

# TOWN OF PORTOLA VALLEY



## Municipal Code Chapter 6.08 HORSEKEEPING AND STABLES

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(Portola Valley 8-03)

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**6.08.010 Short title.** The ordinance codified in this chapter may be known and cited as the "Stable Ordinance of the Town of Portola Valley." The title shall not be construed to mean that stables are required on parcels that otherwise meet horsekeeping standards. (Ord. 1968-87 § 1 (7700.19), 1968)

**6.08.020 Purpose.** The ordinance codified in this chapter is adopted to establish licensing requirements for the keeping of horses and to regulate the keeping and maintenance thereof in order to protect and promote the public health, safety, welfare, comfort and convenience while permitting residents to keep horses under appropriate conditions, and further to establish conditions and requirements for the operation of boarding sta-

bles, as to which priority in the occupancy of facilities should be granted to bona fide Portola Valley residents, and community stables. In particular the ordinance codified in this chapter is intended to minimize water pollution and the erosion due to overgrazing, compaction of soils and discharge of runoff from corrals, pastures and stables. (Ord. 1968-87 § 1 (7700.0), 1968)

**6.08.030 Definitions.** For the purpose of this chapter certain words and phrases are defined as follows, and certain provisions shall be construed as set forth in this section:

A. "Access road" means any road or trail upon private property leading to or from a stable or other building where horses are confined.

B. "Approved fire protection device" means a device having the sanction of the fire chief or a nationally recognized testing laboratory or agency.

C. "Automatic sprinkler system" means an approved fire protection system that dispenses water through specially sized pipe and to which sprinkler heads are attached for the extinguishment of fire.

D. "Call box" means an approved manually operated fire alarm box.

E. "Class one stable" means a stable that has facilities, within a structure, to feed or care for six or more head of horses.

F. "Class two stable" means a stable that has facilities, within a structure, to feed or care for five or less head of horses.

G. "Code box relay station" means an approved electrical device that receives and transmits a coded fire alarm signal to a distant receiving station.

H. "Corral" means a fenced area confining a horse.

I. "Door" means a movable frame by which an entryway can be opened or closed.

J. "Enclosed stable" means a stable where all stall doors do not immediately exit directly to the outside.

K. "Exitway" means a continuous and unobstructed means of egress from a stable.

L. "Fire chief" means the fire chief of the Woodside fire protection district or other personnel acting under his direction.

M. "Flammable liquid" means a volatile liquid that will readily combust when subjected to heat.

N. "Horse" means a member of the horse family, including donkeys and mules.

O. "Metal lock" means any combination lock or lock that requires a key to open it.

P. "Pasture" means a fenced and managed grazing area with a continuing ground cover of grasses, legumes and other forage plants.

Q. "Portable fire extinguisher" means an approved first aid extinguishing appliance.

R. "Portola Valley building and electrical code" means those codes adopted by the town and the amendments thereto.

S. "Rapid rise in temperature fire alarm system" means an approved electrical device that automatically detects fire by a rapid rise in temperature. Detecting devices are electrically connected to each other in a circuit and upon being activated it transmits a signal.

T. "Stable, boarding" means any establishment boarding horses and regularly providing services and facilities incidental thereto, which services and facilities may include appropriate training facilities.

U. "Stable, community" means a horse stable and related areas and facilities for the maintenance of horses for private use as a use accessory to a residence in the planned unit development in which the stable is located.

V. "Stable, horse" means a roofed structure, or portion thereof, designed or used for the housing or feeding of horses.

W. "Unenclosed stable" means a stable where the stalls are so located that each stall door opens immediately to the outside. (Ord. 1968-87 § 1 (7700.1), 1968)

**6.08.040 Conformance required—Approval of breeding area required.** It is unlawful for any person to keep or maintain or cause to be maintained in the town any horse except in conformance with the provisions of this chapter, the zoning title, and other applicable town ordinances. The breeding of horses is prohibited except within an area approved by the animal regulation commission. (Ord. 1975-132 § 2 (part), 1975; Ord. 1968-87 § 1 (7700.2), 1968)

**6.08.050 Horsekeeping permits—Required.** A horsekeeping permit shall be required for the maintenance of horses within the town. (Ord. 1979-170 § 1, 1979; Ord. 1968-87 § 1 (7700.3), 1968)

**6.08.060 Permit—Application.** Each application for a new horsekeeping permit or modification of an existing horsekeeping permit shall be made by the parcel owner or lessee or the operator of a boarding or community stable, to the town clerk, on a form provided by the animal regulation commission for such purpose.

