

**DELTA CHARTER TOWNSHIP**

7710 W. Saginaw Highway

Lansing, Michigan 48917

517-323-8560

**ORDINANCE NUMBER 17-96**

**CHICKEN RAISING AND BEEKEEPING ORDINANCE**

AN ORDINANCE TO AMEND THE PROVISIONS OF THE CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF DELTA TO ADD A NEW CHAPTER 45, CHICKEN RAISING AND BEEKEEPING ORDINANCE.

The Charter Township of Delta, Eaton County, Michigan ordains:

Chapter 45, of the Code of Ordinances, Delta Charter Township, Michigan, is hereby added to read:

Sec. 45-1. Short title.

This article shall be known as the Delta Township Chicken Raising and Beekeeping Ordinance.

Sec. 45-2. Purpose.

It is the purpose of this article to regulate the raising of chickens and beekeeping on residentially zoned properties and to protect the public health, safety and welfare.

Sec. 45-3. Validity and Severability.

The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

Sec. 45-4. Repealer Clause.

All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Sec. 45-5. Effective Date.

This Ordinance shall be effective seven (7) days from the date of final publication.

Sec. 45-6. Definitions.

*Backyard* 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 dwelling and extending to the side lot lines.

*Beekeeping* means the management of beehives.

*Colony/hive* means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times many drones, including brood, combs, honey and the receptacle inhabited by the bees.

*GAAMPS* means Generally Accepted Agricultural and Management Practices promulgated under the Michigan Right to Farm Act.

*Poultry* means domestic fowls raised for eggs including chickens, turkeys, ducks, geese, etc. collectively.

*Private Restrictions* means regulations including, but not limited to, deed restrictions, condominium master deed restrictions, neighborhood association by-laws, and covenant deeds.

#### Sec. 45-7. Enforcement.

It shall be the responsibility of the Zoning Administrator to enforce the terms of the chapter.

#### Sec. 45-8. Chicken Raising.

##### (1) Applicability.

- a. The raising of poultry, with the exception of chickens, is prohibited in any residential zoning district.
- b. The raising of chickens as a non-agricultural, accessory use to single family detached dwellings is permitted only in the RA, RB, and RC zoning districts.
- c. Chickens may be raised only by an occupant of a dwelling unit located on the real property on which the chickens are kept.
- d. This section shall not apply to the raising of chickens in the NR, A1 or AG1, and A2 or AG2 zoning districts where the raising of poultry is a permitted use when conducted in compliance with the Michigan Right to Farm Act and the Generally Accepted Agricultural and Management Practices (GAAMPS) promulgated thereunder.

##### (2) General Regulations for the Raising of Chickens.

- a. No rooster chickens shall be kept on the premises.
- b. No more than four (4) chickens shall be kept on a single parcel.
- c. No person shall slaughter any chickens.
- d. Chickens shall be kept only in the backyard.
- e. Chickens must be provided with a covered enclosure and must be kept in the covered enclosure or in a fenced enclosure at all times. The covered enclosure must be at least ten (10) feet from any property line. All enclosures shall be constructed and maintained in a manner so as to prevent rodents from being harbored underneath or within the enclosure. The enclosure shall be kept in a sanitary condition at all times.

- f. All feed and other items associated with the raising of chickens that are likely to attract rodents shall be stored and protected so as to prevent rodents from coming into contact with them.
- g. Private restrictions on the use of property remain enforceable and take precedence over the regulations herein. Interpretation and enforcement of private restrictions is the sole responsibility of the private parties involved.

Sec. 45-9. Beekeeping.

(1) Applicability.

- (a) Beekeeping as an accessory use to a single family detached dwelling is permitted only in the RA, RB, and RC zoning districts.
- (b) Beekeeping is permitted only by an occupant of a dwelling unit located on the real property on which the hives are located.
- (c) This section shall not apply to beekeeping in the NR, A1 or AG1 and A2 or AG2 zoning districts where beekeeping is a permitted use when conducted in compliance with the Michigan Right to Farm Act and Generally Accepted Agricultural and Management Practices (GAAMPS) promulgated thereunder.

(2) General Regulations for the Keeping of Bees.

- (a) The Maximum number of hives permitted per property shall be as follows:
  - (1) Two (2) hives for properties with a lot area that is not greater than 11,000 sq. ft.
  - (2) Four (4) hives for properties with a lot area of greater than 11,000 sq. ft. and not greater than 22,000 sq. ft.
  - (3) Six (6) hives for properties with a lot area of greater than 22,000 sq. ft. and not greater than 43,560 sq. ft.
  - (4) Eight (8) hives for properties with a lot area of greater than 43,560 sq. ft. (1 acre) in area.
- (b) Hives shall be located only in the backyard.
- (c) A flyway barrier, at least six (6) feet in height, shall shield any part of a property line that is within twenty-five (25) feet of a hive. The flyway barrier shall consist of a solid wall, solid fence, dense vegetation or a combination thereof.
- (d) A constant and convenient supply of water shall be provided for all hives.
- (e) All hives shall be located at least twenty-five (25) feet from any dwelling on a neighboring property, at least five (5) feet from any property line, and at least ten (10) feet from a public sidewalk.

Sec. 45-10. Violations.

Violations of this Ordinance shall constitute a civil infraction and be enforced as per section 1-7 (c) of the Code of Ordinances.

CHARTER TOWNSHIP OF DELTA  
MARY R. CLARK, TOWNSHIP CLERK

Copies of this ordinance may be inspected in the office of the Township Clerk from 8:00 a.m. to 5:00 p.m., Monday through Friday except holidays.

I, Mary R. Clark, Clerk of the Charter Township of Delta, Eaton County, Michigan hereby certify that the foregoing is a complete ordinance adopted by the Township Board at their regular meeting on Monday, June 19, 2017.

CHARTER TOWNSHIP OF DELTA

MARY R. CLARK, TOWNSHIP CLERK

Introduced by Township Board	June 5, 2017
Published following first reading:	
Grand Ledge Independent	June 11, 2017
Delta Waverly Community News	June 11, 2017
Adopted by the Township Board	June 19, 2017
Published following final reading:	
Grand Ledge Independent	June 25, 2017
Delta Waverly Community News	June 25, 2017