

ORDINANCE NO. 2126-2022

AN ORDINANCE ENACTING SECTION 505.18 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF LISBON, OHIO, TO PERMIT RESIDENTS TO HARBOR, MAINTAIN, KEEP, OR CONTROL BACKYARD CHICKENS UNDER CERTAIN CIRCUMSTANCES

WHEREAS, the Village of Lisbon Council desires to provide regulations for the raising and keeping of chickens located within the Village of Lisbon;

WHEREAS, the regulations are necessary to protect the health, safety, and welfare of Village residents, and to eliminate and control potential hazards posed by the keeping of chickens;

NOW, THEREFORE BE IT ORDAINED by the Council of the Village of Lisbon, Ohio:

Section 1. That section 505.18 of the Codified Ordinances of the Village of Lisbon, entitled “Backyard Chickens”, a complete copy of which is attached hereto, shall be enacted, to become effective as soon as authorized by law.

505.18 BACKYARD CHICKENS

(A) As used in this section, “chicken” means that species of fowl commonly known as domesticated fowl, typically kept for its eggs or meat, and referred to as *gallus domesticus*. “Chicken” does not include roosters or cockerel that crows.

(B) The Zoning Inspector of the Village of Lisbon, or his or her designee, shall be charged with the enforcement of this Section.

(C) Except as otherwise provided in this section, no person shall harbor, maintain, keep, or control chickens on any property within the Village of Lisbon.

(D) It shall not be a violation of division (C) of this section if all of the following conditions are met:

1. Prior to the placement of one or more chickens on Village property, the person desiring to harbor, maintain, keep, or control one or more chickens obtains a permit prepared by the Village of Lisbon and approved by the Village of Lisbon Zoning Inspector or his or her designee, which shall include, at a minimum:
 - a) the name, address, and telephone number of the owner of any chicken;
 - b) a description of any chicken;
 - c) a clear color photo of any chicken; and
 - d) any other information deemed relevant by the Village

2. The property on which any chicken is to be harbored, maintained, kept or controlled is not used as a rental property;
3. Any chicken is harbored, maintained, kept, or controlled on property within the Village in zoning districts designated as R-1, R-2, or R-3;
 - a) If the property size is one (1) acre or larger, no more than six (6) chickens are permitted on the property.
 - b) If the property size is smaller than one (1) acre, no more than two (2) chickens are permitted on the property.
4. Any chicken is not housed in a cage;
5. Any chicken is housed, at all times, in a coop, run, or other approved structure that:
 - a) is located in the rear yard or backyard of the property;
 - b) is a minimum of thirty (30) feet set back from the rear property line, a minimum of twenty-five (25) feet set back from any side property;
 - c) is at least one hundred (100) feet from any residence or dwelling, other than the residence or dwelling of the person harboring, maintaining, keeping, or controlling any chicken;
 - d) is a permanent structure that does not exceed seven (7) feet in height;
 - e) allows for adequate ventilation and light;
 - f) contains adequate, functioning feeder(s) and water necessary to feed and water any chicken;
 - g) contains one (1) nesting box for every two (2) chickens;
 - h) is predator-resistant;
 - i) contains a solid, covered roof;
 - j) provides at least two (2) square feet of space for each chicken
 - k) contains an enclosed run with fencing that is five (5) feet in height and buried at least one (1) foot into the ground, or stake and/or secured in such a manner

to make the run predator-resistant, and such run shall provide a minimum of four (4) square feet of space for each chicken;

l) does not create a nuisance, safety hazard, health concern, or unreasonable disturbance to any surrounding properties.

6. The coop, run, or other approved structure is regularly cleaned and sanitized to control dust, odor, and waste;
 7. Chicken feed is stored in a reasonable, airtight, predator-resistant container, and such container is closed at all times other than during feeding;
 8. Chicken waste is disposed of in watertight waste containers and disposed of weekly, or composted in a manner that does not cause noxious odors and does not attract vermin;
 9. Deceased chickens are disposed of in a proper manner, such as cremation; deceased chickens are not buried on any property in the Village and are not placed in a local refuse carrier.
- (E) A permit obtained pursuant to division (D)(1) of this section may be revoked by the Village of Lisbon upon the Zoning Inspector's determination that any of the following conditions exist on the person's property:
1. Any violation of division (D) of this Section;
 2. Excessive noise or odor;
 3. A nuisance;
 4. An unsafe, unclean, unhealthy, or unsanitary condition;
 5. A violation of any Ordinance of the Village;
 6. A violation of the Ohio Revised Code;
 7. A violation of the Ohio Livestock Standards;
 8. Any chicken is being harbored, maintained, kept, or controlled for purposes other than personal use;
 9. Slaughtering of any chicken has occurred;

10. Breeding, selling, or bartering of any chicken has occurred; or

11. Any threat to public health or safety.

(F) If the Zoning Inspector revokes a permit obtained through division (D) of this section more than two (2) times, the person whose permit has been revoked will be prohibited from obtaining a permit.

(G) Whoever violates this section is guilty of a minor misdemeanor.

Section 2. Any prior legislation, or parts thereof, inconsistent herewith, are hereby repealed to the extent of any such inconsistency.

Section 3. The ordinance shall go into effect at the earliest period allowed by law.

Mayor Peter Wilson

Council President Dawn Thomas

Attest:

Tracey Wonner Fiscal Officer

Approved as to form:

Alec Beech Village Solicitor

1st Reading: July 26, 2022

2nd Reading:

3rd/Final Reading: