

CITY OF ALBION
ORDINANCE #2013-04

AN ORDINANCE TO AMEND SECTION 14-1 SUBSECTION A

Purpose and Finding:

Chapter 14 regulates Animals. Currently 14-1 prohibits non-domestic female chickens in non-agricultural areas. There is a growing public interest in wanting female chickens in residential areas on a limited basis. Gaining public interest warrants review of the ordinance. Several cities, like Ann Arbor, have an ordinance that allows female chickens in residential areas.

THE CITY OF ALBION ORDAINS:

Sec. 14-1. Location Restrictions.

(a) Keeping of animals. No livestock, animals or fowl, other than customary household pets, may be housed in any residential district within 100 feet of any residential property except as provided in Section 14-1(a)(1-4).

(b) Keeping of Female Chickens.

(1) Any person who keeps female chickens in the City of Albion shall obtain a permit from the City prior to acquiring the female chickens. Application must be made by the property owner and shall be made to the City Clerk and the fee for 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 wishes 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.

(2) Notwithstanding the issuance of a permit by the City, 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 private restrictions that prohibit the keeping of female chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

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

adjacent landowners that there is no objection to the issuance of the permit.

- j. 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.
- k. If the above requirements are not complied with, the City may revoke any permit granted under this section and/or initiate prosecution for a civil infraction violation.
- l. Female chickens shall be kept humanely.
- m. 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.

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

This Ordinance shall take effect after publication in a newspaper of general circulation in the City of Albion and on August 22, 2013.

First Reading: August 5, 2013

Second Reading & Adoption: August 19, 2013

Ayes 4

Ayes 5

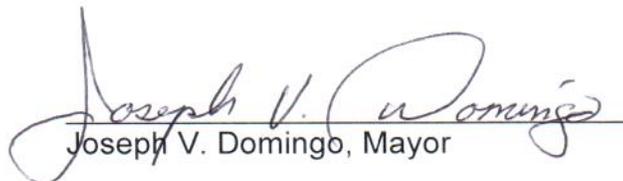
Nays 2 (Reid, Krause)

Nays 2 (Reid, Krause)

Absent 1

Absent 0


Jill Domingo, City Clerk


Joseph V. Domingo, Mayor