

Introduced by the Law Enforcement and Finance Committees of the:

INGHAM COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO ADOPT AN ORDINANCE AMENDING THE INGHAM COUNTY ANIMAL CONTROL ORDINANCE TO PERMIT KEEPING CHICKENS IN NON-AGRICULTURAL AREAS

RESOLUTION #09-345

WHEREAS, the Ingham County Animal Control Ordinance was adopted by the Board of Commissioners on September 18, 1972, and has subsequently been amended; and

WHEREAS, under the Ordinance, as amended, livestock and poultry are generally prohibited from non-agricultural areas within the County; and

WHEREAS, some local jurisdictions permit the keeping of a limited number of chickens on residential land in urban areas.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners shall adopt the Ordinance Amending the Ingham County Animal Control Ordinance, attached and incorporated by reference as Exhibit 1 to this Resolution, expressly permitting the keeping of up to five hens on one- or two-family residential properties, under certain conditions, unless otherwise prohibited or regulated by local ordinances or private land use restrictions.

BE IT FURTHER RESOLVED, that an updated version of the Ingham County Animal Control Ordinance, as amended, will be compiled and published in hard copy and on the County's internet website.

BE IT FURTHER RESOLVED, that the amended Ordinance shall take effect when notice of its adoption is published in a newspaper of general circulation in the County.

LAW ENFORCEMENT: Yeas: Schor, Holman, Celentino, Copedge, Bupp, Schafer

Nays: None **Absent:** None **Approved 10/1/09**

FINANCE: Yeas: Grebner, Nolan, Bahar-Cook, Dougan

Nays: None **Absent:** Davis, Tennis **Approved 10/7/09**

INGHAM COUNTY BOARD OF COMMISSIONERS

**ORDINANCE AMENDING THE INGHAM COUNTY ANIMAL CONTROL
ORDINANCE TO PERMIT KEEPING CHICKENS IN NON-AGRICULTURAL
AREAS**

ORDINANCE NO. _____

An Ordinance to amend the Ingham County Animal Control Ordinance to permit the keeping of chickens in non-agricultural areas of the County.

**THE PEOPLE OF THE COUNTY OF INGHAM, MICHIGAN, DO
ORDAIN:**

Section 1. Purpose and Authority. Deeming it advisable in the interest of the citizens of Ingham County, as authorized by Act 339 of 1919, as amended, being Section 287.261 *et seq.*, of the Michigan Compiled Laws, the County of Ingham, Michigan, adopts this Ordinance amending the Ingham County Animal Control Ordinance.

Section 2. Amendment. Article VIII of the Ingham County Animal Control Ordinance, entitled Prohibition of Livestock or Poultry in Non-Agricultural Areas, is amended to read as follows:

- (a) No livestock or poultry shall be owned, kept, possessed, harbored or kept charge of within the boundaries or any non-agricultural area within Ingham County except as such places are provided for shipping said livestock or poultry.
- (b) Notwithstanding paragraph (a), and unless expressly prohibited or regulated by a city, village or township ordinance, or private property restriction, chickens may be owned, kept, possessed, harbored, and kept charge of within the boundaries of any non-agricultural area within Ingham County, under the following conditions:
 - (i) No more than five (5) hens may be kept on any one- or two-family residential property, and no roosters shall be allowed;
 - (ii) Chickens must be kept in an enclosure so constructed or repaired as to keep the chickens confined on the owner's property, and to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure;

- (iii) A covered enclosure or fenced enclosure shall not be located closer than 10 feet from the property line of any adjacent property, nor closer than 40 feet from any residential structure on an adjacent property, unless the adjacent property owner consents in writing;
- (iv) All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents, shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.
- (v) No person shall slaughter any chickens.

Section 3. Repeal. All ordinances or parts of ordinances inconsistent herewith are hereby repealed

Section 4. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 5. Effective Date. This Ordinance Amending the Ingham County Animal Control Ordinance shall take effect when notice of its adoption is published in a newspaper of general circulation in the County.

I, Mike Bryanton, Ingham County Clerk, certify that this Ordinance was adopted by the Ingham County Board of Commissioners and published in a newspaper of general circulation in the County on _____.

Mike Bryanton, Ingham County Clerk

Ingham County Board of Commissioners

Debbie De Leon, Chairperson