

ORDINANCE NO. _____

**ORDINANCE AMENDING THE VILLAGE OF PINCKNEY CODE OF ORDINANCES BY
AMENDING §90.01 OF TITLE IX: GENERAL REGULATIONS; CHAPTER 90: ANIMALS**

The Village of Pinckney ordains:

Section 1. Title III, *GENERAL REGULATIONS*, Chapter 90, *Animals*, §90.01, *Regulate the Keeping of Animals Other Than Dogs And Cats* of the Village of Pinckney Code of Ordinances is hereby amended to read as follows:

**§ 90.01 REGULATE THE KEEPING OF ANIMALS OTHER THAN DOGS
AND CATS.**

(A) Hereafter it shall be unlawful for any person, firm or corporation to keep or confine any horse, cattle, swine, sheep, pony, goat, rabbit, poultry (excepting chickens) or any other animals and fowl within the limits of the Village of Pinckney.

(B) Any person, firm or corporation desiring to keep horses, cattle, swine, sheep, ponies, goats, rabbits, non-chicken poultry or other animals or fowl within the limits of the Village of Pinckney shall make applications in writing to the Pinckney Village Council to so do, describing particularly the place where the applicant proposes to keep the horses, cattle, swine, sheep, ponies, goats, rabbits, non-chicken poultry or other animals and fowl, the number thereof, the distance from the place to the public streets on each side and the distance from the place to the dwelling houses upon the lands adjoining the proposed place.

(C) If it shall appear to the Village Council that the granting of permission will not be detrimental to the health, safety and welfare of any of the inhabitants of the village, the Council shall grant a permit to the person applying therefore. The permit shall specify the place where the horses, cattle, swine, sheep ponies, goats, rabbits, non-chicken poultry or other animals and fowl may be kept, and the number thereof shall be reasonable as determined by the Council. No person, firms or corporation shall keep any horse, cattle, swine, sheep, ponies, goats, rabbits, non-chicken poultry or any other animals or fowl in the village contrary to the terms and conditions of the permit. The Village Council may revoke the permit whenever it may deem it proper to do so.

(D) Hereafter it shall be unlawful for any person, firm or corporation keeping or confining any horse, cattle, swine, sheep, pony, goat, rabbit, non-chicken poultry or any other animals or fowl within the limits of the Village or Pinckney to do so in a manner that creates unwholesome, offensive and noxious smells or odors or in any unsanitary condition.

(E) No horses, cattle, swine, sheep, pony, goat, rabbits, poultry or any other animal or fowl may run at-large or trespass on public or private property or park in the village.

(F) Regulations concerning the keeping of dogs or cats are not included in this section.

Section 2. Title III, *GENERAL REGULATIONS*, Chapter 90, *Animals*, of the Village of Pinckney Code of Ordinances is hereby amended add a new §90.02, *Poultry; Chickens; Permit Requirements; Restrictions* to read as follows:

§ 91.02 POULTRY; CHICKENS; PERMIT REQUIREMENTS; RESTRICTIONS.

(A) It shall be unlawful for any person to keep or maintain within the corporate limits any turkeys, ducks, geese, or any other poultry not classified as chickens (*gallus gallus domesticus*).

(B) It shall be unlawful for any person to own, keep, harbor, or have under their care, custody, or control any cock or rooster chicken two (2) months of age or older without a valid Village Rooster Permit. The unlawful keeping or harboring of non-permitted cocks or roosters is hereby declared to be a public nuisance.

(C) *Rooster Permit:* One (1) rooster may be permitted for flock protection purposes on parcels of land measuring one-half (½) acre or more, subject to the issuance of a Village Rooster Permit.

(1) The rooster permit shall be valid for the current calendar year and renewable annually.

(2) The applicant shall obtain written permission from each adjoining property owner whose property shares a boundary with the applicant's property.

(3) A \$25 annual fee shall be paid to the Village at the time of application.

(4) The rooster must be kept in compliance with all housing, noise, and sanitary requirements of this ordinance.

(5) The Village may revoke a Rooster Permit at any time upon receiving substantiated complaints of:

- (a) Excessive noise,
- (b) Offensive odors,
- (c) Property damage, or
- (d) unsanitary or unsafe housing conditions.

(6) Upon revocation, the rooster must be removed from the premises within seven (7) days.

(D) It shall be unlawful for any person to own, keep, harbor, or have under their care, custody, or control any chicken without a valid annual permit issued by the village. Permits are issued annually and run January 1 through December 31.

