Animal Keeping Area: In no case shall any existing pasture or animal keeping area be extended in any way either on the same or adjoining land.~~

~~—C. Animal Keeping Activities: Animal keeping or grazing activities for personal pleasure or use and 4-H projects may be continued subject to compliance with the following: (1974 Code § 4-505)~~

~~—1. Cows, horses, mules, sheep, llamas, alpacas, emus and goats may be kept, provided the lots upon which said animals are kept have an area of at least one acre. The total number of all such animals (other than their young) under the age of six (6) months allowed on a lot shall be limited to the square footage of the pasture or animal raising area divided by the total minimum area required for each animal as listed below: (1974 Code § 4-505; amd. 2010 Code)~~

~~—a. Horse, mule or cow, forty thousand (40,000) square feet of area per animal.~~

~~—b. Goat or sheep, ten thousand (10,000) square feet of area per animal. Four (4) such animals may be kept on a one acre parcel.~~

~~—c. Animals not listed in subsection C1a and C1b of this section will be placed in a category by the commission on a need basis. If a proposed animal does not fit into subsection C1a or C1b of this section, the commission may reject the owners' petitions to keep such animal. The decision of the commission may be appealed to the council within fifteen (15) days.~~

~~—d. Young over the age of six (6) months or young on their own without parents shall also comply with these area requirements.~~

~~—2. If use of a lot for animal keeping or grazing activities is discontinued from actual use for a continuous period of one year, such use shall be considered to be abandoned and may not be resumed.~~

~~—D. Grandfather Right; Permit Required: The planning and zoning clerk shall issue permits to parties desiring to continue to keep animals by virtue of a nonconforming use (grandfather right). These permits shall be issued annually and shall set forth the name of the permittee, the legal description of the real estate and its street address, and the number and type of animals kept on said land. The building inspector shall have the right to go onto said land to confirm that the animals kept on the land comply with the permit. If a landowner fails to obtain a permit for two (2) consecutive years, such landowner will be deemed to have abandoned their nonconforming use. The number of animals cannot be increased from the original number. The form of the permit and the fee for the permit shall be set by resolution of the city council and approved by the mayor.~~

~~—E. Complaint Procedures: Complaints regarding offensive animal related activities shall be handled by the planning and zoning clerk or the authorized representative in the following manner: Objections shall be reviewed upon receipt of a written complaint from any household located within three hundred feet (300') of the affected property. Said complaints shall set forth the nature of the objection.~~

~~—F. Complaint Investigation: Such complaints shall be investigated and findings reported, in writing. Standards for judging complaints shall include:~~

~~—1. Noise in excess of that compatible with normal residential use (either in terms of volume or hours of occurrence).~~

~~—2. Odors, flies or dust in excess of that compatible with normal residential use.~~

~~—3. Trespassing of animals onto adjacent property.~~

~~—4. Lack of maintenance of animal raising or grazing area. This includes, but is not limited to, cleanup of manure and proper repair of fencing or other enclosures.~~

~~—G. Action By Planning And Zoning Clerk: The planning and zoning clerk or the authorized representative, upon investigation and in consultation with area residents, may:~~

~~—1. Approve the situation as it exists.~~

~~—2. Require all or a portion of the animals to be eliminated.~~

~~—3. Impose appropriate restrictions such as, repair of fencing or other enclosures, limiting the location of animals on the property, cleanup of manure, establishing a phase out period, or other measures to ensure compatibility with a residential setting.~~

~~—4. Action by the planning and zoning clerk shall become final fifteen (15) calendar days after the date of notification of the decision to the affected party unless appealed to the commission.~~

~~—H. Appeals: Appeals shall be handled as set forth in chapter 3, article D of this title. (1974 Code § 4-505)~~

9-5-69-5-5: USES UNDER CONDITIONAL USE PROVISIONS; NOT NONCONFORMING USES:

Any use which is permitted as a conditional use in a district under the terms of this title shall not be deemed a nonconforming use in such district, but shall, without further action, be considered a conforming use. (1974 Code § 4-506)

EXHIBIT B

**CHAPTER 8
SCHEDULE OF USES**

SECTION:

9-8-1: **Schedule of Land Use Controls**

9-8-1-1: **Land Use Violation**

9-8-2: ~~Livestock and Poultry~~ **Animal Keeping and Grazing—General Standards**

