

19.05 - KEEPING OF CHICKENS

- 1) APPLICATION TO ZONING CODE. This section shall only apply to properties zoned as Residential Districts.
- 2) NUMBER OF CHICKENS OWNED. Residents may own, keep or harbor up to six chickens subject to the provisions of this Code.
- 3) LICENSE REQUIREMENT.
 - a) Any person who owns, keeps or harbors chickens in the Village shall obtain an annual license prior to January 1 of each year, or within 30 days of acquiring the chickens. The term year of a license commences on January 1 and ends the following December 31. Residents deciding to own, keep or harbor chickens for successive years must obtain a new license for each term year they own, keep or harbor such chickens.
 - b) In the event a complaint has been filed with the Village before renewal of said license within the calendar year prior to renewal and in order to have license approval by a simple majority of those present and voting, applicants must receive written approval from not less than 50 percent of the owner-occupied neighboring property owners whose property is within 100 feet of the applicant's property lines exclusive of street right-of-way prior to approval of said license by the Village Board. If said written approval is not obtained, then the license can only be approved by the Village Board by a majority vote of the entire council. If no complaint has been received, the license application shall be sent to the Judiciary and Administration Committee only for consideration.
 - c) Applications shall be made to the Village Clerk and the fee for the license shall be set by the Village Board on an annual basis.

- d) The Village Treasurer or other authorized individual shall collect the fee and shall assess and collect a late fee in the amount established by resolution from every owner of chickens, if the owner fails to obtain a license prior to April 1 of each year, or fails to obtain a license within 30 days of acquiring the chickens. All late fees received or collected shall be paid into the local Treasury.
 - e) No person shall own, keep or harbor any chickens, or build, erect or maintain and use any chicken coop, house, yard or other building or structure to keep or harbor chickens anywhere within the Village without obtaining a license as required by this section.
 - f) The Village and its officers may revoke a license if there are three or more violations within any consecutive 12 month period of this or any other section of this Code. g. All applicants must notify the owner or operator of the property if the applicant is not the owner or operator. Additionally, all applicants must notify the other occupant of a two-family dwelling if the occupant is not the owner. Notification is not required for renewal of a permit.
- 4) USE CONDITIONS. Any owner, occupier, or user of property within the Village who chooses to own, keep or harbor chickens and any chicken coop permitted under this section shall be limited to the following conditions:
- a) One property is limited to the keeping or harboring of up to six chickens.
 - b) A person may only own, keep or harbor chickens on property being used as a one-family dwelling or two-family dwelling as defined in the Village Zoning Code.

- c) No person shall keep any rooster.
- d) No person shall slaughter any chickens on any residential property. Any chickens to be slaughtered must be brought to a farm or licensed processing facility.
- e) The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure within the backyard of the property at all times.
- f) No enclosure shall be located closer than 25 feet to any residential structure on an adjacent lot.

5) PUBLIC HEALTH AND SAFETY CONCERNS.

- a) No person shall keep any chicken or other fowl within the Village in any unsanitary condition or within such proximity of dwelling houses or in any manner so as to be a nuisance.
- b) All chicken coops, yards and other buildings shall be kept in a clean, sanitary condition and free from all objectionable odors and shall be subject to the inspection and approval of the Village and the Wood County Public Health Department or their agents.
- c) The Wood County Public Health Department, Village and their agents shall have jurisdiction to inspect the premises upon which chickens are kept and ascertain and determine whether the conditions are unsanitary or if for any reason a nuisance is caused thereby. d. A complaint against any person owning, keeping or harboring chickens in accordance with this section may be filed with the Village or the Wood County Department of Public Health. If filed with the Village, the Village shall then be required to forward the complaint to the Wood County

Department of Public Health. If the Wood County Public Health Department, the Village or their agents determines that conditions are unsanitary, or if for any reason a nuisance exists, they shall have authority to order the owner or occupant of the premises to abate the nuisance and it shall thereupon be unlawful to keep such chickens on the premises. e. If an investigation from the Village reveals that the use of chickens is in violation of this section or any other section of this Code the Village shall have authority to require the owner or user of the property to fix, abate, or alleviate the problem. If the problem is not satisfactorily abated or alleviated the Village shall have authority to revoke the license.

- 6) BIRD NOISE. In accordance with this section, it shall be unlawful for any person, firm, corporation, or other entity operating, having charge of, or occupying any building to own, keep, harbor or allow to be kept any chicken which shall habitually by any noise disturb the peace and quiet of any person in the vicinity thereof.
- 7) RAT HARBORAGE. All chicken yards, coops, pens or houses shall be constructed or repaired as to prevent rats from being harbored underneath the same or within the walls thereof, and all food products or other products, goods or wares likely to attract or to become infested with or infected by rats shall be protected as to prevent rats from gaining access thereto or coming in contact therewith.