

ORDINANCE NO. _____
VILLAGE OF ROTHBURY
COUNTY OF OCEANA
STATE OF MICHIGAN

AN ORDINANCE TO AMEND SECTION 94.02 ENTITLED “KEEPING OF DOMESTIC PETS; DEFINITIONS” OF THE VILLAGE OF ROTHBURY CODE OF ORDINANCES.

THE VILLAGE OF ROTHBURY ORDAINS:

1. That Section 94.02 be amended to add Subsection (A)(1)(a)-(d), which shall read as follows:

Sec. 94.02(A)(1)

Keeping of Female Chickens:

- (a) Any person who keeps female chickens in the Village of Rothbury shall obtain a permit from the Village prior to acquiring the female chickens. Application must be made by the property owner and shall be made to the Village Clerk and the fee from the permit shall be as determined by Council resolution.

Permits expire and become invalid two (2) years after the date of issuance. A person who wished to continue keeping female chickens shall have obtained a new permit on or before the expiration date of the previous permit. Application for a new permit shall be pursuant to the procedures and requirements that are applicable at the time the person applies for a new permit.

- (b) 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 restriction, condominium master deed restrictions, neighborhood association by -laws and covenant deeds. A permit issued to a person whose property is subject to interpretation and enforcement of a private restriction is the sole responsibility of the private parties involved.
- (c) A person who keeps or houses female chickens on his or her property shall comply with all the following requirements:

1. Have been issued the permit required under subsection (a) of this section.
2. If the lot is less than one acre, keep no more than five (5) female chickens. If the lot is larger than one acre, keep no more than seven (7) female chickens.
3. The principal use of the person's property is for a single-family dwelling or a two-family dwelling.
4. No person shall keep any rooster.
5. No person shall slaughter any female chickens on their property.
6. The female chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times. The fenced enclosure shall be no larger than eleven (11) square feet per female chicken in area. The coop and enclosure shall be constructed in such a manner as to prevent access by dogs, cats, and wildlife.
7. No covered enclosure or fenced enclosure shall be located closer than ten (10) feet to any property line of an adjacent property.
8. A covered enclosure or fenced enclosure shall not be located closer than 20 feet to any residential structure on an adjacent property.
9. All feed and other items associated with the keeping of female chickens that are likely to attract or to become infested shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.
10. All enclosures for the keeping of female chickens shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure.

11. Female chickens waste shall be removed in an environmentally responsible manner. Waste can be composted or bagged and removed. Dead female chickens shall be immediately removed and disposed of properly. Piling waste on the property is not allowed.

(d) A person who has been issued a permit shall submit it for examination upon demand by any Public Safety Officer or Code Enforcement Officer.

Carol Witzke, Village Clerk

Adopted: March 12, 2019
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