

IMPACT STATEMENT

Legislation title: Replace Title 13 Animals with Bees and Livestock to update the regulations for keeping bees and livestock (Ordinance; replace Code Title 13)

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Purpose of proposed legislation and background information:

Updated regulations will allow Portlanders to keep bees and livestock throughout the City in a manner that supports the health and safety of people and animals and reduce nuisances (vermin, noise, smells, property damage).

Successful Outcomes

- Updated standards for keeping bees and livestock in the city of Portland that provide more certainty and transparency for residents and streamline administration.
- Regulations that include objective standards coupled with recommended best practices that ensure the needs of animals are met and nuisances are mitigated.
- Allow numbers and types of livestock animals that are appropriate for our growing city. As additional housing is added in our neighborhoods, through new development and accessory dwelling units (ADUs) in backyards, less outdoor space is available and the uses in those outdoor spaces can have impacts on more neighbors.
- The changes to the code sought to minimize any unintended consequences to under-represented communities or people of color, especially to those who may raise backyard animals as an affordable food source or use the slaughter of animals in religious rites.
- Coordination between governmental agencies to provide effective animal and neighborhood nuisance services in the City of Portland. Establish clear roles between Multnomah County (Animal Services and Vector Control) and the City's neighborhood nuisance services (Bureau of Development Services, Civic Life and BPS).

Background. Multnomah County administered the City's Title 13, Animals, since the 1960s. This work involves a customer helpline, issuing permits, and enforcement activities (see Current Title 13 Animal Program, next page). In March 2018, the County discontinued administrating Title 13 and the Bureau of Planning and Sustainability (BPS) temporarily took over the program and established a customer service helpline with limited enforcement. This is a temporary situation while BPS updates Title 13, develops administrative rules and identifies an appropriate long-term code administrator going forward. This work is scheduled to be completed in time for the new program to be up and running, with an established administrator, by spring 2021.

Financial and budgetary impacts:

Impacts to the Bureau of Planning and Sustainability: Since the County discontinued administrating Title 13 (March 2018), BPS has temporarily absorbed these functions by establishing a customer service helpline with limited enforcement (primarily sending potential violation letters). Permits have been suspended as the existing Title 13 was being updated. The ongoing Special Appropriation the City paid Multnomah County Vector Control has been transfer temporarily to BPS to cover those staffing needs.

It is anticipated that once the code update work is complete the cost of enforcement activities will not exceed the existing ongoing Special Appropriations budget allocation. No budget changes are needed nor requested.

Impact to Future Administrator: If administration transfers to another City bureau or County department it is expected that the existing ongoing Special Appropriations amount (approximately \$60,000) will cover the administration expenses.

Community impacts and community involvement:

Project staff has used the following strategies to gain a better understanding of how people keep bees and livestock in Portland and how changes to the rules may affect different user groups, particularly the groups identified in the power/equity analysis (e.g. low-income, recent immigrants, people raising livestock for meat, and renters). The strategies included: 1) Information derived from administering the customer service helpline; 2) Focus groups with recent immigrants and communities of color; and 3) Input from bee and livestock stakeholder groups.

The findings and recommendations from those community engagement efforts informed the development of the updated code and are highlighted below:

Urbanizing city impacts raising bees and livestock

- As our city grows and housing cost increase, more people are living in apartments and condominiums. The current code is silent on keeping bees and livestock on multi-dwelling properties. The code update includes specific rules pertaining to multi-dwelling properties, and if met, people on multi-dwelling properties should be allowed to keep bees and livestock.
- As additional housing is added in our neighborhoods, through new development and accessory dwelling units (ADUs) in backyards, less outdoor space is available and the uses in those outdoor spaces can have impacts on more neighbors. The updated code should limit type and number of livestock animals that reflects the closer physical proximity of our living environments and anticipate future growth.

Balance between beekeepers/livestock keepers and surrounding neighbors

- People who keep bees and animals would like the flexibility of having no maximum number. Although, most bee and livestock keepers are responsible animal owners it is necessary to set limits in urban areas to reduce typical animal-related nuisances

that come with increased numbers. Even under the best circumstances, livestock animals can have impacts on surrounding nearby neighbors (e.g., chickens squawk when they lay an egg, animal facilities even if maintained to high standards can create odors and attract flies).

- Complaints about neighbors with roosters in the number one complaint received on the customer service hotline. Code administrators should provide more information regarding options for “re-homing” unwanted roosters. Often people end up with an illegal rooster when they raise hens from chicks and don’t know what to do with them (as it is difficult to establish the sex of baby chicks).
- Many neighbors’ complaints about chickens include allegations that the chickens are attracting rats to their property. The best practices should include specific information about practices to reduce rats. There should also be coordination with Multnomah County Vector Control to assist with this effort.

Recent immigrants and communities of color

- Focus groups of recent immigrants and communities of color asked for more transparent information about the rules for raising livestock. Special effort should be taken in notifying immigrant and Limited English Proficient community members of any code changes and providing the new code information in multiple languages. Helpline staff should be trained to use the Language Line to assist when interpretation services are needed.
- Focus groups asked for more clarity on the rules for slaughtering animals for meat. There are no changes to the slaughtering rules in the proposed code that would create unintended consequences to under-represented communities or communities of color who may raise backyard animals as an affordable food source or use the slaughter of animals in religious rites. The proposed code does not prohibit slaughtering on residential property (like other jurisdiction such as Seattle have done) and continues to rely on the State of Oregon Department of Agriculture rules which allow the slaughtering of animals for personal consumption.
- Communities of color are concerned about the enforcement of new rules. Before code enforcement of the new code begins, code administrators should incorporate an enforcement protocol that considers Limited English Proficient communities, immigrant, communities of color. Complaint based enforcement of City code is often inherently discriminatory. Administrators could consult with Multnomah County Animal Services for input on how they field complaint calls that are being used as a tool to discriminate against neighbors that may be people of color, recent immigrants, etc.
- Immigrants expressed a desire for more opportunities to become more self-sufficient by selling meats, eggs and other animal products. Although outside of the scope of this project, the City could notify community groups and government agencies that may be able to serve these people by providing culturally-specific resources to help them learn the practices and rules around raising animals and brainstorm economic options (e.g. Zenger Farms, IRCO, BES, MCHD).

100% Renewable Goal:

The proposed amendments do not significantly contribute to the City’s goal of meeting 100 percent of community-wide energy needs with renewable energy by 2050.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES:** Please complete the information below.
- NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

Proposed Amendment from Commissioner Fritz

ADD new item to section **13.30.010 Owner Responsibilities.**

D. Neighbor notification. Prior to installing beehives, beekeepers must send a letter to the owners of the properties within 150 feet of the site outlining their intention to keep beehives on their property and how the provisions of this Title and any administrative rules for best practices will be met. The letter shall include information on how to contact the beekeeper for more information, to ask questions or to share feedback. Beekeepers shall keep documentation to prove this requirement has been met. This requirement is meant to allow neighbors an opportunity to become aware of and comment, in an informal manner, before the beehives are installed. By sharing information and concerns, all involved have the opportunity to identify ways to resolve potential conflicts. While the comments from the neighbors are not binding, a collaborative approach is encouraged.

Motion to add new section 13.30.010.D: Moved by Fritz and seconded by Wheeler. (Y-3; Hardesty absent)