

Amendment #1 to Ordinance #141
Chapter 8 Section 8.7
“Control of Other Animals”

A. Domesticated Hens

Statement of Purpose

The people of the Village of Concord understand the keeping of hens in the village supports a local, sustainable food system by providing an affordable, nutritious source of protein through fresh eggs. The keeping of hens also provides free, quality nitrogen-rich fertilizer; chemical-free pest control; animal companionship; and less noise, mess and expense than dogs and cats.

The purpose of this section is to provide standards for the keeping of domesticated hens. It is intended to enable residents to keep a small number of hens (*maximum of four hens*) on a non-commercial basis while limiting the potential adverse impacts on the surrounding neighborhood. The village recognizes that adverse neighborhood impacts may result from the keeping of domesticated hens as a result of noise, odor, unsanitary animal living conditions, unsanitary waste storage and removal, the attraction of predators, rodents, insects, or parasites and non-confined animals leaving the owners property. This article is intended to create licensing standards and requirements that ensure that domesticated hens do not adversely impact the neighborhood surrounding the properties on which the hens are kept.

B. Definitions

Chicken Pen shall mean a wire enclosure connected to a henhouse for the purpose of allowing hens to leave the henhouse while remaining in an enclosed, predator-safe environment.

Henhouse shall mean a structure for the sheltering of hens. An existing shed or garage can be used for this purpose if it meets the standards contained in the following sections.

C. Permit Required.

A five year permit is required for the keeping of any domesticated hens in the Village of Concord.

The permit will include, at a minimum, the following information:

1. Requestor's name;
2. Address at which the hens will reside;
3. Contact information;
4. Plan for removal of hen manure, excess feed, and dead hens.
5. Structure (*Henhouse-Chicken Pen*) placement on property.

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D. Fees.

The fee for the five year permit to keep domesticated hens is twenty-five dollars (\$25.00).

E. Number and Type of Chickens allowed.

1. The maximum number of chickens allowed is four (4) per lot.
2. Only hens are allowed. There is no restriction on hen species.

F. Enclosures.

1. Hens must be kept in the Henhouse-Chicken Pen enclosure area at all times.
2. Enclosures must be clean, dry and odor-free, kept in a neat and sanitary condition at all times, in manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.
3. The henhouse and chicken pen must provide adequate ventilation and adequate sun and shade and must both be impermeable to rodents, wild birds, and predators including dogs and cats.
4. Hen enclosures shall be no closer than 15 feet from an existing structure or property line.

G. Henhouses.

1. A henhouse shall be provided and shall be designed to provide safe and healthy living conditions for the hens while minimizing adverse impacts to other residents in the neighborhood.
2. The structure shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird proof wire of less than one (1) inch openings.
3. The henhouse shall be well-maintained.
4. The henhouse shall provide for a minimum of 4 square feet per hen.
5. Henhouses shall not be placed in the front yard.

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H. Chicken Pens.

1. An enclosed chicken pen must be provided consisting of sturdy wire fencing. The pen must be covered with wire, aviary netting, or solid roofing.
2. An enclosed chicken pen shall provide for a minimum of 10 square feet per hen.
3. Chicken pens shall not be placed in the front yard.

I. Odor and Noise Impacts.

1. Odors from hens, hen manure, or other hen related substances shall not be perceptible at the property boundaries.
2. Perceptible noise from hens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity.

J. Lighting.

Only motion-activated lighting may be used to light the exterior of the henhouse.

K. Predators, Rodents, Insects and Parasites.

The property owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.

L. Feed and water

Hens must be provided with access to feed and clean water at all times; such feed and water shall be unavailable to rodents and predators.

M. Waste Storage and Removal.

Provision must be made for the storage and removal of hen manure. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. All other manure not used for composting or fertilizing shall be removed. In addition, the henhouse, chicken pen and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

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N. Application for Permit.

Every applicant for a permit to keep domesticated chickens shall:

1. Complete and file an application on a form prescribed by the “Zoning Officer”;
2. Deposit the prescribed permit fee with the village office when application is filed.

Any material misstatement of omission shall be grounds for denial, suspension or revocation of the permit.

O. Approval of Permit.

The “Zoning Officer” shall issue a permit if the applicant has demonstrated compliance with the criteria and standards in this article and has completed certification for chicken keeping.

P. Denial, Suspension or Revocation of permit.

The “Zoning Officer/Code Enforcement Officer” shall deny a permit if the applicant has not demonstrated compliance with all the provisions of this article.

A permit to keep domesticated chickens may be suspended or revoked by the “Zoning Officer/Code Enforcement Officer” where there is a risk to public health or safety or for any violation of or failure to comply with any of the provisions of this article or with the provisions of any other applicable ordinance or law.

Any denial, revocation or suspension of a permit shall be in writing and shall include notification of the right to and procedure for appeal.

Q. Appeal

A person appealing the issuance, denial, suspension or revocation of a permit by the “Zoning Office/Code Enforcement Officer” may appeal to the Concord Village Council within fifteen (15) days of notification or next scheduled Concord Village Council Meeting.

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R. Removal of hens.

In addition to the penalty, any violation of the provisions of this article or of the permit shall be grounds for an order from the “Zoning Officer/Code Enforcement Officer” to remove the chickens and the chicken related structures.

If a chicken dies, it must be disposed of promptly in a sanitary manner. (You may not bury dead chickens on your property for public health reasons)

S. Penalty.

1. Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor. Penalties may be imposed up to 90 days incarceration in the County Jail of Jackson County and/or fines up to \$500 plus the costs of prosecution.
2. In addition, any violation of this ordinance shall be deemed a nuisance per se, permitting the Concord Village Council, its officers, agents, or any private citizen to take the action in any court of competent jurisdiction to cause the abatement of the nuisance, including injunctive relief.

Village of Concord

110 HANOVER STREET
P. O. BOX 306
CONCORD, MI 49237-0306
(517) 524-8534
FAX (517) 524-7194

Five Year Permit to Raise Domesticated Hens:

Requestor's Name: _____

Requestor's Address: _____

Daytime Phone: _____

Address Hens Will Reside At: _____

Contact (Owner) Information: _____

Plan for removal of hen manure, excess feed and dead hens: _____

Structure of Henhouse / Chicken Pen Placement on Property: _____

Amount Paid: _____ **Date:** _____