9-8-3: **Poultry and Fowl**

9-8-4: **Livestock**

9-8-5: **Rabbits**

9-8-6: **Bees**

9-8-1: SCHEDULE OF LAND USE CONTROLS:

The following zoning schedule of land use controls is hereby adopted for the City and its impact area:

(Blank) = Not Allowed
P = Permitted
C = Conditional Use
P-A = Permitted as Accessory Use

LAND USES	ZONING DISTRICTS												
	AZ	AG-20	AG-R5	R-1	R-4	R-6	R-16	RP	B-1	B-2	B-3	I-1	I-2
Accessory uses, agricultural ¹	p ⁵	P										P	P
Agricultural, general ¹	p ⁵	P	P									P	P
Animal, grazing, and the keeping of domestic farm animals ²	p ⁵	P	P	p ⁴	p ⁴	p ⁴	p ⁴	p ⁴				P	P
Berry and bush crops	p ⁵	P	P	P								P	P
Flower gardening	p ⁵	P	P	P	P	P	P					P	P
Gardening (for home consumption)	p ⁵	P	P	P	P	P	P						
Gardening, truck	p ⁵	P	P									P	P
Kennels, noncommercial		C	C										
Mineral resources, natural (subject to State law provisions)		C										C	P
Orchards, tree crops	p ⁵	P	P	P								P	P
Plant nurseries		P	P								P	P	P

Poultry, fowl, rabbits, bees ⁷	p5	P	P	4 p ⁴	4 p ⁴	4 p ⁴	4 p ⁴	4 p ⁴					C	C
Roadside stands ³	p5	P	C											
Rock crushing		C												
Subdivisions (dividing of land to continue Ag uses) ⁶	p5	P	P											

NOTES:

1. Any enterprise customarily carried on in the field of general agriculture that is not obnoxious or detrimental to the public welfare.
No commercial slaughterhouses, dairy, feedlot or livestock confinement operation is allowed in the city limits or city impact area.
2. Except pigs. ~~Cows, horses, sheep and goats may be kept provided lots have an area of at least 5 acres~~
3. For the display and sale of only those products raised upon the premises, provided it does not exceed an area of 200 square feet, and 4 off-street parking spaces are provided.
4. ~~Except provided in section 9-8-3 of this chapter concerning poultry.~~ **Animal keeping and grazing activities are subject to the lot size, animal density, and permitting standards contained in Section 9-8-2 through 9-8-6 of this title.**
5. Uses in the Airport Zoning District (AZ) should be verified with the Airport Board and meet FAA regulations.
6. Any subdivisions of land can be no less than 10 acres.
7. **Only Non-commercial use of Poultry, fowl, rabbits, and bees in Residential districts. Commercial beekeeping is only permitted in the Ag and Industrial zones.**

9-8-1-1: LAND USE VIOLATION:

Any person or corporation, whether owner, lessee, principal, agent, or otherwise, who uses any land in violation of any of the provisions of this chapter shall be guilty of an infraction. Each week's continued violation shall constitute a separate additional violation. (Ord. 991, 10-11-2018)

9-8-2: LIVESTOCK AND POULTRY

~~A. Within any of the residential zoning districts of the City, which are located within the City limits, it shall be unlawful to use the land for the keeping or housing of poultry or livestock, except chickens (hens only) may be kept in the back yard of a residence subject to the following conditions:~~

- ~~—1. Permitted Location: Kept in a fenced in back yard of a residence.~~
- ~~—2. Roosters Prohibited: No roosters are allowed.~~
- ~~—3. Running At Large Prohibited: Not allowed to run at large.~~
- ~~—4. Prohibited Locations: Not allowed in front or side yards of the residence.~~
- ~~—5. Noncommercial Use Only: Kept for noncommercial use only, such as for family consumption, or 4-H or school projects, etc.~~
- ~~—6. Application: Any person or persons desiring to keep chickens on real property inside the City, regardless of the ownership of the real property where such chickens shall be kept or the ownership of the chickens themselves, must first file an application with the City.~~
- ~~—7. License Required: A license for keeping or maintaining chickens shall be granted subject to the application meeting the following specifications and requirements:~~