A. Plot plan. Such application shall be accompanied by an accurate plot plan showing:

1. The layout of the existing or proposed stable, corral or pasture, and other structures on the same parcel;
2. Drawings of proposed building and fence construction. The latter must not violate trail easements and rights-of-way;
3. Topographic information adequate to establish the average percent of grade of the corral area and to indicate the general topography of the entire portion of the parcel devoted to horses. The source of topographic information shall be given on the plot plan;
4. Location of sewage disposal system if within the area to be devoted to horses;
5. Scale of the drawing;

6. Name, address and telephone number of person who prepared the drawings;

7. Distance from corral to nearest neighboring house.

B. Other information. In addition, such other information as may be required by the animal regulation commission shall be submitted with the application.

C. Transfer of permit. Transfer of a permit to a new occupant of the premises shall be considered a modification of an existing horsekeeping permit. If a plot plan is available from a previous owner's application, it may be used by the new occupant after being brought up to date with respect to any changes in the stable or fences. In the event a new plot plan must be prepared, because of lack of a previous plan, items 3 and 4 in subsection A of this section will not be required. (Ord. 1975-132 § 1 (part), 1975; Ord. 1968-87 § 1 (7700.4), 1968)

**6.08.070 Permit—Issuance.** If the town clerk or the clerk's designated representative finds that the horsekeeping facilities will be in conformance with the requirements of this chapter and with any other applicable ordinance, and with any additional rules and regulations established by the council as provided in this chapter, upon payment of the required fee, a twelve-month revocable permit shall be issued as provided in this chapter after issuance of any required building permit. A permit may be granted at any time during the year and unless previously revoked shall expire on the same date of the following year. (Ord. 1968-87 § 1 (7700.5), 1968)

**6.08.080 Permit—Renewal.** A horsekeeping permit may be renewed upon application by the holder thereof to the town clerk, payment of required fees and the finding by the town clerk that the applicant is still complying with the previously issued permit. (Ord. 1968-87 § 1 (7700.6), 1968)

**6.08.090 Permit—Denial—Appeal.** In case the town clerk denies a permit applied for under the terms of this chapter, the applicant may appeal the decision to the animal regulation commission, with a further right of appeal to the council. Appeals shall be made on forms prescribed by the council and shall be filed

at least two weeks prior to the meeting at which they are to be considered. (Ord. 1975-132 § 2 (part), 1975: Ord. 1968-87 § 1 (7700.7), 1968)

**6.08.100 Permit—Revocation or suspension—Hearing and appeal.** A horsekeeping permit granted under this chapter shall be subject to revocation or suspension in the following manner. At the direction of the town clerk, or the clerk's designated representative, a notice shall be served on the person holding the permit specifying wherein he has failed to comply with this chapter or any other ordinance or with any regulations formulated by the council under the provisions of this chapter and requiring him to appear before the animal regulation commission at a date and hour specified, not less than five days after the serving of the notice on the permit holder, to show cause at said time and place why the permit should not be revoked or suspended. At such time and place the person holding the permit shall have the right to appear in person or by counsel and to introduce such evidence as he may desire, and the animal regulation commission shall confront the permit holder with any charges that the council or animal regulation commission, or both of them, may have against him, and after the hearing the animal regulation commission may, if in its opinion the permit holder has violated the terms of his permit, revoke the permit. Persons may appeal to the council regarding the ruling on any such permit within fifteen days. No horses shall be maintained on the subject premises following revocation of a permit unless and until the violation has been corrected, and the permit has been reissued by the town clerk with approval of the animal regulation commission. (Ord. 1975-132 § 2 (part), 1975: Ord. 1968-87 § 1 (7700.9), 1968)

