



TOWN OF FAIRFAX

STAFF REPORT

February 5, 2014

TO: Mayor and Town Council

FROM: Garrett Toy, Town Manager 

SUBJECT: Introduction and first reading by title only of Ordinance No. 777, Amending Section 6.16.050 of the Town Code of the Town of Fairfax Relating to Fowls to Include a Prima Facie Complaint Process and Giving Enforcement Responsibilities to the Building Official/Code Enforcement Officer

RECOMMENDATION

Introduce and waive the first reading of Ordinance No. 777 amending section 6.16.050 of the Town Code of the Town of Fairfax Relating to Fowls to Include a Prima Facie Complaint Process and Giving Enforcement Responsibilities to the Building Official/Code Enforcement Officer.

DISCUSSION

At its November 6, 2013 meeting, the Council discussed the issue of noise complaints regarding roosters. The Council decided to continue to allow roosters in Town, but directed staff to prepare an ordinance to clarify when a rooster is in violation of the Town's Noise ordinance. Specifically, the Council requested a provision to simplify the evidence of a violation which, hopefully, would reduce the amount of staff time required to address/enforce complaints.

The proposed amendment to the Town's "Miscellaneous Animal Control Regulations" code section would allow written complaints by two persons within the same two-week period to be prima facie evidence of a noise violation. The amendment also makes the Building Official or Code Enforcement Officer responsible for enforcing the ordinance. The Council did not discuss the two-week "complaint" period at the meeting, but for enforcement purposes it would be prudent to establish a period within which to receive complaints.

Staff would also suggest a six-month trial period after the ordinance takes effect to assess its effectiveness. We would report back to Council with our findings at that time.

FISCAL IMPACT

None at this time

ATTACHMENTS

Ordinance No. 777