~~— a. Four Or Less Chickens: For four (4) or fewer chickens the base application process will consist of the application form with name, address, phone number, type and number of chickens and type and size of property where chickens are confined and ranged.~~

~~— b. More Than Four Chickens: For more than four (4) but not to exceed ten (10) chickens with no more than one chicken per five hundred (500) square feet of open back yard space. The application process will consist of the application form with name, address, phone number, type and number of chickens, type and size of property where chickens are confined and ranged and written consent to such chicken license by at least seventy five percent (75%) of all the persons in possession of premises within a radius of one hundred feet (100') of the premises upon which such chickens are to be maintained.~~

~~— c. Fee: The application shall be accompanied by the deposit of a license fee set by resolution of the City Council.~~

~~— d. License Nontransferable; Addition To Number Of Chickens: Chicken license shall not be transferable to another location or to other individuals and shall expire December 31 of the year issued. Whenever additions are made to the number of chickens for which a chicken license has been issued, the licensee shall, within three (3) days, report to the Office of the Clerk-Treasurer and pay the required license fee; provided, however, that whenever chicks are hatched, such chicks shall not be counted in computing the number allowed and the license fee until four (4) months old.~~

~~— e. Renewal: Chicken licenses may be renewed upon expiration by filing an application and paying required fees.~~

~~— f. Distance Requirements: All chicken enclosures must be at least ten feet (10') from any fence line, and be located in the back yard.~~

~~— g. Free Range: Chickens are allowed to be free range in a fenced back yard.~~

~~— h. Inspection; Right Of Entry: It shall be the duty of the Code Enforcement Officer to inspect, or cause to be inspected, chicken facilities for which licenses under this section have been issued as often as it may be necessary for the adequate control and supervision of such facilities. The Code Enforcement Officer, or designee, shall have the right to enter all such facilities at any reasonable time for the purpose of making necessary investigations and inspections, and shall be charged with the responsibility of enforcing and administering the provisions of this section.~~

~~— i. Certain Dwellings And Facilities Prohibited: No permit will be issued for two-family dwellings (duplex), multi-family dwellings, or commercial facilities.~~

~~— 8. Nuisance Prohibited: The keeping of chickens shall not create a nuisance as defined in subsection 4-5A-1C of this Code.~~

~~— 9. Disposal Of Waste: The disposal of offal or waste materials from chickens and dead chickens are items excluded from City collection as defined in section 7-3-8 of this Code.~~

~~— 10. Complaint Procedures: Complaints regarding offensive animal related activities shall be handled by the Code Enforcement Officer or the authorized representative in the following manner: Objections shall be reviewed upon receipt of a written complaint from any household located within three hundred feet (300') of the affected property. Said complaints shall set forth the nature of the objection.~~

~~— 11. Complaint Investigation: Such complaints shall be investigated and findings reported, in writing. Standards for judging complaints shall include:~~

~~— a. Noise in excess of that compatible with normal residential use (either in terms of volume or hours of occurrence).~~

~~— b. Odors, flies or dust in excess of that compatible with normal residential use.~~

~~— c. Trespassing of animals onto adjacent property.~~

~~— d. Lack of maintenance of animal raising or grazing area. This includes, but is not limited to, cleanup of manure and proper repair of fencing or other enclosures.~~

~~— 12. Action By Code Enforcement Officer: The Code Enforcement Officer or the authorized representative, upon investigation and in consultation with area residents, may:~~

~~— a. Approve the situation as it exists.~~

~~— b. Require all or a portion of the animals to be eliminated.~~

~~— c. Impose appropriate restrictions such as, repair of fencing or other enclosures, limiting the location of animals on the property, cleanup of manure, establishing a phase out period, or other measures to ensure compatibility with a residential setting.~~

~~— d. Action by the Code Enforcement Officer shall become final fifteen (15) calendar days after the date of notification of the decision to the affected party unless appealed to the City Council.~~

~~— 13. Appeals: Appeals shall be brought before the City Council.~~

~~— B. Poultry or livestock presently kept or maintained prior to passage of this title shall be allowed to continue subject to the restrictions set forth in chapter 5 of this title. (Ord. 973, 12-9-2013)~~

9-8-2: ANIMAL KEEPING AND GRAZING – GENERAL STANDARDS

A. Definitions

ANIMAL KEEPING/GRAZING: The raising or maintenance of animals for personal use, educational projects, or 4-H.