**6.08.110 Annual fees—Exemption for commercial farming.** The annual fee for a permit to maintain horses for private use and the annual fee for boarding and community stables for each stall and corral shall be established by the council by resolution. All fees collected pursuant to this section shall be used by the town to enforce this chapter and to provide and maintain horse trails in the town. Nothing in this chapter or in any resolution adopted pursuant to this chapter shall be construed as

requiring the payment of a fee for the stabling or maintenance of horses actually used in commercial farming operations on the parcel of land upon which the stable is located, provided the parcel consists of five or more acres of land. (Ord. 1968-87 § 1 (7700.8), 1968)

**6.08.120 Permit issuance—Penalty fees.** A penalty equal to the regular fee and in addition thereto shall be levied when a permit is issued under the following circumstances:

A. After revocation of a previously issued permit to accomplish its reinstatement;

B. After horses have been maintained without renewing an expired permit for more than thirty days;

C. After horses have been maintained in excess of the number authorized. (Ord. 1979-176 § 1, 1980; Ord. 1968-87 § 1 (7700.17), 1968)

**6.08.130 Location and area requirements.** Horses may be maintained only in zoning districts where the keeping of horses is listed as a permitted or conditionally permitted use subject to the following general requirements:

A. The minimum parcel area upon which any horse may be kept shall be one acre, and two horses may be kept on such a parcel. One additional horse may be kept on each one-half acre in addition to the one acre minimum.

B. A corral shall be maintained on each parcel for which a horsekeeping permit is issued.

C. For each horse there shall be a minimum of four hundred square feet of corral area with an average ground slope of not more than seven percent.

D. The maximum size for a single corral shall be twenty-five hundred square feet. The total area of corrals on one parcel shall not exceed four thousand square feet unless the parcel is larger than three acres, in which event corral area may be increased in the ratio of one thousand square feet per each acre in the parcel



in excess of three acres. The total area of corrals for a boarding or community stable shall be established by conditional use permit pursuant to the zoning title.

E. The minimum distance from a corral to a neighboring property line or street right-of-way shall be twenty feet.

F. The minimum distance of a stable from a neighboring house existing at the time of issuance of the original permit shall be one hundred feet.

G. The minimum distance of a stable from any neighboring property line shall be forty feet.

H. The minimum distance of the stables from the residence on the same lot shall be forty feet.

I. The minimum distance of a stable from any street right-of-way or front property line shall be fifty feet.

J. Corrals and/or stables shall not be placed over septic tank drainfields unless approved by the town health officer.

K. Horses shall be kept primarily in corrals and stables. They may be kept on pasture when it does not result in excessive compaction of the soil or overgrazing. (Ord. 1968-87 § 1 (7700.10), 1968)

**6.08.140 Corrals, stables and shelters—Construction.** A. Construction of stables and shelters shall require a building permit which shall be applied for pursuant to the building code.

B. All corrals and pastures shall be enclosed by a fence sufficiently effective for the intended use.

C. All corrals shall have effective drainage facilities as dictated by slope, soil condition, and drainage. Runoff shall be handled in such a manner so as not to constitute a nuisance and so it will not increase erosion. (Ord. 1968-87 § 1 (7700.11), 1968)

**6.08.150 Corrals, stables and shelters—Maintenance—Unsanitary condition a nuisance.** A. Corrals shall be kept in a clean and sanitary condition. Manure shall be spread to dry, or if gathered for hauling, must be hauled away at least weekly.

B. Stable buildings shall be clean, and shall be treated, as necessary, by appropriate methods of fly and insect control to prevent flies and insects from becoming a nuisance.

C. It is declared to be a nuisance and it shall be unlawful to keep any horses on a premises in an unsanitary condition.

D. Hay shall be stored under a shelter and grains in rodent-proof containers.

E. Fences and gates must be kept in good repair at all times. Electric fences shall not be used as sole perimeter fences. (Ord. 1968-87 § 1 (7700.12), 1968)

**6.08.160 Boarding and community stables—Additional requirements.** Boarding and community stables shall, in addition to the other provisions of this chapter, conform to the following requirements:

A. Minimum parcel size shall be five acres. A separate corral or stall shall be provided for each horse.

B. A stable shall not be located closer than two hundred feet from the nearest neighboring dwelling existing at the date of issuance of the permit.