- (1) Application shall be made to the village and the fee for the permit shall be \$25 per year.
 - (2) The application shall be in writing on a form furnished by the village. All applications to keep chickens within the corporate limits must be approved by the village.
 - (3) The permits are issued and valid for the current calendar year. A person who wishes to continue to keep chickens shall have to renew said permit on or before the expiration date of the previous permit. The procedures for renewing said permit shall be the same as those applying for a new permit. If the permit lapses, chicken facility and run must be removed from property within seven days of permit expiration date.
 - (4) No permit shall be assignable or transferable either as to permittee, location, or chickens.
 - (5) Permits will be issued only to owner-occupied, single-family homes and only in zoning districts R-1 R-2 R-3 and R-4.
 - (6) A person who has been issued a permit freely and voluntarily consents to a search and examination of the chicken enclosure in his or her rear yard upon demand by any law enforcement officer or code enforcement officer.
- (E) The requirements for the issuance of a permit by the village to own, keep, harbor, or have custody or control over a chicken are as follows:
- (1) No more than Fifteen chickens shall be permitted on any property. The number of hens does not exceed five (5) hens for every one-quarter ($\frac{1}{4}$) acre of property sizes or a total of Fifteen (15) Hens, whichever is less.
 - (2) The chickens must be housed in a chicken facility and run approved by the village, such chicken facility and run to be maintained in compliance with all the village's requirements as a condition of the permit. The requirements for the chicken facility and run include:
 - (a) The chicken facility and run must be in good repair, capable of being maintained in a clean and sanitary condition, free of vermin, obnoxious smells and substances;
 - (b) The chicken facility and run shall not constitute a nuisance or disturb neighboring residents due to noise, odor, or threats to public health;

(c) The chicken facility and run shall prevent chickens from roaming at large.

(d) The run shall be attached to the coop and constructed to include metal wire fencing anchored to the ground and a fully enclosed roof or similar enclosure to prevent escape by chickens and entry by predators and general members of the public;

(e) The chicken facility shall provide not less than three square feet per occupant chicken and the run shall provide not less than five square feet per occupant chicken.

(f) The chicken facility shall be constructed of durable material and the flooring of any chicken facility within the coop shall be of a hard-surface material. The chicken enclosure shall not exceed 60 square feet of floor area or exceed seven feet in height. Chicken run area shall not require hard surface flooring;

(g) The chicken facility and run shall not be located in any front yard of a property and must be located so as to be at least ten feet from the rear and side property lines, ten feet from any existing structure on property and at least 20 feet from any neighboring residence; and

(h) The chicken facility and run shall comply with all applicable village building and zoning codes and must be consistent with the requirements of any land use regulation.

(3) Offal, manure, and waste material shall not be permitted to accumulate nor be confined in any manner that is conducive to the breeding or attraction of flies, mosquitoes, or other noxious insects or in any manner that endangers the public health or safety. All permit applicants must provide a statement of the method in which offal, manure, and waste material accumulating from the chickens will be sanitarily disposed of at least once every seven days.

(4) All grain, feed, and stuff intended for use as food for chickens shall be kept in tightly-fitted containers constructed to keep out vermin and wild animals; and

(5) Odors from chickens, chicken manure, or other chicken-related substances shall not be perceptible beyond the boundaries of the property with the valid permit for chickens.

(6) Chickens shall not be permitted to run at large within the village limits. No dog, cat or other domesticated animal which kills a chicken permitted to run at large will, for that reason alone, not be considered a

dangerous or aggressive animal and it will not be the village's responsibility to enforce its animal control provisions.

(7) Any noise from chickens shall not be loud enough beyond the boundaries of the property with the valid permit for the chickens to disturb persons of reasonable sensitivity.

(8) If the above requirements are not complied with the village may revoke any valid chicken permit granted under this section and initiate prosecution for a civil infraction violation. If a permit is revoked, all chickens must be removed from the property and the village limits within seven (7) days.

(9) A person who has been issued a valid permit shall submit it for examination upon demand by any law enforcement officer, Animal Control officer or code enforcement officer.

(F) The slaughtering or destruction of chickens within the corporate limits of the village shall be prohibited.

(G) Notwithstanding the issuance of a permit by the Village, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by-laws, and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

Section 4. Repealer Clause. Any ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 5. Savings Clause. This ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any ordinance, resolution, order or parts thereof, hereby repealed, and this ordinance shall in no manner affect any rights, claims, privileges, immunities or causes of action of the Village, County or other person, either criminal or civil, that may have already occurred, accrued or grown out of any ordinance, resolution, order or policy, or any part thereof, hereby repealed. This Ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any Ordinance, Resolution, Order or parts thereof, hereby repealed.

Section 6. Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such a holding shall not be construed as affecting the validity of the remaining portions of the Ordinance.

Section 7. Effective Date. This Ordinance shall be effective from and after its publication.

Jeffrey Buerman, Village President

Andrea McCall, Village Clerk

Village Council Member _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Village Council Member _____, and upon being put to a vote, the vote was as follows:

Jeffrey Buerman, President	_____
Justin Bierman, Trustee	_____
Stacy Conquest, Trustee	_____
Joseph Hartman, Trustee	_____
Nick Kane, Trustee	_____
Rob Coppersmith, Trustee	_____
Jeffrey Spencer, Trustee	_____

The President thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Pinckney this ____ day of _____, 2025.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. ____ adopted by the Village Council of the Village of Pinckney, County of Livingston, Michigan, at a regular meeting held on _____, 2025.

Andrea McCall, Village Clerk