

**ORDINANCE NO. O2025-017**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 130 OF THE YUMA CITY CODE, AS AMENDED, RELATING TO ANIMALS AND FOWL, TO COMPLY WITH STATE STATUTE**

WHEREAS, the Yuma City Code designates the requirements and regulations for the keeping and care of animals including poultry; and,

WHEREAS, from time to time it may be desirable to modify the code in accordance with changes in State law; and,

WHEREAS, House Bill 2325, adopted and signed May 2024, directed municipalities to allow backyard fowl with specific requirements for enclosures and maintenance.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: Yuma City Code, Title 13, Chapter 130, Keeping Animals, Article 1, Definitions is amended to insert the bolded text and delete the strike through text:

*ANIMAL.* Any living species of mammal, **poultry** ~~fowl~~, amphibian, or reptile, with the exception of ~~man~~ **humans**.

*FOWL.* **A cock or hen of the domestic chicken.**

*PERSON.* **A human being and, as the context requires, an enterprise, a public or private corporation, an unincorporated association, a partnership, a firm, a society, a government, a governmental authority or an individual or entity capable of holding a legal or beneficial interest in property.**

*POULTRY.* Domestic birds, including, but not limited to chickens, turkeys, ducks, ~~or~~ geese, **guineas, squabs, or quail.**

*RATITES.* **Ostriches, emus, rheas or cassowaries.**

*RODENT.* Any of various mammals of the order of Rodentia, including a mouse, rat, squirrel, beaver, gerbil, or hamster. **For the purposes of this chapter, this definition is inclusive of rabbits and hares.**

SECTION 2: Yuma City Code, Title 13, Chapter 130 Keeping Animals, Article 2, Application of State Law, is amended to insert the bolded text and delete the strike through text:

Nothing in this chapter is to be construed as to preempt the requirements of the rabies control statutes of the State of Arizona as set forth in A.R.S. §§ 11-1001 et seq. **If any provisions of this chapter contradicts a rule, regulation, or law pertaining to or issued by the Arizona Department of Game and Fish and/or the Arizona Department of Agriculture, the Arizona Department of Game and Fish and/or the Arizona Department of Agriculture controls.**

SECTION 3: Yuma City Code, Title 13, Chapter 130 Keeping Animals, Article 50, Definitions, is amended to insert the bolded text:

*PREMISES.* The lot, **property** or parcel of ground upon which the pen, stable, yard, cage or other enclosure used for the containment of an animal is located.

SECTION 4: Yuma City Code, Title 13, Chapter 130 Keeping Animals, Article 54, Sanitary Conditions, is amended to insert the bolded text:

The maintaining or keeping of all animals within the city shall be allowed in a sanitary manner and only so long as they do not cause, create or contribute to or become a health nuisance due to noise, the presence of flies, mosquitos, insects, vermin, rodent harborage, odors, dust, ponded water, accumulation of manure, garbage, refuse or other obnoxious or putrescible material, or for any other like reason.

**(A) If manure is composted it shall be kept in such a way that prevents migration of insects.**

**(B) Water shall be provided with adequate overflow drainage.**

**(C) Feed shall be stored in insect-proof and rodent-proof containers.**

SECTION 5: Yuma City Code, Title 13, Chapter 130, Keeping Animals, Article 58, Area Limitations, is amended to insert the bolded text and delete the strike through text:

(A) *Generally.* Except as otherwise provided in this chapter, it is hereby declared to be a nuisance and it shall be unlawful for any person to keep any animal within the city on any lot or parcel of land consisting of less than 10,000 square feet in area.

~~(B) *Poultry; consent.* Poultry may be kept on a lot or parcel of land within the city consisting of an area less than 10,000 square feet if written permission consenting to the keeping of poultry on such lot or parcel is first obtained from all of the lawful occupants and the lawful owners of adjoining lots or parcels of land which are located in the immediate vicinity of the property whereon the poultry is kept.~~

**(BC) *Exceptions.*** The provisions of divisions (A) ~~and (B)~~ shall not apply to the keeping of:

(1) Six or fewer small household pets including, but not limited to, dogs or cats or any combination thereof per household; or

(2) Animals for commercial purposes where such use is established as a lawful use under the zoning ordinance of the city.

~~(CD) *Number to area ratio for animals.*~~ It shall be unlawful for any person to keep more than two large domestic animals, such as a horse, cow, burro, mule and similar animals or more than four sheep, goats and similar animals on any lot or parcel of land consisting of less than one acre.

~~(DE) *Premises over one acre.*~~ On a lot or parcel of land greater than one acre (43,560 square feet) the number of large domestic animals shall be determined as follows:

(1) One horse, cow, or similar animal, or two sheep, goats or similar animal shall be permitted for each 6,000 square feet of net lot area after deducting one-half acre for the home site. Fractions of less than 6,000 square feet shall be rounded off. Animals of six months or younger shall not be counted.

(2) No livestock commercial feeding lots, herein defined as a feeding or handling facility operated for the purpose of accommodating the needs of others in whole or in part for a fee or fees paid to the operator or owner for the accommodations, materials and services received, shall be permitted.