APIARY: A place where bee colonies are kept

BEE: Any stage of the life cycle of the common domestic honey bee.

BEEKEEPING: the management and maintenance of beehives, colonies, combs, and other associated appliances as an accessory use to an allowed or conditional principal use.

BACKYARD: The portion of the property behind the principal residential structure, excluding front and side yards.

COLONY: Bees in any hive including queens, workers, and drones.

HIVE: A structure intended for the housing of a bee colony.

LIVESTOCK: Livestock are animals kept outside the home in enclosures such as pens, barns, or corrals. The term includes cattle, llamas, mules, swine, sheep, goats, rabbits, poultry, domestic birds, and any other grazing or foraging animal except those defined as pets.

NUCLEUS COLONY: A smaller colony of bees used for educational purposes, queen maintenance and rearing, or for use in the capture and future integration of a swarm into a viable colony. A nucleus colony is comprised of significantly fewer bees than a conventional colony and is contained in a structure that is approximately one-half the size of a normal hive.

POULTRY: Chickens, ducks, geese, turkeys, kept for eggs, meat, personal enjoyment or 4-H/school projects.

PROHIBITED ANIMALS: Pigs, hogs, roosters, birds of prey, Africanized bees, or other animals specifically prohibited in the city code.

RABBITS: Domesticated rabbits kept for personal use, educational purposes, or 4-H projects.

- B. Purpose: The purpose of this chapter is to establish uniform standards for the keeping or grazing of domestic farm animals on residentially zoned land within the City of Buhl, including land that is subsequently annexed or rezoned, in order to maintain neighborhood compatibility and protect public health, safety, and welfare.
- C. Applicability: These standards apply to the noncommercial keeping or grazing of domestic farm animals, poultry, fowl, rabbits, and bees for personal use, family consumption, or approved youth or school agricultural projects, including but not limited to 4-H projects.
1. Animal keeping or grazing shall be permitted only where such use is listed in Table 9-8-1 and where the minimum lot size requirements are met.
 2. Where subdivision covenants or duly adopted overlay districts impose more restrictive standards, such restrictions shall control.
 3. Where animal density or similar standards are not addressed by covenants or overlay districts, the standards of this chapter shall apply.
 4. Commercial livestock operations, breeding for sale, or commercial animal sales are prohibited within residential zoning districts, except as allowed in designated industrial or agricultural zones.
- D. Permit Required: It shall be unlawful to keep or graze domestic farm animals, poultry, fowl, rabbits, and bees on residentially zoned land within the city limits without first obtaining a permit. Such permits shall be issued by the Clerk-Treasurer upon review and verification of compliance by the Planning and Zoning Administrator or designee.
1. Application Requirements: An application for an Animal Keeping Permit shall include the following:
 - a. Property owner name and contact information;
 - b. Property address and legal description;

- c. Parcel size;
 - d. Type and number of animals proposed;
 - e. Size and location of the area where animals will be confined or grazed;
 - f. A site plan, drawn to scale, depicting fencing, enclosures, accessory structures, structure dimensions, and setbacks. City staff may assist with the preparation of the site plan.
 - g. Written neighbor consent, when required by an animal-specific section of this chapter.
 - h. A site inspection shall be completed before issuance of a permit.
 2. Fees: Permit fees shall be established by resolution of the City Council.
 3. Term; Renewal; Transferability
 - a. Animal Keeping Permits shall expire on December 31 of the year issued.
 - b. Permits may be renewed annually upon submission of a renewal application, verification of continued compliance by the Planning and Zoning Administrator or designee, and payment of required fees.
 - c. Issued permits are nontransferable and are valid only for the approved property location.
 - d. Renewal applications shall not require resubmittal of a full application or site plan unless there is a change in the type, number, or location of animals, ownership of the property, or the configuration of animal enclosures.
 - e. Notwithstanding subsection (4), the Planning and Zoning Administrator or designee may require additional information or inspection upon renewal if there is a documented history of noncompliance or unresolved complaints.
- E. Inspection and Right of Entry: It shall be the duty of the Code Enforcement Officer, or designee, to inspect or cause to be inspected any permitted animal facilities as often as necessary for the adequate control and supervision of such facilities. The Code Enforcement Officer shall have the right to enter all such facilities at reasonable times for investigation, inspection, and enforcement.
- F. Complaint Procedure:
 1. Written complaints regarding animal-related nuisances shall be submitted by residents located within three hundred (300) feet of the subject property.
 2. Complaints shall be investigated and written findings issued.
 3. Investigations standards shall evaluate:
 - a. Noise exceeding levels compatible with normal residential use (either in terms of volume or hours of occurrence);
 - a. Odors, flies, or dust exceeding levels compatible with normal residential use;

