

ORDINANCE 08-2019

AN ORDINANCE TO REVISE SECTION 618.19 AND CREATE SECTION 1290.01 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MINERVA PARK, OHIO

WHEREAS, it is necessary and appropriate to revisit, clarify, and update regulations from time to time; and

NOW, THEREFORE, be it resolved by the Council of the Village of Minerva Park, Franklin County, State of Ohio, that:

Section 1. That a new Village of Minerva Park Code Section 618.19 is hereby amended to read as follows:

“Section 618.19 Maximum Number of Dogs, Cats or Chickens, Ducks, and/or Rabbits Permitted.”

- (a) No person shall keep more than five (5) dogs, cats, excluding puppies and/or kittens less than six (6) months old, in any single-family dwelling, or in any separate dwelling unit in a two-family or multifamily structure within the Village. “Dwelling” and “dwelling unit” as used in this section, include the lot or parcel of land on which the house of building containing the dwelling unit is located, and all other structures located on the lot or parcel.
- (b) No person shall keep more than five (5) chickens, ducks or rabbits, excluding chicks/peeps, ducklings, and/or kits less than six (6) months old, at any single-family dwelling. Chicken, Rabbits and/or Ducks are not permitted to be kept at any separate dwelling unit in a two-family or multifamily structure within the Village. “Dwelling” and “dwelling unit” as used in this section, include the lot or parcel of land on which the house of building containing the dwelling unit is located, and all other structures located on the lot or parcel.

Section 2. That a new Village of Minerva Park code section be created, Section 1290.01, which shall read as follows:

“Section 1290.01 Chickens, Ducks, and Rabbits

- (a) No Person shall own, keep or harbor any chickens, ducks, or rabbits without meeting the requirements set forth in the following subsection:
 - (1) That a one time permit be required and issued by the Village of Minerva Park prior to acquiring chickens, ducks, or rabbits, and an inspection occur by the Village of Minerva Park within 60 days of acquiring chickens, ducks, or rabbits. The “Minerva Park Chicken/Duck/Rabbit Checklist” as adopted by Council shall be utilized by reference to this ordinance.
 - (2) That the chickens, ducks, and/or rabbits be kept in a secure enclosure shielded from the street to which it fronts and shielded from the neighbors/adjacent property owners
 - (3) That an appropriate enclosure (such as a chicken coop for chickens) be provided, and be kept clean and in good repair. This enclosure will be able to provide proper protection for the residing animals in both Summer and Winter months.
- (b) No person in paragraph (a) shall sell eggs produced by said chickens and/or ducks.
- (c) No person in paragraph (a) shall own, keep or harbor a rooster.

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(Continued)

- (d) No person in Paragraph (a) shall fail to comply with all other sections of 618, Animals, involving the care and responsibility of animals.
- (e) Whoever violates this Section is guilty of a minor misdemeanor for a first offense; whoever violates this Section for a second or subsequent offense is guilty of a misdemeanor in the fourth degree. In addition, for second or subsequent violations, the Court may order the offender to forfeit the animals.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

Section 4. All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

Section 5. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

/S/Lynn Eisentrout

Lynn Eisentrout, Mayor

First Reading: May 6, 2019
Second Reading: May 13, 2019
Third Reading: October 14, 2019
Passed: October 14, 2019

ATTEST

APPROVED AS TO FORM

/S/ Kimberly Pulley

Kimberly Pulley, Fiscal Officer

/S/ Gene Hollins

Solicitor

Minerva Park Chicken/Duck/Rabbit Checklist

- 1) Setback of outdoor Enclosure from the side and rear yard property line(s): 10 Feet
- 2) Screening of the Enclosure from adjacent properties can be either an opaque fence or landscaping
- 3) The Enclosure will be secured to protect livestock from trespassing animals, both wild and domestic
- 4) The outdoor enclosure shall contain the following design elements:
 - a. 3 Cubic feet of air space per pound of animal
 - b. 4 to 6 square feet of ground space per animal
 - c. Nest Boxes: 1 square foot per 4-5 offspring bearing animals.
 - d. Space to "roam": an animal "run" with barrier to remain within the property boundary.
 - e. For birds, a roosting area that is 6 to 10 inches per bird, at least 2 ft off the ground.
 - f. Plans shall show winter and summer heat accommodations, which include insulation, ventilation, moisture, wind control, etc.
- 5) Feed shall be stored in non-chewable containers (e.g. Metal)
- 6) Proper and timely disposal of animal waste

Note: The appearance of urban poultry facilities and equipment including external runs that are visible to neighbors should not detract from the appearance of the surrounding neighborhood. The outdoor enclosure and screening should be kept painted and well maintained. The area surrounding the animal enclosures should be kept clear from all weeds, trash and debris.

Happy Neighbors mean that chickens will remain an animal that can be raised successfully and legally in urban environments.