

**SECTION 115 – REGULATION OF AGRICULTURE**

**115.08 - REGULATION OF CHICKENS, DUCKS AND RABBITS**

**115.082– Purpose and Intent**

- a) Pursuant to Ohio Revised Code Section 303.21, SECTION 115.08 – REGULATION OF CHICKENS, DUCKS AND RABBITS applies to lots that meet all of the following:
  - 1) Lot meets the criteria outlined in SECTION 110.011(b)
  - 2) Lot is located in a residential zoning district as identified in SECTION 2.00 –THE RESIDENTIAL DISTRICTS and SECTION 3.00 – THE PLANNED RESIDENTIAL DISTRICTS
  - 3) Lot is used primarily for one-family dwelling purposes
- b) The purpose of this section is to establish certain requirements for the keeping of chickens, ducks and rabbits on lots smaller than 5 acres, which are intended to prevent nuisances to occupants of nearby properties and prevent unsanitary or unsafe conditions.
- c) The following findings are hereby made in relation to chickens, ducks and rabbits:
  - 1) Keeping chickens, ducks and rabbits provides access to fresh, healthful food products.
  - 2) Keeping chickens, ducks and rabbits is a productive and sustainable use of land.
  - 3) Chickens, ducks and rabbits can be kept on lots smaller than 5 acres without causing a nuisance if appropriate practices and limits are observed.

**115.084 - Establishment and Applicability** – No person shall engage in the keeping of chickens, ducks or rabbits without a certificate of zoning compliance that specifically identifies such use in compliance with the requirements of SECTION 115.08 – REGULATION OF CHICKENS, DUCKS AND RABBITS.

**115.086- Numbers and Types of Animals**

- a) **Prohibited poultry** – No person shall keep any roosters, geese, peafowl, or turkeys on lots smaller than 5 acres.
- b) **Allowed densities for chickens and ducks** – It shall be unlawful to keep more than the following number of chickens and ducks of any age, based upon the size of the parcel on which the chickens and ducks are to be kept:
  - 1) Smaller than 0.125 acres – 0 chickens or ducks
  - 2) 0.125 acres to less than 0.25 acres – 2 chickens or ducks, or combination thereof
  - 3) 0.25 acres to less than 0.5 acres – 4 chickens or ducks, or combination thereof
  - 4) 0.5 acres to less than 1 acre – 6 chickens or ducks, or combination thereof
  - 5) 1 acre to 5 acres – 8 chickens or ducks, or combination thereof
- c) **Allowed densities for rabbits** – It shall be unlawful to keep more than the following number of rabbits, based upon the size of the parcel on which the rabbits are to be kept:
  - 1) Smaller than 0.125 acres – 0 rabbits
  - 2) 0.125 acres to less than 0.25 acres – 4 adult rabbits
  - 3) 0.25 acres to less than 0.5 acres – 8 adult rabbits

- 4) 0.5 acres to less than 1 acre – 12 adult rabbits
  - 5) 1 acre to 5 acres – 16 adult rabbits
- d) **Allowed densities for keeping both poultry and rabbits** – When both poultry and rabbits are kept on a parcel under 5 acres, the formula for determining the allowed numbers of animals shall be as follows: Each one (1) chicken or duck shall count as two (2) points. Each one (1) rabbit shall count as one (1) point. For example, two chickens would equal 4 points, while two rabbits would equal only 2 points. It shall be unlawful to keep more animals than the point system allows, based upon the equation above and the size of the parcel on which the animals are to be kept:
- 1) Smaller than 0.125 acres – 0 points
  - 2) 0.125 acres to less than 0.25 acres – 4 points maximum
  - 3) 0.25 acres to less than 0.5 acres – 8 points maximum
  - 4) 0.5 acres to less than 1 acre – 12 points maximum
  - 5) 1 acre to 5 acres – 16 points maximum

