

ORD. 290-15

Enacting new Toledo Municipal Code Section 1705.11 regulating the keeping of chickens.

SUMMARY & BACKGROUND:

This ordinance will govern the keeping of chickens within the city limits and is designed to limit nuisances and prevent conditions that are unsanitary or unsafe. NOW, THEREFORE,

Be it ordained by the Council of the City of Toledo:

SECTION 1. That Toledo Municipal Code Section 1705.11 is enacted as follows:

1705.11. Keeping of Chickens. No person shall keep chickens unless the following conditions are met:

(a) **Number.** No more than six (6) hens shall be allowed for each single-family dwelling.

(b) **Setbacks.** Coops or cages housing chickens shall be kept at least twenty-five (25) feet from the door or window of any dwelling or occupied structure other than the owner's dwelling. Coops and cages shall not be located within five (5) feet of a side-yard lot line, nor within eighteen inches of a rear-yard lot line. Coops and cages shall not be located in the front yard.

(c) **Enclosure.** Hens shall be provided with a covered, predator-proof coop or cage that is well-ventilated and designed to be easily accessed for cleaning. The coop shall allow at least one square foot per hen. Hens shall have access to an outdoor enclosure that is adequately fenced to contain the birds on the property.

(d) **Sanitation.** The coop and outdoor enclosure must be kept in a sanitary condition and free from offensive odors. The coop and outdoor enclosure must be cleaned on a regular basis to prevent accumulation of waste.

(e) **Slaughtering.** There shall be no outdoor slaughtering in the line of vision of any neighboring properties.

(f) **Roosters.** It is unlawful for any person to keep roosters.

(g) **Permit.** A permit shall not be required if the above conditions are met. If a person wishes to keep chickens in any manner that does not comply with this section, a permit will be required. An application for a permit must contain a thorough explanation of why a variance from these conditions is necessary. Such application will be filed with the Toledo-Lucas County Health Department which shall make a determination of whether to issue such permit and under such terms and conditions as are necessary to minimize any

negative impacts on neighboring properties. Permits will be granted on an annual basis. If the city receives no complaints regarding the permit holder's keeping of chickens, the permit will be presumptively renewed and the applicant may continue to keep chickens under the terms and conditions of the original permit. The Health Department may revoke the permit at any time if the permit holder does not follow the terms of the permit, if the Health Department receives substantiated complaints regarding the permit holder's keeping of chickens, or the Health Department finds that the permit holder has not maintained the chicken coops or outdoor enclosures in a clean and sanitary condition.

SECTION 2: That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: June 9, 2015; yeas 11, nays 1.

Attest:

Gerald E. Dendinger
Clerk of Council

Steven C. Steel
President of Council

Approved:

June 16, 2015
Paula Hicks-Hudson
Mayor