- b. Trespass of animals onto adjacent property;
- c. Failure to maintain animal enclosures or grazing areas in a clean and sanitary condition. This includes, but is not limited to, manure management and fencing maintenance.

4. Enforcement actions may include:

- a. Approval of the situation as it exists;
- b. Reduction or removal of some or all animals;
- c. Required corrective measures or restrictions, including but not limited to fence or other enclosure(s) repair, limiting animal location on the property, waste cleanup, establishing a limited amount of time said animals would be allowed, or other measures to ensure compatibility with a residential setting.

5. Decisions shall become final fifteen (15) calendar days after written notice unless appealed.

- G. Appeals: Decisions issued under this chapter may be appealed to the Planning and Zoning Commission in accordance with Chapter 3, Article D of this title.
- H. Violations and Penalties: Noncompliance with the provisions of this chapter constitutes a zoning violation and constitutes a zoning infraction under 9-8-1-1 and is subject to enforcement and penalties as provided in this title and applicable sections of the City Code.

9-8-3: POULTRY AND FOWL

A. Allowed and Prohibited Types:

- 1. Allowed: Chickens, ducks, turkeys, and geese; Only hens and chicks of either sex up to four (4) months of age.
- 2. Prohibited: Roosters; emus; ostriches; peafowl; guinea fowl; birds of prey; and other fowl that produce loud, repetitive noises.
 - a. Owners of prohibited fowl lawfully existing at the time of adoption of this section shall have six (6) months to come into compliance.

B. Minimum Lot Size: Lots used for poultry or fowl shall contain a minimum of five thousand (5,000) square feet.

C. Number and Density

- 1. Four (4) or Less Poultry or Fowl: Permitted with an approved Animal Keeping Permit and no neighbor consent required.
- 2. Five (5) to ten (10) Poultry or Fowl: Permitted at a density of no more than one (1) bird per five hundred (500) square feet of open backyard area, subject to written consent from at least seventy-five percent (75%) of occupants of premises within one hundred (100) feet of the subject property.

3. Addition To Number of Poultry or Fowl: Whenever additions are made to the number of birds for which the permit has been issued, the permittee shall, within three (3) days, report to the Office of the Clerk-Treasurer and pay the required permit fee; provided, however, that whenever chicks are hatched, such chicks shall not be counted in computing the number allowed and the permit fee until four(4) months old.

D. Enclosures and Setbacks

1. Poultry or fowl shall be kept within a fenced backyard enclosure.
2. Enclosures shall be located only in rear yards and shall be set back a minimum of ten (10') feet from all property lines.

- E. Free Range and Running at Large: Poultry or fowl may be allowed to free-range only within a fenced backyard enclosure. Running at large is prohibited.

- F. Nuisance Prohibited: The keeping of poultry or fowl shall not constitute a nuisance as defined in Section 4-5A-1C of this Code.

- G. Waste Disposal: The disposal of offal, waste materials, or deceased poultry or fowl is excluded from City collection as provided in Section 7-3-8 of this Code.

9-8-4: LIVESTOCK

A. Allowed and Prohibited Types

1. Allowed: Horses, mules, llamas, cows, sheep, goats
2. Prohibited: Swine, pigs, potbelly pigs, hogs, and donkeys are prohibited within the corporate limits of the City of Buhl.

- B. Minimum Lot Size: Livestock keeping or grazing is permitted only on parcels of at least zero point nine (0.9) acres.