### 115.088 - Development Standards

- a) **Yards and Location on Lot** – Any sheltering structure used for keeping chickens, ducks or rabbits shall comply with the following yard and setback requirements:
- 1) Be located on a property containing a principal structure
  - 2) Be located in a side or rear yard
  - 3) Be located at least 10 feet from any property line
- b) **Sheltering Structures** – All chickens, ducks and rabbits shall be kept in an enclosure or fenced area at all times.
- 1) All chickens, ducks and rabbits shall be provided with a covered, predator-proof enclosure, which shall be kept in sound and usable conditions. Enclosures shall be thoroughly ventilated, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the animals.
  - 2) If the total area of sheltering structure does not exceed 65 square feet or if the sheltering structure does not otherwise meet the definition of a building, the structure shall not be considered an accessory building
  - 3) There shall be no more than one (1) sheltering structure 65 square feet or smaller in size
  - 4) If the sheltering structure exceeds 65 square feet and meets the definition of a building such structure shall be considered an accessory building and must comply with the standards of SECTION 512 – ACCESSORY BUILDINGS and the setback requirements of Section 115.088(a)
- c) **Outdoor Areas**- Any outdoor areas accessible to chickens, ducks or rabbits shall be adequately fenced or otherwise bounded to contain the animals on the property.
- d) **Fencing** – Any fence used to contain birds shall be 6 feet in height, 100% opaque, and made of wood or other similar opaque fencing material.
- e) **Feed Storage** – All feed shall be stored in rat-proof containers.
- f) **Manure** – Manure from chickens, ducks and rabbits must be bagged, placed in a waterproof container, and disposed of with household garbage or composted on site. If composted onsite, the

manure must be kept in a container specifically manufactured for composting. Such container must be located a minimum of 10 feet from property lines and in a side or rear yard.

#### **115.0810 – Animal Products and Processing**

- a) **Sale of Animal Products** – The sale of animal products including but not limited to meat, eggs, and fur shall be prohibited unless in conformance with Section 110.011(b).
- b) **Slaughter** - Chickens, ducks and rabbits may be slaughtered on site only inside an accessory structure or otherwise out of public view.

#### **115.0812 – Certificate of Zoning Compliance Required**

- a) **Information required** – In addition to the requirements of Section 705.022, applicants seeking to engage in keeping chickens, ducks or rabbits must provide the following on the site plan or in accompanying documentation in conjunction with an application for a zoning certificate:
  - 1) A description of the species, breed, and number of animals to be kept
  - 2) Coop or shelter type
  - 3) Location of coop or shelter with all setbacks from property lines indicated
  - 4) Location and manner of fencing of runs
  - 5) Feed storage container location and type
  - 6) Location, method, and schedule of manure storage and disposal
  - 7) Any other relevant information related to keeping the animals, if requested by the Administrative Officer
- b) **Operation** – The person or persons that keep the chickens, ducks or rabbits shall be the person or persons who own or otherwise have the present right of possession and control of the parcel upon which coops or shelters are situated.
- c) **Conditions** - Notwithstanding compliance with the various requirements of this section, chickens, ducks and rabbits shall not be kept in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others. Chickens, ducks and rabbits shall be kept only in conditions that limit odors and noise and the attraction of insects and rodents so as not to cause a nuisance to occupants of nearby buildings or properties and not to cause health hazards.

### **SECTION 720 – DEFINITIONS**

**Sheltering Structure** - a structure, not necessarily attached to the ground, with a top and sides and designed to provide shelter and protection for small animals or birds.

**Enclosure** -a set of walls or fences designed to confine animals or birds to a space that is large enough to permit the animals and birds to roam relatively freely in an open yard area.

**Adult Rabbit** – any of several soft-furred, long-eared, mammals of the family Leporidae having a divided upper lip and long hind legs. “Adult” refers to the capability to produce offspring.

**Rat-proof container** – a container which, by design, will prevent rodents or other animals from accessing its contents.