C. A stable shall not be located less than one hundred twenty-five feet from the neighboring property line or street line.

D. The minimum distance of a corral or corrals from the neighboring property line or street line shall be seventy-five feet.

E. The number of horses permitted shall be established by conditional use permit pursuant to the zoning title, but shall not exceed five horses per acre.

F. The design and plans for maintenance of boarding and community stables shall be checked by the animal regulation commission to ascertain compliance with proper horsekeeping standards.

G. The premises shall be under the full-time supervision of an attendant.

H. Hiring or renting of horses is prohibited.

I. The operator of the establishment shall have facilities for and dispose of manure in a manner that will insure that no offensive, obnoxious or unsanitary conditions will develop. (Ord. 1975-132 § 1 (part), 1975; Ord. 1968-87 § 1 (7700.13), 1968)

**6.08.170 Boarding and community stables—Conformance to fire protection regulations required.** Boarding and community stables shall conform to the fire protection standards and regulations as set forth in Sections 6.08.180 and 6.08.190 for the operation and maintenance of such stables. (Ord. 1968-87 § 1 (7700.14 (part)), 1968)

**6.08.180 Boarding and community stables—Fire protection standards.** All boarding and community stables shall meet the following fire protection standards:

A. Access roads to and from stables shall be kept in good repair and overhanging tree limbs or other obstructions shall be removed when they restrict or impair the maneuverability of fire apparatus. Roads shall be sufficiently wide to permit the entry of fire apparatus.

B. Portable fire extinguishers shall be installed in each stable at such locations as approved by the fire chief. The fire chief shall determine the number, type and size of extinguishers to be installed.

C. Brush, grass and similar combustible materials shall be removed to mineral soil for a distance of twenty feet around the exterior of the stable when in the opinion of the fire chief such material would aid in the spread of fire if not so removed.

D. Enclosed class one stables shall be required to install an approved automatic sprinkler system. Plans for such systems shall be reviewed by the fire chief prior to construction, use or installation.

E. Unenclosed class one stables shall be required to install a rapid rise in temperature fire alarm system, approved type. Plans for such systems shall be reviewed by the fire chief prior to construction, use or installation.

F. All class two stables shall be required to install a rapid rise in temperature fire alarm system, approved type. Plans for such systems shall be reviewed by the fire chief prior to construction, use or installation. This requirement may be waived when such stable is not closer than one hundred feet from an adjacent structure.

G. Where required, all rapid rise in temperature fire alarm systems shall have a code box relay station with a call box that is directly connected to the Woodside fire protection district headquarters station.

H. Plans for the construction or use of a boarding or community stable shall be reviewed by the fire chief prior to any construction or use of the facility.

I. The use of wood shingles or wood shakes on the roof or sides of a boarding or community stable shall be prohibited except where same have been treated with an approved fire retardent chemical.

J. The fire chief may require fire curtains or other separations within a stable when he deems such action to be necessary to the public safety.

K. The fire chief shall submit any and all recommendations regarding boarding and community stables to the animal regulation commission of the town.

L. Boarding and community stables shall meet as a minimum the requirements of the building and electrical code of the town.

M. Flammable liquids shall not be stored or used in a stable except where special permission has been granted by the fire chief.

N. Submersible heaters, hot plates or open flames shall not be used in a stable except where special permission has been granted by the fire chief.

O. Hay and straw shall be baled when stored in a stable. Broken bales shall be limited to those immediately in use.

P. No self-propelled vehicle shall be stored in a stable.

Q. Stables shall be kept in a neat and orderly manner with daily removal of trash, rubbish and other combustible materials.

R. Wood shavings shall not be stored in a stable, nor shall they be stored within twenty-five feet of any other structure.

S. Each stall shall be provided with an emergency lead line and halter. It shall be located near the stall exit door, in plain view, and immediately available for use. This requirement may be waived providing the horse is haltered when located within a stall.

