

Richfield Township Ordinance 62

Pursuant to Section 1608 – changes and Amendments of Zoning Ordinance NO 41, amendment to Section 1317 – Livestock and Domestic Animals

Keeping of non-commercial backyard chickens.

The following provisions shall apply to the R-1 Single Family Residential District and R-2 Single Family/Two Family Residential District.

(1) Any person who keeps chickens in the Township of Richfield shall obtain a permit from the Township prior to acquiring the chickens. Application shall be made to the township and the fee for the permit shall be as determined by township resolution. Permits expire and become invalid 5 years after the date of issuance. A person who wishes to continue keeping 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.

(2) Notwithstanding the issuance of a permit by the Township, 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 by-laws, and covenant deeds. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

(3) A person who keeps or houses chickens on his or her property shall comply with all of the following requirements:

- a. Have been issued the permit required under subsection (1) of this section.
- b. Keep no more than ten (10) chickens.
- c. The principal use of the person's property is for a single-family dwelling or two-family dwelling.
- d. No person shall keep any rooster.
- e. No person shall keep chickens for any commercial use or engage in any commercial use related from the keeping of chickens.
- f. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times. Proper housing for chickens in relation to the harsh winter weather must be provided.
- g. A person shall not keep chickens in any location on the property other than in the

backyard. For purposes 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 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. A person shall not keep chickens in any location on the property within 50 (fifty) of any lake, pond, well, spring, stream, drainage ditch or drain.

i. No covered enclosure or fenced enclosure shall be located closer than thirty (30) feet to any property line of an adjacent property. For purposes of this section, adjacent property means all parcels of property that the applicant's property comes into contact with at 1 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.

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, within, or within the walls of the enclosure.

k. 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 so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them. The property shall be kept in a sanitary condition, free of offensive odors.

(4) If the above requirements are not complied with, the Township may revoke any permit granted under this section and/or initiate prosecution for a civil infraction violation.

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

Enacted at a regular meeting of Richfield Township Board held on the 19th day of July, 2016.

James VanWormer, Supervisor

Pamela Scott, Clerk