

**CITY OF HUNTINGTON WOODS
OAKLAND COUNTY, MICHIGAN**

ORDINANCE NO. 616

AN ORDINANCE TO AMEND THE CITY CODE OF THE CITY OF HUNTINGTON WOODS, CHAPTER 4, TO ADD NEW ARTICLE III, CHICKENS, TO PERMIT, REGULATE, AND ESTABLISH REQUIREMENTS RELATING TO THE KEEPING OF CHICKENS.

THE CITY OF HUNTINGTON WOODS ORDAINS:

Section 1 of Ordinance. Ordinance Amendment.

Chapter 4, Animals, Article III, Chickens, is hereby added to read as follows:

ARTICLE III. - CHICKENS

Sec. 4-39. - Generally.

- (a) Any person residing in a single-family detached dwelling on residentially zoned property (R-1A, R-1B, R-1C, or R-1D), after obtaining an annual permit from the City, may keep on the property not more than three hen (female) chickens for personal use only and not for any business or commercial use. No roosters shall be kept on the property for any reason.
- (b) Chickens may be kept as family pets or to lay eggs for personal consumption only.
- (c) Slaughtering of any chickens on the property is prohibited.

Sec. 4-40. - Licensing and inspections.

- (a) Completed permit applications shall be submitted to the building and code enforcement department along with the fee which shall be established by City Commission resolution. Along with the completed application, the applicant shall be required to obtain and submit the signature of all property owners abutting the applicant's property, both on the back and on any sides where properties abut, giving their authorized approval for the applicant to keep chickens on applicant's property.
- (b) Approved permit holders shall schedule an inspection within 30 days of permit issuance. Failure to schedule an inspection shall result in an automatic suspension of the permit. If an inspection identifies noncompliance with any of the requirements set forth in this ordinance, the permit holder shall have fourteen (14) days after being served with written notice of noncompliance to achieve compliance with the requirements, or the building official or code enforcement department may revoke the permit and/or cite the violation as a municipal civil infraction.
- (c) After an initial inspection, permitted coops shall be inspected at least one additional time during the permit term for the first year. For each subsequent year on a request for permit renewal, only one inspection will be required. However, the city reserves the right to require

additional inspections for permit renewals where circumstances are found during the first inspection or during the permit term that require correction.

- (d) Permits shall be valid for up to one year, shall be non-transferable, site-specific and shall expire on January 1 of the next calendar year. A person who wants to continue keeping chickens must obtain a renewal permit prior to expiration of the previous permit.

Sec. 4-41. - Number limit.

A person who keeps chickens shall comply with the following requirements:

- (1) Keep no more than three (3) hen chickens at any time; and
- (2) Roosters or male chickens or any other type or class of fowl or poultry are prohibited.

Sec. 4-42. - Enclosure.

- (a) Chickens shall be contained and kept in an enclosure that includes both a coop and connected fence run at all times known as a “coop”. The wire mesh for the fence run shall have openings no larger than ¼ inch. The coop shall be constructed of durable materials and shall be properly maintained in accordance with the Property Maintenance Code adopted in Section 6-146 of the City Code, as amended.
- (b) A coop need not have a concrete foundation slab and a coop must be a minimum of ten (10) feet from an existing accessory structure. Prior to construction, an approved permit must be obtained from the building and code enforcement department.
- (c) A coop shall be designed to provide safe and humane living conditions for the chickens while minimizing adverse impacts (including, but not limited to, odor, noise, insects, rodents and dust) on neighboring properties, and shall meet all of the following additional requirements:
 - (1) A coop shall be detached from the residential dwelling and shall not be located closer than thirty (30) feet to the nearest point of any residential dwelling on an adjacent parcel;
 - (2) A coop shall not be located within any required side or rear yard setback area;
 - (3) A coop shall not exceed six (6) feet in height and eighty (80) square feet in floor area;
 - (4) The use of corrugated metal/fiberglass, sheet metal, plastic tarps, scrap lumber or similar materials is prohibited; and
 - (5) A coop must be completely enclosed with a top or cover.
- (d) A coop shall be constructed and maintained with a rat wall or similar block foundation or may be raised a minimum height of eighteen (18) inches off the ground to prevent rats, mice, and other rodents or burrowing animals from harboring beneath or entering the coop. Noncompliance with this requirement shall be considered to be a nuisance per se.
- (e) All feed and other items associated with the keeping of chickens likely to attract rats, mice, or other rodents or vermin shall be secured and protected in sealed, rodent-proof containers.

Sec. 4-43. - Care of chickens.

- (a) Chickens shall be kept in compliance with the current Michigan Department of Agriculture Generally Accepted Agricultural and Management Practices for the Care of Farm Animals (GAMPS), as it relates to laying chickens, except as otherwise provided in this section.
- (b) Chickens shall not be kept in any location on the property other than the rear yard. For purposes of this section, "rear yard" means that portion of a lot enclosed by the property's rear lot line and the side lot lines to the points where the side lot lines intersect with an imaginary line established by the rear of the single-family structure and extending to the side lot lines.

Sec. 4-44. - Violations.

A violation of any provision of this article shall be deemed a municipal civil infraction subject to the procedures, sanctions, and remedies prescribed in Article VI of Chapter 2 of the City Code.

Sec. 4-46. - Limitation on permits.

The city will limit the number of annual permits issued and outstanding to a maximum of six (6) and permits will be available on a first-come-first-served basis.

Section 2 of Ordinance. Repealer.

All ordinances, parts of ordinances, or sections of the City Code in conflict with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3 of Ordinance. Severability.

Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4 of Ordinance. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

Section 5 of Ordinance. Effective Date.

This Ordinance shall be effective twenty (20) days from the date of adoption and shall be published as required by the Charter of the City of Huntington Woods.

Section 6 of Ordinance. Enactment.

This Ordinance is declared to have been enacted by the City Commission of the City of Huntington Woods at a meeting called and held on the 18th day of August, 2020, and ordered to be given publication in the manner prescribed by law.

Ayes: Paul, Rozell, Elder, Jenks, Olsman

Nays: None

Abstentions: None

Absent: None

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Huntington Woods, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Commission of the City of Huntington Woods at a meeting held on the 18th day of August, 2020, the original of which is on file in my office.

HEIDI BARCKHOLTZ, City Clerk
City of Huntington Woods