

CHARTER TOWNSHIP OF BROWNSTOWN

WAYNE COUNTY, MICHIGAN

ORDINANCE NO. 141-76

AN ORDINANCE TO AMEND THE CHARTER TOWNSHIP OF BROWNSTOWN ORDINANCE 141-45, TO ADD A NEW SECTION 11.02(H) FOR THE KEEPING OF CHICKENS AND DOMESTIC FOWL.

The Charter Township of Brownstown ordains:

Section 1: Ordinance No. 141-45, "ZONING ORDINANCE", Section 11.02, Agriculture and Animal Uses, is hereby amended with the addition of a new Section 11.02(h) as follows:

“(h). Chickens and domestic fowl

The keeping of chickens and domestic fowl is permitted in single family residential districts, only on parcels of land containing at least one (1) acre, and consistent with the following:

- (1) They must be kept in a sanitary condition, free of offensive odors.
- (2) The outdoor slaughtering of chickens is prohibited.
- (3) The keeping of chickens shall be done on a non-commercial basis, used by the people occupying the property as a locally grown food source for the consumption of eggs or meat. This restriction, however, shall not prevent the owner from pursuing the sale of eggs or meat to friends and family members located off-site, or prevent the occasional sale of eggs or meat to local restaurants or at a farmers' market or similar venue.
- (4) No wild fowl may be kept.
- (5) Roosters and free-range fowl (chickens that, for at least part of the day, are permitted to roam freely outdoors) are prohibited on any lot/parcel.
- (6) A maximum of three (3) chickens is permitted per one (1) acre of land. One (1) additional chicken is permitted per one (1) additional acre of land beyond minimum lot size.
- (7) Chickens and domestic fowl shall be kept in a fully enclosed shelter (coop), with an optional fenced enclosure (pen) consistent with the following:
 - a. Chicken coops are to be considered accessory structures and meet the standards of *Section 13.01*, unless as noted differently below.
 - b. Chicken coops shall not exceed a height of fourteen (14) feet.
 - c. Chicken coops shall provide a minimum of four (4) square feet for each chicken kept on the premises.
 - d. Chicken coops shall not exceed the lot coverage requirements for detached accessory buildings otherwise found within the Township zoning ordinances.
 - e. Materials used to construct enclosed areas shall exclude tarps, plastic, fabric, rubber, paper, cardboard, or other non-traditional building materials.
 - f. Chicken coops shall contain one 12-inch by 12-inch nest box in the ratio of one nest box for each three laying chickens.
 - g. An optional pen shall provide a minimum area of ten (10) square feet for each chicken kept on the premises.
 - h. A coop and pen shall be completely enclosed with a top and/or cover.
 - i. A coop and pen shall be located in the rear yard and shall be located at least thirty (30) feet from any dwelling on a neighboring property, at least twenty (20) feet from any property line or street line, and at least forty-five (45) feet from the water's edge.
 - j. All structures for the keeping of chickens shall be constructed and maintained to prevent rats, mice, or other rodents or vermin from being harbored underneath or within the walls of the structure.
 - k. 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 containers.

- I. Each chicken shall be kept in compliance with the Michigan Department of Agriculture Generally Accepted Agricultural and Management Practices for Laying Chickens, as may be amended."

Section 2: Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3: Severability. If any article, section, subsection, sentence, clause, phrase, or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct, and independent provision and such holding shall not affect the validity of remaining portions of the Ordinance, it being the intent of the Township that this Ordinance shall be fully severable.

Section 4: Savings Clause. A prosecution which is pending on the effective date of this Ordinance and which arose from a violation of an ordinance replaced by this Ordinance, or a prosecution which is started within one year after the effective date of this Ordinance arising from a violation of an ordinance replaced by this Ordinance and which was committed prior to the effective date of this Ordinance, shall be tried and determined exactly as if the ordinance had not been replaced.

Section 5: Effective Date; Publication. This Ordinance was approved and adopted by the Township Board of Brownstown Charter Township, Wayne County, Michigan on September 5, 2023, after introduction at a first reading on August 7, 2023, and publication after first reading as required by Act 359 of the Michigan Public Acts of 1947, as amended. This Ordinance shall be effective immediately upon publication in The News Herald, a newspaper having general circulation in the Township.



Edward I. Smith, Supervisor



Maureen Brinker, Clerk

I further certify that the foregoing was published in The News Herald, a newspaper of general circulation in the Charter Township of Brownstown, on the 13th day of September, 2023.



Maureen Brinker, Clerk