T. Any stall containing a stallion shall be marked with a sign stating "Danger, Stallion."

U. Smoking shall not be permitted in stables. A large sign shall be posted at the stable entry stating "No Smoking, Order of Woodside Fire Protection District." (Ord. 1968-87 § 1 (7700.14(A)), 1968)

**6.08.190 Boarding and community stables—Fire protection exit requirements.** A. No stable shall have less than two approved exits.

B. When ten or more stalls are used in an enclosed stable, one additional exit shall be required for each five stalls or portion thereof. Additional exits shall be installed at such locations as approved by the fire chief.

C. Exit doors shall be kept in good repair and operating condition.

D. Exit doors for enclosed stables shall not be less than six feet in width nor less than eight feet in height. Each exit door shall have a quick opening device that can be operated from either side of the exit door.

E. Exitways shall be maintained and kept free of storage or other obstructions.

F. A metal lock shall not be used for securing an exit door to a stall or stable. (Ord. 1968-87 § 1 (7700.14 (B)), 1968)

**6.08.200 Right of entry for inspection.** A. As a condition of the issuance of any permit or of the renewal of any permit, the applicant for such permit consents to inspections by the health officer, the fire chief, the building inspector or any other duly authorized representative of the town, or his delegated personnel, and grants to such personnel the right, at all reasonable hours, to enter any property upon which a boarding or community stable, corral or pasture is maintained, for the purpose of making any or all inspections or investigations which may be deemed necessary.

B. In the case of other stables, corrals or pastures, the right to enter, unless otherwise permitted is limited to:

1. An inspection determining whether or not a new horse-keeping permit shall be issued; or

2. The annual inspection required for the renewal of a horsekeeping permit; or

3. An inspection requested by the animal regulation commission as a result of a written complaint that the stable ordinance is being violated; or

4. A second inspection following the annual inspection, and before the issuance of a citation for failure to comply, if the stable inspector has determined, during the course of the annual inspection, that the permit holder is not complying with the stable ordinance. (Ord. 1976-151 § 1, 1977; Ord. 1975-132 § 2 (part), 1975; Ord. 1968-87 § 1 (7700.15), 1968)

**6.08.210 Request for exceptions—Hearing—Appeal.** The animal regulation commission shall have the right to modify the strict application of this chapter where there are extraordinary conditions affecting the property of the applicant. In such cases the applicant shall request his hearing before the animal regulation commission and if after such public hearing the animal regulation commission finds that by following the strict letter of this chapter unreasonable restrictions, unnecessary and extraordinary hardships or damage will be imposed upon the applicant, then any of the provisions or regulations of this chapter may, upon certification that the conditions of Section 18.68.070 have been met, be modified, in harmony with the general purpose and objectives to the end that the public health, safety and welfare

may be secured. Any party aggrieved by the decision of the animal regulation commission may appeal the decision to the council by filing a written notice of appeal stating the grounds therefor with the town clerk within ten days after the decision of the animal regulation commission. The council may approve or reverse the decision of the animal regulation commission upon the record presented to it, or it may hold a hearing de novo and decide the matter as if no other hearing had been held. Adjoining property owners shall be notified by mail at least ten days prior to the meeting at which an exception is to be considered by either the animal regulation commission or the council. (Ord. 1975-132 § 2 (part), 1975; Ord. 1968-78 § 1 (7700.16), 1968)

**6.08.220 Time limit for full compliance.** Where permits are now held by persons whose horsekeeping facilities will not be in full compliance with the provisions of this chapter following April 12, 1968, such person must take steps toward achieving full compliance with the provisions of this chapter within one year of the first permit renewal date of his horsekeeping permit issued next following April 12, 1968. (Ord. 1968-87 § 1 (7700.18), 1968)

**6.08.230 Violation—Penalty.** Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding five hundred dollars or by imprisonment in the county jail, not exceeding ninety days, or by both such fine and imprisonment, and every day upon which a violation continues shall be deemed a separate offense and punishable as such. (Ord. 1968-87 § 2, 1968)