- C. Animal Density: The total number of all such animals permitted shall be limited by the size of the designated animal keeping or grazing area, as follows:

1. Horse, mule, llama, or cow: one (1) animal per fifteen thousand (15,000) square feet;
2. Goat or sheep: one (1) animal per five thousand (5,000) square feet.
3. Young animals over six (6) months of age, or young animals kept without a parent, shall comply with these requirements.
4. Other species: Owners petitioning for animals not listed above must apply for an amendment of this title to list the proposed animal in the city code and follow the zoning amendment procedures laid out in Chapter 16 of this title.

- D. Location Restrictions: Livestock or domestic farm animals shall not be kept in front or side yards of a residence.

- E. Expansion Prohibited: Existing livestock enclosures or grazing areas shall not be expanded beyond their approved area.
- F. Nuisance Prohibited: Livestock shall not constitute a nuisance as defined in Title 4 Chapter 5, nor shall they be running at large.
- G. Maintenance Standards: Animal keeping areas shall be maintained in a clean and sanitary condition, with adequate fencing to prevent trespass. Manure shall be regularly removed to minimize odors, flies, and dust.

9-8-5: RABBITS

- A. Allowed Types: Domestic rabbits only.
- B. Maximum Lot Size
 - 1. The lot must contain at least five thousand (5,000) square feet.
- C. Number and Density
 - 1. A maximum of six (6) rabbits is permitted per parcel.
- D. Neighbor Consent
 - 1. Written consent from at least seventy-five percent (75%) of occupants of premises within one hundred (100) feet of the subject property is required for any permit reaching the maximum number of six (6) rabbits.
 - 2. No neighbor consent is required for fewer than (6) rabbits.
- E. Location and Enclosures
 - 1. Rabbits shall be kept only in a fenced backyard of a residence.
 - 2. Enclosures shall be set back a minimum of ten (10) feet from all property lines.
 - 3. Rabbits shall not be kept in front or side yards and shall not run at large.
- F. Noncommercial Use: Rabbits shall be kept for noncommercial purposes only, including personal use or approved youth or school agricultural projects.
- G. Nuisance and Sanitation: The keeping of rabbits shall not constitute a nuisance as defined in Section 4-5A-1C of this Code. All enclosures and housing shall be maintained in a clean and sanitary condition, free from excessive odors.

9-8-6: BEES

- A. Purpose: These standards are intended to promote responsible beekeeping practices while minimizing impacts on surrounding properties.
- B. Residential Beekeeping:
 - 1. Permit Required: Beekeeping requires an approved annual Animal Keeping Permit issued in accordance with Section 9-8-2.

- a. Written consent from at least seventy-five percent (75%) of occupants of premises within one hundred (100) feet of the subject property is required.
 - b. No permit shall be valid until flyway barriers are installed
 - c. The Planning and Zoning Administrator or designee may inspect before permit activation.
 2. Lot size:
 - a. There is no minimum parcel size.
 3. Density of Hives and Nucleus Colonies:
 - a. Maximum of three (3) hives per one-quarter (1/4) acre of property.
 - b. For every two colonies authorized above, one additional nucleus colony is allowed.
 4. Flyway barriers required
 - a. At least six (6) feet in height
 - b. Shall be installed for all colonies located within twenty-five (25) feet of a property line
- C. Prohibited High-Density and Commercial Beekeeping
1. The keeping of more than three (3) hives per one-quarter (1/4) acre is prohibited in all residential zoning districts.
 2. Commercial or high-density apiaries are permitted only in designated industrial or agricultural zones and are not allowed in residential zones.
- D. Standards
1. Prohibited Insects: Wasps, hornets, Africanized bees (*Apis mellifera scutellata*), and other noxious insects are prohibited.
 2. Hives:
 - a. Colonies shall be kept in hives with removable frames
 - b. Contact information for the responsible party shall be posted on the boxes
 3. Setbacks and Placement: Hives shall be located at least twenty (20) feet from front property lines and three (3) feet from other property lines, with hive openings oriented away from adjacent properties.
 4. Water Source: A constant supply of fresh water shall be provided during active months.
 5. Maintenance: Colonies shall be maintained to avoid interference with neighboring properties.
 6. Queens: Where a colony exhibits unusually aggressive characteristics, the colony shall be destroyed or re-queened.
 7. Compliance with State Law: Beekeeping shall comply with all applicable Idaho statutes.