



# City of Toledo Chicken Permit Procedure

<b>Original Effective Date:</b> August 3, 2017	<b>Review / Revision Date:</b>	<b>Environmental Health Procedure:</b> 2017.08.037
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**Maintenance Steward:** Environmental Health Supervisor in Charge of the Generalist Programs      History:  New    Revised    Archived

**Organizational Scope:**  
 Full Agency    Administration    Community Services    Environmental Health    Health Services

**Frequency of Review:**  
 Annually    Biennially    5 Years    As Needed    Other:

**Location:**  
*G-Drive:* G: → Users → Common → Policies & Procedures  
*Website:* [www.lucascountyhealth.com/employee-login/](http://www.lucascountyhealth.com/employee-login/)  
*Hardcopy:* Environmental Health Supervisor's Office  
*Archived Version(s):*

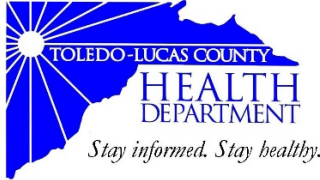
**Requisite Signatures**

  
 \_\_\_\_\_  
 Health Commissioner

  
 \_\_\_\_\_  
 Director of Environmental Health & Community Services

08-07-17  
 Date

8-4-2017  
 Date



## City of Toledo Chicken Permit Procedure

### I. Scope

This procedure applies to all generalist sanitarians in the Environmental Health Division of the Toledo-Lucas County Health Department (TLCHD).

### II. Purpose

The purpose of this procedure is to provide generalist sanitarians with an understanding of the expectations and processes that are required to grant a chicken permit to a resident of the City of Toledo.

### III. Background

Chicken permits are regulated and issued by the Toledo-Lucas County Health Department (TLCHD) under Toledo Municipal Code (TMC) section 1705.11. If all requirements are met per the standards of section 1705.11 a-f, no chicken permit is required from this department. If any or all of the requirements are not met per the standards of section 1705.11 a-f, a chicken permit must be obtained from this department.

### IV. Provisions/Procedures

#### A. Permit Application

1. Residents of the City of Toledo can receive a "Permit Application for Keeping of Chickens" and informational handout from the Environmental Health Desk at TLCHD or on the TLCHD website Environmental Health Housing page.
2. Residents must submit the permit application to this department with all requested information.

#### B. Application Review

1. Upon receipt of a permit application, a sanitarian will review the permit application within 30 days.
2. If all of the necessary information and requirements are outlined on the application, a sanitarian will contact the resident to schedule an onsite inspection.

3. If any or all of the necessary information and requirements are not present on the application, a sanitarian may contact the resident to request they resubmit the application or provide any missing information.
  - a. In the event that the property is unable to meet the standards set forth in section 1705.11 the resident will be notified of a denial for permit.

### **C. Pre-Permit Inspection**

1. An onsite inspection shall be conducted at the property to review that all conditions are met per the regulations where chickens are being maintained.
  - a. Inspection shall verify that:
    - i. All information on the permit application is correct.
    - ii. Chicken coop is covered, predator-proof, well-ventilated, easily cleanable and allows for one square foot per chicken.
    - iii. Enclosure is adequately fenced.
    - iv. No rodent nuisances are present.
    - v. Food and water is properly maintained to prevent attraction of pests and rodents.
    - vi. Premises are maintained nuisance free.

### **D. Permit Review**

1. Inspection report shall be documented on "Inspection Form Toledo Municipal Code Section 1705.11 – Keeping of Chickens".
2. Review permit application, inspection report, and any applicable photos for final approval.
3. If final approval is granted, resident will be given an application and assessed a \$30 permit fee. Permit and copies of approval paperwork will be mailed to the resident.
4. If final approval is denied, a disapproval letter will be mailed to the resident outlining the deficiencies.
  - a. Applicant may reapply once all necessary corrections have been made.

- b. If applicant reapplies, begin process at application review stage, following procedure until final approval is granted.
5. The original application, final approval paperwork, and all inspection reports shall be maintained in the file for the property address.
6. Update appropriate Excel inspection tracking sheet on the G: Drive.

#### **E. Complaint Inspection**

1. Conduct a complaint inspection once an official HealthSpace complaint is received.
2. A complaint inspection shall focus on the highlighted issue(s) on the official HealthSpace complaint.
3. Record all violations and/or observations on "Inspection Form Toledo Municipal Code Section 1705.11 – Keeping of Chickens".
4. Review all violations and/or observations with permit holder and provide copy of inspection report.
  - a. A Notice of Violation may be issued if deemed necessary by the sanitarian in order to achieve compliance.
  - b. If a Notice of Violation is issued, a re-inspection must be conducted to verify compliance.
  - c. If compliance has been met, then this information is entered into Healthspace as complied and this complaint is now finished.
  - d. If compliance has not been met, the sanitarian may:
    - i. Type an affidavit to file the property owner or tenant in court.
    - ii. Issue a summons to the property owner or tenant to appear before the Supervisor.
    - iii. Grant an extension if sanitarian believes more time is needed to bring property into compliance.
    - iv. Order the chickens to be removed from the property and rescind the permit.
5. Place copy of inspection report in appropriate property address file.

6. Update appropriate Excel sheet on the G: drive.
7. Update official HealthSpace complaint and place copy of complaint in property address file.

**F. Court Procedures- City of Toledo**

1. If property is not in compliance and the sanitarian deems the property is ready to be filed in court, an affidavit with the listed owner, tenant, or third party must be typed in the NORUS system.
  - a. An affidavit is used to take legal action through the Toledo Municipal Court.
  - b. In order to file a property in court, an identifier (SS#, birthdate, or RID #) of the person being taken to court is necessary.
  - c. If a third party (company, bank, mortgage company) is being taken to court, an identifier is not necessary.
2. Once the affidavit is typed up, the property is now ready to be filed in Toledo Municipal Court. This needs to be done at the Toledo Clerk of Courts office and the affidavit needs to be signed in front of the clerk who then files the paperwork.
3. Once the affidavit has been filed by the Toledo Clerk of Courts, this department receives a court docket with all the names and court dates and times of properties filed.
4. When this department receives the court docket with the list of court cases coming up, those properties need to be re-inspected to determine compliance with pictures and a report needs to be written for the judge regarding the status of the complaint. All reports and documents are forwarded to the prosecutor on the day of the court session.
5. If a defendant pleads not guilty and a pre-trial hearing or trial date has been set, the sanitarian needs to be present in court to provide any testimony that the prosecutor may need to present their case in front of the judge. A report with pictures of the property is also needed in these instances.
6. Any information about court cases and proceedings should be entered into Healthspace under the original complaint.

## V. Maintenance

### A. Review

1. The *City of Toledo Chicken Permit* standard operating procedure is to be reviewed every five years or when the City of Toledo updates section 1705.11 of the Toledo Municipal Code (TMC) to ensure compliance with both agency and accreditation standards.

### B. Revision

1. All changes made to this SOP are to be noted on the **Record of Change**. Substantial changes will require renewed signatures from all applicable parties. This includes changes to the intent, scope, procedures, or policy statement.
2. Changes in style, format, grammar or minor error correction will not require renewed signatures but must be indicated on the Record of Change.

## VI. Glossary

- A. **Licensing Year**: September 1 – August 31

