

VILLAGE OF UBLY, MICHIGAN
CHAPTER 2
ANIMALS AND FOWL
ARTICLE V- KEEPING OF CHICKENS

THE VILLAGE OF UBLY ORDAINS:

Sec. 2-61. CHICKEN HOUSING

Any "Homeowner", (this constitutes the primary property owner, no rental properties) shall be allowed to keep chickens in the Village, provided they first obtain a permit (see Sec. 2-64) from the Village prior to acquiring and housing said chickens.

Sec 2-62. RESTRICTIONS

Notwithstanding the issuance of a permit by the Village, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, neighborhood association bylaws, and covenant deeds. A permit issued to a homeowner whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

Sec. 2-63. REQUIREMENTS

A homeowner who keeps or houses chickens on their property shall comply with all the following requirements:

- a. Have been issued a permit under subsection 1 of the section.
- b. Keep no more than a total of four chickens.
- c. The principal use of the person's property is for single-family dwelling lots. Chickens may not be kept on multiple-family lots.
- d. No breeding or hatching of chickens are allowed within the Village limits.
- e. No person shall keep a rooster within the Village limits.
- f. No person shall slaughter any chickens with in the Village limits.
- g. A person shall not keep chickens in any location on the property other than in the backyard. For purpose of this section, "backyard" means that portion of a lot enclosed by the property's rear lot line and the side lot lines to the points where the side of the lot lines intersect with an imaginary line established by the rear of the single-family or two-family structure and extending to the side lot lines.
- h. The chickens shall be provided a covered enclosure and must always be kept in the covered enclosure or a fenced enclosure. Fence enclosures are subject to all provisions of the fence ordinance.
- i. No covered enclosure shall be located closer than 10 feet to any property line of an adjacent property.

- j. All enclosures for the keeping of chickens shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath or within the wall of the enclosure. A covered enclosure or fenced enclosure shall not be located closer than 30 feet to any residential structure on an adjacent property.
- k. For purpose of this section, "Adjacent Property" means all parcels of property that the applicant's property meets at one or more points, except for parcels that are legally adjacent to but are in fact separated from the applicant's property by a public or private street.
- l. In no event shall chickens be allowed in a residence, porch, or attached garage.
- m. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected to prevent rats, mice or other rodents from gaining access to or coming into contact with them. The sale of eggs shall not be permitted.
- n. Persons shall dispose of waste materials (feed, manure, and litter) in an environmentally responsible manner by bagging the materials and disposing of same in the trash. Waste materials shall not accumulate on the property, and all areas must remain in sanitary condition.
- o. At all times chickens shall be confined in a coop in the backyard of the residence with a minimum of one square foot per bird. In no event shall chickens be allowed to run free and shall only be permitted to be in an enclosed run, no larger than eight feet by eight feet, attached to the coop. Such facility shall be built to keep dogs, cats and wildlife from gaining entry.
- p. Chicken coops and enclosures must be maintained in a clean and sanitary condition at all times, including dry bedding material. Activities permitted by this section must be conducted in a manner that does not create a public nuisance such as odor, noise or the attraction of pests. Such coops or enclosures may be mobile or fixed to the ground only and shall not exceed the following dimensions- four (4) foot by four (4) foot and six (6) feet in height.
- q. No animal that kills a chicken shall for that reason alone, be considered a dangerous or aggressive animal.
- r. Only a principal property owner can submit an application for a backyard chicken permit. Each applicant consents to an initial inspection by the Village to assure that the provisions of this code have been satisfied prior to such permit being issued. In addition, each applicant consents to inspections as required by the Village for the sole purpose of assuring continued compliance with the provisions herein, the applicant shall be deemed to consent to an inspection of the property to determine if a violation herein exists.
- s. A person who has been issued a permit shall submit it for examination upon demand by any police officer or code enforcement officer.

- t. Chickens shall be kept in compliance with the Michigan Department of Agriculture Generally Accepted Agricultural and Management Practices for the Care of Farm Animals, as it relates to laying chickens, as amended, except as otherwise provided in this chapter.

Sec. 2-64. PERMIT

A permit shall be required to keep chickens in the Village of Ubly. An Application for a permit must contain the following items:

- (a) The name, phone number, and address of the applicant.
- (b) Sketch of the property containing the following information, displayed on the drawing in such a manner as to accurately represent the proposed location of the structure used to house the chickens:
 - The outline of the applicant's property
 - The location of the street(s) abutting property
 - The dimensions of the property by feet
 - The location of the dwelling
 - The proposed location of the chicken coop/enclosure and the distance in feet from its location to the dwelling unit, all property lines and neighboring dwellings.
- (c) A description of any coops, cages or outdoor enclosures, providing dimensions and the precise location (if fixed) of these enclosures in relation to property lines and adjacent properties. If applicant propose is to use a mobile coop and/or a chicken run, the dimensions of the structure(s) shall be provided and the area of requested allowed placement areas shall be provided. When coop is complete, a photo must be submitted to the Village of Ubly for reference only.
- (d) The application fee charge for the permit shall be as determined by Council Resolution and shall expire and become invalid three years after the date of issuance subject to Sec. 2-66. A homeowner who wishes to continue to keep chickens after the expiration of the permit, shall obtain a new permit on or before the expiration date of the previous permit. Applications for the renewal permit shall be pursuant to the procedures and requirements at the time the person applies for the renewal permit.
- (e) Chickens may only be kept on single-family unit lots. Chickens may not be kept on two-family or multiple-family lots.

(f) Chickens shall be kept only for non-commercial, food-product purposes.

Sec. 2-65. PENALTY

Violation of any provision of this ordinance shall be a civil infraction subject to the following fines:

- A. First Offense- Twenty-Five Dollar (\$25.00) fine.
- B. Second Offense- Fifty Dollar (\$50.00) fine.
- C. Third Offense- One-Hundred Dollar (\$100.00) fine.
- D. Fourth Offense- Revocation of permit. Permit holder and anyone in their household shall not be eligible for a new permit for five years

Sec. 2-66. RIGHT TO REPEAL

The Village Reserves the Right to Repeal this Ordinance at any time. In the event the Chicken Ordinance is repealed, all permits issued to allow chickens in the Village shall become null and void and all chickens must be removed from the Village within 10 days of the ordinance being repealed.

This ordinance shall be reviewed every 6 months for a 2-year period, at which time the President and Village Council (with recommendations from the Police Chief and Zoning Administrator) will review language and compliance. Necessary changes or even repeal may be in order at that time.

Effective Date. This ordinance shall become effective 20 days after publication in a newspaper of general circulation within the Village of Ubyly.