

§154.16.14 KEEPING OF CHICKENS IN RESIDENTIAL DISTRICTS.

The keeping of chickens (*Gallus gallus domesticus*) is permitted in the City of West Carrollton in the Agricultural District, pursuant to section 154.10.013 of the City of West Carrollton Code of Ordinances, and in single-family residential districts subject to compliance with the following requirements:

(A) General Regulations.

- (1) *Districts.* Chickens may be kept on single-family residential properties in the City of West Carrollton in the following zoning districts:
 - a. RE Residential Estate District
 - b. R-1 Single-Family Residential District
 - c. R-2 Single-Family Residential District

Chickens shall not be permitted on two-family or multi-family residentially zoned properties.

- (2) *Maximum number of chickens.* Each household may keep up to six (6) chickens on a single-family residential property in the city at any one time. There is no restriction on chicken breeds. Ducks, turkeys, geese, peafowl, or any other poultry or fowl are not permitted.
- (3) *Roosters.* Male chickens (roosters) shall not be permitted to be housed or kept on any residentially zoned property within the city.
- (4) *Processing of chickens.* Chickens shall not be permitted to be slaughtered on any residential property in the city.
- (5) *Sales prohibited.* Eggs, chicks, adult chickens, processed chickens, chicken manure, and compost using chicken manure shall not be sold or otherwise distributed from any single-family residential property.
- (6) *Chicken habitat (coop and pen/run) requirements.* Chickens shall be kept outdoors in a covered coop and pen/run. The habitat shall meet the following standards:
 - a. Coop.
 - i. The coop shall be constructed of solid wood, composite or vinyl material and be maintained in good repair, and shall be designed to be easily accessed, cleaned, and maintained.
 - ii. The coop shall be enclosed with a solid material on all sides and have a solid roof and door(s).
 - iii. The coop shall be of sufficient size to permit free movement of the chickens. The coop shall be at least two feet high, and provide at least three (3) square feet of floor area per chicken with a

maximum area of one-hundred (100) square feet. The maximum height is six (6) feet.

- iv. Coops shall be thoroughly ventilated with vents and windows. Windows and vents shall be covered with wire.
- v. Doors shall be constructed so they can shut and lock.
- vi. Chickens shall have access to feed and clean water at all times, and such feed and water shall be inaccessible to rodents, wild birds, and predators. Chickens shall be provided adequate bedding in the chicken coop and perches are encouraged.
- vii. Coops shall not count toward the maximum allowed square footage of accessory structures in a residential district, as defined in 154.16.01.

b. Pen/runs.

- i. The chicken pen/run shall be constructed of wood and covered with wire or solid roofing.
- ii. The chicken pen/run shall provide at least ten (10) square feet of area per chicken. The fence shall rise at least three (3) feet above the ground.
- iii. The maximum height of a chicken pen/run shall be six (6) feet with a maximum area of 160 feet.
- iv. The chicken pen/run must be kept clean, dry, odor-free and free from accumulated manure. Any stored manure must be kept in a fully enclosed structure or container.

c. General.

- i. The chicken habitat shall be designed to prevent escape and to protect chickens from predators.
- ii. The chicken habitat shall only be permitted in the rear yard of the property, completely to the rear of the primary structure.
- iii. The chicken habitat shall be located at least ten (10) feet from any property line or public right-of-way and a minimum of twenty-five (25) feet from any residential structure on an adjoining lot.
- iv. Any area used by the chickens must be screened from public view by a fence, wall, and/or landscaping, as approved by the city to provide reasonable and appropriate cover to reduce, lessen, or obscure the visual impact of the structure and associated areas.
- v. Chickens shall not be permitted to roam freely beyond the enclosed coop or pen/run. No person shall release or set any chicken free from such habitat. Owners shall be responsible for any damage caused by animals running at large as defined by state law and local ordinance.

(7) *Health and sanitation requirements.* All areas in and around the chicken habitat must be maintained in a clean, dry, odor-free, neat and sanitary condition at all times for the health and welfare of the chickens as well as other animals and

persons. The chickens and related food, supplies, and other structures must be kept in a manner so as not to cause noxious odors or unsanitary conditions, attract rodents or other animals, or that result in a public health or nuisance condition as defined by the City of West Carrollton Code of Ordinances or the Ohio Revised Code.

- a. Manure and waste shall be removed regularly so as not to create odor, attract insects or rodents, or pose a health hazard.
- b. Feed shall be stored in sealed, rodent-resistant containers.
- c. Standing water in or near the chicken coop area is prohibited.
- d. Chickens shall be provided adequate food, water, shelter, and humane care at all times.

- (8) *Nuisances.* No part of the habitat or surrounding area shall be maintained in such a way so as to constitute a nuisance. Odors from chickens, chicken manure, or other chicken-related substances and noise of a loud or persistent and habitual nature shall not be perceptible at the property boundaries. The property owner and/or chicken owner shall take all necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and predators and parasites that may result in unhealthy conditions to human habitation. Should said infestation occur, this shall be considered a public nuisance per se, subject to abatement by the city in accordance with chapter 160 of the West Carrollton Code of Ordinances. Abatement activity by the city may include, but is not limited to, the removal of the chickens and/or parasites and insects by a Montgomery County animal control officer, or another designee of the city, and the cost of the same shall be borne by the property owner and/or chicken owner.

(B) *Permits required.*

- (1) An accessory structure permit is required prior to the construction of the chicken coop and pen/runs. The chicken coop shall comply with all building and fire codes.
- (2) Prior to the introduction of chickens into the chicken habitat, the property owner or his designee must apply for and receive a separate permit for the keeping of chickens in a residential district.
- (3) *Denial, suspension, or revocation of permit.* The City of West Carrollton shall deny a permit application for the keeping of chickens in a residential district if the applicant has not demonstrated compliance with all provisions of this section. A permit to keep chickens in a residential district may be suspended or revoked by the Zoning Officer where there is risk to public health or safety, where such activity creates conditions constituting a public nuisance as defined by Chapter 158: Property Maintenance Code and/or Chapter 160: Public Nuisances, or for any violation of or failure to comply with any of the provisions of this section or with the provisions of any other applicable law. Any denial, revocation, or

suspension of a permit shall be in writing and shall include notification of the right to and procedure for an appeal.

(C) *Sunset Provision.* These regulations are temporary and are considered to be valid for one year from the date it becomes effective. City Council shall re-evaluate these regulations and could make changes that could include the repealing of this subsection of the Zoning Code and requiring the removal of all previously approved chickens. Persons applying for a permit to keep chickens within the first year shall be made aware, as stated on the permit, that they may have to remove the chickens should Council choose not to renew these regulations after the one-year period.

(D) *Violations.* Whoever violates this section is guilty of a minor misdemeanor. Each day the violation exists constitutes a separate violation.