

Exhibit A
City of Battle Creek 608.30 Urban Livestock
Draft 4/17/18

(a) In addition to livestock otherwise allowed in the Ag Agriculture and R-1R Rural Residential zoning districts, urban livestock outlined herein is permitted on single and two-family residential parcels when accessory to a permitted residential use providing they are housed at the premises that is residentially occupied by the owner of the livestock. The care and keeping of urban livestock is subject to restrictions outlined herein, and for accessory buildings, fencing, and nuisance provisions of the Battle Creek Codified Ordinances.

(b) Animal Units / Property Size

The number of urban livestock permitted to be housed at each property will be determined by calculating the allowable animal units (au) based on parcel size. For purposes of this chapter, the following permitted livestock equate to the animal units listed:

<u>ANIMAL TYPE</u>	<u>ASSOCIATED ANIMAL UNITS</u>
Hen	1 au

The number of urban livestock permitted shall be limited to the total square footage of a parcel outlined herein:

<u>LOT SIZE</u>	<u>PERMITTED ANIMAL UNITS</u>
5,000 s.f. – 9,999 s.f.	2 au
10,000 – 14,999 s.f.	4 au
15,000 – 29,999 s.f.	6 au
30,000 – 43,559 s.f.	8 au
43,560 s.f. (one acre)	10 au

(c) The following regulations apply based upon the type of urban livestock being housed on a property. In no instance shall urban livestock be kept within one hundred feet of any well, spring, or stream:

(1) Hens may be kept subject to the following requirements:

- a. Hens must be kept in an enclosure, including a fence or corral, in the rear yard that provides at least 10 sq. ft. of space for each hen. The enclosure must be of sufficient type, height, and strength to secure and reasonably assure that the hens will not escape. The enclosure must be at least 2010 feet from all adjacent property lines and 40 feet from any residential structures located on adjacent properties. The area within the enclosure must be well drained and free from standing water.
- b. There shall be a covered, well ventilated, predator proof coop within the enclosure that provides at least 2 sq. ft. per hen, nesting boxes for each three hens, 12 inches of roost per hen, and provides access to the outdoor portion of the enclosure. A coop shall not exceed 8 feet in height.

- c. Hens may be allowed to roam outside of the coop or fenced enclosure if within the fully fenced rear yard of the premises housing the hens, and under direct supervision by an adult in the immediate vicinity of the hens.
- d. Roosters are expressly prohibited, regardless of the age or maturity of the bird.

(d) Maintenance and Care.

- (1) All premises on which urban livestock is housed shall be kept clean from filth, garbage, and any substance that attracts rodents. The enclosures and structures clean and sanitary, and odors from animals, manure, or other animal related items shall not be perceptible at the property boundaries.
- (2) Adequate fresh feed, water, and bedding must be provided sufficient for the number and type of urban livestock on a parcel.
- (3) Feed must be stored in a rodent-proof and weather resistant container located off the ground and in a cool dry place not accessible to animals.
- (4) Urban livestock is not allowed to run loose beyond the confines of the rear yard of the premises housing the animals.
- (5) Waste shall either be composted with carbonaceous material such as hay, bedding, or leaves and located 20 feet from all adjoining property lines, or stored in a sealed container until it is removed from the property.
- (6) On-site slaughtering of any urban livestock is prohibited.

(e) Permit and License Required. The keeping of urban livestock is subject to zoning permits and inspections for the construction and placement of the enclosures and any structures, and an annual animal license as outlined herein and in 608.17. A license granted under this section shall be valid for not more than three years and renewable providing the property, property owner, and animals remain in compliance with applicable terms of the ordinance.

- (1) One license is required for each property keeping urban livestock. If a rental property, the property owner must issue in writing approval for the application for a license or permit for the keeping of urban livestock. A license will be approved subject to property inspection by Planning/Zoning staff to ensure enclosures and housing for said animals are compliant with requirements of this chapter.
- (2) The application for licensure must include a detailed list of all animals to be kept on the property. Any potential increase to the number/type of animals being kept under that licensure must be approved by the City as an amendment to the original license.
- (3) There shall be a maximum number of twenty (20) licenses issued for urban livestock granted in the City of Battle Creek. After the maximum number has been reached, no additional licenses shall be issued.
- (4) Denial and Revocation. Permits or licenses may be denied for failure to comply with the provisions of this chapter, if the facilities for the keeping of animals are or become

inadequate for their purpose, if the conditions of the permit or license are not met, if a nuisance condition is created, or if the public health and safety would be unreasonable endangered by granting of such permit. The City may refuse to grant or may revoke a permit if the urban livestock become a nuisance, as evidenced by the third substantiated violation.

- (f) Any person who violates or fails to comply with any of the provisions of this chapter will be subject to the penalties established by section 608.99 of this chapter.

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