

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- or two-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 0.5 acres – 4 chickens or ducks, or combination thereof
 - 2) 0.5 acres to less than 1.0 acres – 8 chickens or ducks, or combination thereof
 - 3) 1.0 acres to 5.0 acres – 16 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 0.5 acres – 4 adult rabbits
 - 2) 0.5 acres to less than 1.0 acres – 8 adult rabbits
 - 3) 1.0 acres to 5.0 acres – 16 adult rabbits

- d) **Allowed densities for keeping any combination of chickens, ducks, and rabbits** – When both poultry and rabbits are kept on a parcel smaller than 5 acres, the method for determining the allowed numbers of animals shall be as follows: each one (1) chicken, duck or rabbit shall count as one (1) point. It shall be unlawful to keep more animals than the point system below allows:
- 1) Smaller than 0.5 acres – 4 points maximum
 - 2) 0.5 acres to less than 1.0 acres – 8 points maximum
 - 3) 1.0 acres to 5.0 acres – 16 points maximum

115.088 - Development Standards

- a) **Yards and Location on Lot** – Any sheltering structure and outdoor areas 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 and Outdoor Areas** – All chickens, ducks and rabbits shall be kept in a sheltering structure or fenced outdoor area at all times.
- 1) All chickens, ducks and rabbits shall be provided with a covered, predator-proof sheltering structure, which shall be kept in sound and usable conditions. Sheltering structures 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 requirements of SECTION 512 – ACCESSORY BUILDINGS and the setback requirements of Section 115.088(a).
 - 5) Any outdoor areas accessible to chickens, ducks, or rabbits shall be adequately fenced or otherwise bounded to contain the animals on the property.
- c) **Screening** – Properties smaller than 1 acre must screen sheltering structures and outdoor areas used by chickens, ducks, or rabbits, from adjacent properties and from the public right-of-way. Fences used for screening shall be 6 feet in height, 100% opaque, and made of wood or other similar opaque fencing material that complies with SECTION 501.024 – Fence Materials.
- d) **Feed Storage** – All feed shall be stored in rodent-proof containers.
- e) **Manure** – Manure from chickens, ducks and rabbits must be disposed of in one of the following manners:
- 1) Household trash collection
 - a. Manure must be bagged, placed in a waterproof container and disposed of with household trash.
 - 2) Composted and applied onsite
 - a. Manure must be kept in a rodent-proof container designed to limit odors.
 - b. Containers must be located in a side or rear yard a minimum of 10 feet from property lines.
 - c. Finished compost may be applied onsite.

- 3) Directly applied onsite
 - a. Manure applied directly onsite must be done in such a way as to prevent nuisance and polluted stormwater runoff.

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) **Slaughtering and Butchering** - Chickens, ducks and rabbits may be slaughtered and butchered onsite only inside an accessory structure or otherwise out of public view. All waste must be bagged and disposed of with household trash to prevent nuisance and health hazards.

115.0812 – Certificate of Zoning Compliance Required

- a) **Information required** –Applicants seeking to engage in keeping chickens, ducks or rabbits must apply for and receive a certificate of zoning compliance. If the applicant is someone other than the property owner, the application must include a notarized statement of support, signed by the property owner. In addition to the requirements of SECTION 705.022 – Application for Certificates, the following information must be included on the site plan or in accompanying documentation:
 - 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. If using a portable coop or shelter, indicate the yard area in which the coop or shelter will be kept.
 - 4) Location and manner of containment of outdoor areas with all setbacks from property lines indicated. If using a portable containment system, indicate the yard area in which the system will be kept.
 - 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 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. It is the responsibility of the person keeping chickens, ducks or rabbits to be aware of and abide by all applicable local, state or federal requirements including but not limited to the Ohio Department of Agriculture’s Ohio Livestock Care Standards.

SECTION 720 – DEFINITIONS

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

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.

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