SECTION 6: Yuma City Code, Title 13, Chapter 130, Keeping Poultry and Rodents, Article 71, Proximity to Residence, is amended to insert the bolded text and delete the strike through text:

**(A) For a lot that is one-half acre or less in size no fowl poultry or rodents, other than pet rodents such as a gerbil or hamster kept within a dwelling structure, shall be kept in an enclosure within 20 feet of a neighboring property. 50 feet of any residence within the city. Poultry may be kept within 80 feet of a residence if written permission consenting to the keeping of poultry less than 80 feet from a residence is first obtained from each lawful occupant and each lawful owner of such residence.**

**(B) For a lot that is greater than one-half acre in size no poultry or rodents shall be kept in an enclosure within 30 feet of a neighboring property.**

SECTION 7: Yuma City Code, Title 13, Chapter 130, Keeping Poultry and Rodents, Article 72, Use of Front Yard, is amended to insert the bolded text:

Poultry **and rodents** shall not be kept in the front yard area of any lot or parcel within the city.

SECTION 8: Yuma City Code, Title 13, Chapter 130, Keeping Poultry and Rodents, Article 73, Enclosures Required, is amended to insert the bolded text:

Poultry and rodents shall be kept in an enclosure so constructed as to prevent such poultry and rodents from wandering upon property belonging to others.

**(A) For single-family residential parcels that are less than one acre in size the enclosure shall be no larger than 200 square feet and no taller than the adjacent fence line of the property.**

**(B) For single-family residential parcels greater than one acre in size the enclosure shall be no larger than 200 square feet and may be no taller than 8 feet.**

SECTION 9: Yuma City Code, Title 13, Chapter 130, Keeping Poultry and Rodents, Article 75, Number and Area Ratio, is amended to insert the bolded text and delete the strike through text:

**(A) A resident of a single-family detached residence on a lot that is one-half acre or less may keep up to six fowl or rodents in the backyard or side yard subject to the provisions of this chapter. No more than 20 head of poultry nor more than 25 head of rodents nor more than 25 head comprising a combination of rodents and poultry shall be kept upon the first one-half acre or less.**

(B) An additional one-half acre shall be required for each additional 20 head of poultry or for each additional ~~20~~ 25 head of rodents or for each additional ~~20~~ 25 head comprising a combination of poultry and rodents.

(C) For areas larger than two and one-half acres the number of poultry or rodents shall not be limited.

SECTION 10: Yuma City Code, Title 15, Chapter 130, Keeping Poultry and Rodents, Article 77, Male Poultry Restricted, is amended to insert the bolded text and delete the strike through text:

No male poultry shall be kept within the city ~~limits except such male poultry as are~~ **unless they are** incapable of making vocal noises ~~which~~ **that** disturb the peace, comfort or health of any person residing within the city.

SECTION 11: Yuma City Code, Title 13, Chapter 130, Keeping Poultry and Rodents, is amended to insert the bolded text:

**§ 130-077 Ratites.**

**Ratites shall not be kept within the City.**

SECTION 12: Yuma City Code, Title 13, Chapter 130, Keeping Poultry and Rodents, Article 99 is amended to insert the bolded text and delete the strike through text:

(A) Unless otherwise specifically provided for in this chapter, it shall be unlawful for any person, ~~firm, or corporation~~ to violate, or cause the violation of, any provision of this chapter. Any person, ~~firm, or corporation~~ violating any of the provisions in this chapter shall be guilty of a class 2 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$750 or by imprisonment for not more than five days or by both such fine or imprisonment. Each separate day or part thereof during which any violation of this chapter occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

(B) Any violation of § 130-003 Animals At-Large or § 130-006 Unlawful Feeding ~~of~~ **of** Dogs or Cats, of this chapter shall be a class 3 misdemeanor; and upon conviction for a first offense, the fine to be imposed may be up to and including \$50. For each additional offense within a 12-month period, the following fines shall be mandatory:

- (1) Second offense: \$100.
- (2) Third offense: \$200.
- (3) Thereafter: \$300.

(C) A violation of § 130-005 is a civil offense. Any person who violates § 130-005 after receiving a warning in the previous 12 months is guilty of a civil offense and shall be fined in the amount of \$50. If in the 12 months preceding a violation, the person ~~or entity~~ has a previous finding of responsibility for a violation of § 130-005, the fine shall be increased to \$100. If in the 12 months preceding a violation, the person ~~or entity~~ has two or more previous findings of responsibility for a violation of § 130-005, the fine shall be increased to \$200.

(D) Any violation of § 130-055 (B) or § 130-055 (C) shall be a class 3 misdemeanor; and upon conviction thereof shall be punished by a fine not to exceed \$50.00.

SECTION 13: It shall be unlawful for any person, firm or corporation to violate, or cause the violation of, any provision of this ordinance. Any person, firm or corporation violating any of the provisions in this ordinance shall be guilty of a class 1 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$1,000 or by imprisonment for not more than ten days or both fine and imprisonment. Each separate day or part thereof during which any violation of said sections occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

Adopted this \_\_\_\_\_ day of June, 2025.

APPROVED:

\_\_\_\_\_  
Douglas J. Nicholls  
Mayor

ATTESTED:

\_\_\_\_\_  
Lynda L. Bushong  
City Clerk

APPROVED AS TO FORM:

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Richard W. Files  
City Attorney