

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCILMEMBER LANGWORTHY
COUNCIL BILL NO. 08
ORDINANCE NO. 1552
Series 2014

TITLE: AN ORDINANCE AMENDING THE WHEAT RIDGE CODE OF LAWS CONCERNING THE KEEPING OF DWARF GOATS

WHEREAS, the Wheat Ridge City Council has authority under Article XX of the Colorado Constitution, the City's Home Rule Charter and C.R.S. 31-23-101; et seq. to enact ordinances for preservation and promotion of the public health, safety and welfare; and

WHEREAS, in the exercise of this authority, the Council has previously adopted Sections 26-605 and 26-606 of the Wheat Ridge Code of Laws, concerning large and small animals and poultry; and

WHEREAS, the Planning Commission has reviewed and favorably recommended amendments to the Code of Laws concerning dwarf goats; and

WHEREAS, the City Council finds the proposed amendments are appropriate and further the public health, safety and welfare.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

Section 1. Sec. 26-605 A and G of the Wheat Ridge Code of Laws, concerning large animals, are amended to read:

Private stables for the keeping of large animals such as horses, cows, llamas, sheep, goats and similar animals shall meet the following requirements. This section shall not apply to conforming lots in the A-1 or A-2 districts:

- A. Minimum open lot area shall be nine thousand (9,000) square feet for the first horse equivalent unit and an additional six thousand (6,000) square feet for each additional horse equivalent unit. For the purposes of this section, "open lot area" means a portion of lot excluding area covered by a main structure and attached carports or patios, and excluding detached garages. There shall be no more than four (4) horse equivalent units per acre except that offspring of animals on the property may be kept until weaned. One (1) horse equivalent equals one (1) horse, one (1) cow, two (2) llamas, two (2) burros, four (4) alpacas, four (4) sheep, four (4) goats, SIX (6) DWARF GOATS or two (2) ponies. . . .
- B. . . .

- G. Any keeping of animals made nonconforming by the passage of Ordinance No. 1165, Series of 1999, OR OF ORDINANCE _____, SERIES 2014 shall constitute a legal nonconforming keeping of animals. The legal, nonconforming keeping of such animals may be continued so long as such keeping of animals remains otherwise lawful; except where such keeping of animals is discontinued for a period of sixty (60) consecutive days or more, then said keeping of animals must conform to the provisions hereof or must cease. Upon sale of a property, the minimum requirements of section 26-605 shall be met or the keeping of animals must cease. For the purposes of this subsection G., periodic removal for the purposes of pasturing shall not constitute discontinuance of use.

Section 2. Sec. 26-606 of the Wheat Ridge Code of Laws concerning small animals and poultry, is amended to read:

The private keeping of small animals, such as DWARF GOATS, rabbits and chinchillas, or poultry, such as chickens, ducks, geese, pheasants or pigeons, shall be subject to the following requirements. This section shall not apply to conforming lots in the A-1 or A-2 districts.

- A. EXCEPT WHEN IN COMPLIANCE WITH SECTION 26-605 (LARGE ANIMALS), DWARF GOATS SHALL BE LIMITED TO A MAXIMUM OF THREE (3) PER RESIDENTIAL DWELLING UNIT, PLUS THEIR UNWEANED OFFSPRING AND PROVIDED NO UN-NEUTERED MALE DWARF GOATS SHALL BE ALLOWED. FOR EACH DWARF GOAT, A MINIMUM OF 130 SQUARE FEET OF PERMEABLE LOT AREA SHALL BE PROVIDED IN THE SIDE OR REAR YARD.
- B. Poultry houses and pigeon coops, or the portions of THESE AND OTHER structures used to house OR PROVIDE SHELTER FOR SMALL animals, shall not exceed four hundred (400) square feet of ground floor area nor twelve (12) feet in height.
- C. Hutches for small animals shall not exceed one hundred (100) square feet of ground floor area with a maximum of two (2) floors or levels.
- D. Maximum ground floor areas for small animals or poultry set forth above may be increased by fifty (50) percent for each acre in addition to the minimum lot size for the zone district.
- E. All houses, coops, hutches or portions of THESE AND OTHER structures housing OR PROVIDING SHELTER FOR SMALL animals shall be located other than in a front yard, shall be set back at least fifteen (15) feet from side and rear property lines, and shall be no closer than thirty (30) feet from a residence or other main structure on an adjacent property.
- F. The accumulation of animal waste to the extent that such becomes a nuisance to surrounding properties is prohibited, as regulated by chapter 15 of this Code of Laws.
- G. The legal, nonconforming keeping of such animals may be continued so long as such keeping of animals remains otherwise lawful; except where such

keeping of animals is discontinued for a period of sixty (60) consecutive days or more, then said keeping of animals must conform to the provisions hereof or must cease.

Section 3. Section 26-119 of the Wheat Ridge Code of Laws is amended by the addition of the following definition, in proper alphabetical order:

Dwarf Goats. Dwarf goats generally weigh between 40 and 75 pounds and include breeds known commonly as Nigerian Dwarf and African Pygmy.

Section 4. Section 26-204 of the Wheat Ridge Code of Laws, entitled Residential Use Chart is amended by the addition of the following entry for "Large and Small Animals" to read:

Accessory Uses for Residential Districts	Notes
Large and Small Animals	See 26-605 and 26-606

Section 5. Effective date. Pursuant to Charter Section 15.11, this Ordinance shall take effect upon effect fifteen (15) days after final publication.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 8 to 0 on this 23rd day of June, 2014, ordered it published with Public Hearing and consideration on final passage set for **Monday, July 14th, 2014 at 7:00 p.m.**, in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado and that it takes effect 15 days after final publication [or whatever Council Bill indicates].


READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 8 to 0, this 14th day of July, 2014.

SIGNED by the Mayor on this 14th day of July, 2014.



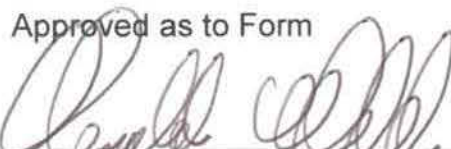
Joyce Jay, Mayor

ATTEST:



Janelle Shaver, City Clerk



Approved as to Form


Gerald E. Dahl, City Attorney

First publication: June 26, 2014
Second publication: July 17, 2014
Wheat Ridge Transcript
Effective Date: August 1, 2014