

**CITY OF MONTPELIER, IDAHO**

**ORDINANCE No. 640**

**AN ORDINANCE AMENDING 17.36.010 TO EXCEPT FROM APPLICATION OF THE LARGE ANIMAL AND ANIMAL FREE AREAS ORDINANCE UP TO 25 HEN CHICKENS AND UP TO 25 RABBITS; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Montpelier, Bear Lake County, Idaho (the "City"), is a municipal corporation duly organized and operating under the laws of the state of Idaho; and

WHEREAS, a public hearing was held on April 11, 2013, notice of said hearing being provided pursuant to Idaho Code § 67-6509, regarding amending Chapter 17.36.010 Large Animal And Animal Free Areas and excepting from application of the Large Animal And Animal Free Areas Ordinance of the City of Montpelier, up to 25 hen chickens and 25 rabbits; and

WHEREAS, following the public hearing on the matter and receipt of public comment, the Planning and Zoning Commission unanimously recommended to the City Council adoption of the proposed amendment exempting 25 hen chickens and 25 rabbits from the regulations set forth in Chapter 17.36, Montpelier City Code, regarding Large Animals And Animal Free Areas;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MONTPELIER, Bear Lake County, Idaho, as follows:

**SECTION 1:** Section 17.36.010 shall be and is amended to read as follows:

The purpose of this chapter is to guide the keeping and the introduction of large animals in the City of Montpelier, and to protect the health, safety, and general welfare of the residents. This chapter does not include dogs, cats, up to 25 hen chickens, and up to 25 rabbits.

**SECTION 2:** Sections 17.36.020(d) and 17-36-020(e) are hereby amended as follows:

d. Twenty-six chickens (Must be caged or confined and are not required to have access to the ten thousand square feet of land.)

e. Twenty-six rabbits (Must be caged or confined and are not required to have access to the ten thousand square feet of land.)

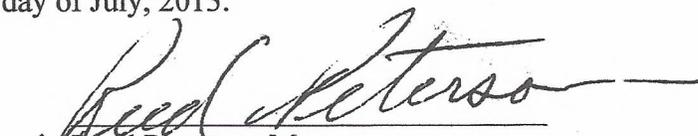
**SECTION 3:** This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

**SECTION 4:** If any portion of this Ordinance is determined by a court of competent jurisdiction to be invalid and unenforceable, all other provisions of this Ordinance shall remain in full force and effect.

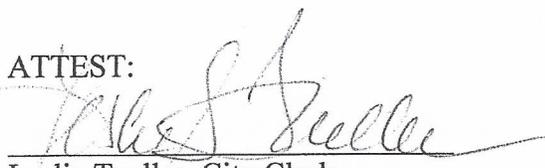
**SECTION 5:** Any other provisions or ordinances in conflict with the above amendments are hereby repealed.

This Ordinance shall be in full force and effect from and after its passage and approval, and publications provided by law.

PASSED AND APPROVED by the Mayor and the City Council of the City of Montpelier, Bear Lake County, Idaho, this 3rd day of July, 2013.

  
Reed Peterson, Mayor

ATTEST:

  
Leslie Tueller, City Clerk

(Seal)