

PROPOSED CODE CHANGE FOR CITY OF POWELL

1147.11 AGRICULTURAL-RELATED USES.

(a) Animals. No animal, except household pets, shall be kept on any parcel of less than five (5) acres. This subsection shall apply only to those parcels where the total land holdings of the using party, in one contiguous unit, is five (5) acres or less and shall not be construed to apply to individual pens, pastures or fields of less than five (5) acres if they are a part of a larger contiguous tract of land of five (5) acres or more devoted to agricultural use.

(Ord. 01-60. Passed 11-6-01.)

(b) Chickens. Notwithstanding the requirements in Section 1147.11 (a), no person shall own, keep or harbor any chickens as household pets without meeting the requirements set forth in the following subsection:

- (1) That a one-time permit be required and issued by the City prior to acquiring chickens, and an inspection occur by the Zoning Administrator or his/her designee, within 60 days of acquiring chickens. The Zoning Administrator shall have the right to re-inspect as he/she feels necessary in order to be sure code requirements are met.
- (2) That the chickens shall be kept in a secure enclosure shielded from the street to which it fronts.
- (3) That a chicken coop be provided, and be kept clean and in good repair. Such coop shall be constructed of new material (not used boards or wire for example).
- (4) That a chicken coop shall meet all side yard and rear yard setback requirements for accessory uses.
- (5) There shall be no more than 9 chickens kept on the premises at any one time.

(c) No person in subsection (b) shall sell the eggs produced by said chickens.

(d) No person in subsection (b) above shall own, keep, or harbor a rooster.

(e) No person in subsection (b) above shall fail to comply with all other code sections involving the care and responsibility of animals.

(f) 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.