

VILLAGE OF BANCROFT

ORDINANCE NO. 287-16

(Enacted May 11, 2016)

**An Ordinance to Regulate the Keeping of Animals**

The Village of Bancroft Ordains:

Section 1: It shall be unlawful for any person, partnership or corporation to keep any cows, pigs, swine, sheep, goats, horses or other livestock, ducks, geese or any other poultry, except as outlined elsewhere in this Ordinance.

Section 2: Chickens, Turkeys and Rabbits

- A. A person, partnership or corporation may house chickens, turkeys and/or rabbits on residential property if they comply with all the following requirements:
1. No more than 6 chickens, turkeys and/or rabbits total, in any combination.
  2. All chickens and turkeys must be female except that male chickens or turkeys may be kept providing that applicant obtain written statements of all adjacent landowners stating that there is no objection to male chickens or turkeys being housed on applicant's property. Once an adjacent landowner grants permission in writing, it may not be revoked by that landowner or their successors in title for the period of this ordinance.
  3. All chickens, turkeys and/or rabbits must be located in a building or in the backyard of any residential property.
  4. A covered enclosure or fenced enclosure shall not be located closer than 30 feet to any residential structures on said property or adjacent to said property provided, however, this requirement can be waived as follows:
    - a. If the principal use of applicant's property is for a single-family dwelling to obtain such a waiver the applicant shall present written statements of all adjacent landowners having a residential structure within 30 feet of the covered enclosure or fenced enclosure stating that there is no objection to the location of the enclosures being closer than 30 feet from their residential structure(s). Once an adjacent landowner grants permission in writing, it may not be revoked by that landowner or their successors in title for the period of this ordinance.
    - b. If the principal use of applicant's property is for a 2-family dwelling, to obtain such a waiver the applicants shall present written statements of all adjacent landowners having a residential structure within 30 feet of the covered enclosure or fenced enclosure, as well as the occupants of the other dwelling located upon the applicant's property, stating that there is no objection to the location of the enclosures being closer than 30 feet from their nearest residential structure(s). Once an adjacent landowner or other dwelling occupants grant permission in writing, it may not be revoked by that landowner or other dwelling occupants or their successors in title for the period of this ordinance.

- c. Once permission is granted in (6a) or (6b) above, the Applicant's use under this Ordinance shall be deemed abandoned if the applicant fails to keep either chickens, turkeys or rabbits in the covered enclosure for ninety (90) consecutive days.
- 5. For purposes of this section, adjacent property mean all parcels of property that the applicant's property comes into contact with at one or more points, except for parcels that are legally adjacent to, but are in fact separated from the applicant's property by either a public or private street, or an alley.
- 6. All feed and other items associated with the keeping of chickens, turkeys or rabbits which might be likely to attract, to become infested with, or infected by rats, mice or other rodents, shall be protected so as to prevent rats, mice or other rodents from gaining access to, or coming into contact with the feed items.
- 7. If the above requirements are not complied with, the village may initiate prosecution for a municipal civil infraction. Each day of a continuance of any violation is grounds for issuance of a new civil infraction.

### Section 3: Cows, Pigs, Sheep, Goats, and Horses

- A. A person, partnership or corporation (hereafter referred to as "person") may house cows, pigs, goats, and/or horses on residential property if they comply with all the following requirements:
  - 1. The person must have a minimum of five contiguous acres, all within the Village limits.
  - 2. The person may house no more than two animal units wherein such animals shall including horses, cows, pigs, sheep or goats.
  - 3. For every two additional acres above five acres, inside the Village limits, a person may have one additional animal unit.
  - 4. Cows, horses, pigs, sheep and goats shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times. Fenced enclosures are subject to all provisions of the Village of Bancroft zoning laws.
  - 5. A covered enclosure or fenced enclosure shall not be located closer than two hundred (200) feet to any residential structures, on or adjacent to said property provided, however, this requirement can be waived as follows:
    - a. If the principal use of applicant's property is for a single-family dwelling to obtain such a waiver the applicant shall present written statements of all adjacent landowners having a residential structure within two hundred (200) feet of the covered enclosure or fenced enclosure stating that there is no objection to the location of the enclosures being closer than two hundred (200) feet from their residential structure(s). Once an adjacent landowner grants permission in writing, it may not be revoked by that landowner or their successors in title for the period of this ordinance.
  - 6. If the principal use of applicant's property is for a two-family dwelling, to obtain such a waiver the applicants shall present written statements of all adjacent landowners having a residential structure within two hundred (200) feet of the covered enclosure or fenced enclosure, as well as the occupants of the other dwelling located upon the applicant's property, stating that there is no objection to the location of the enclosures being closer than two hundred (200) feet from their nearest residential structure(s).
- B. An "animal unit" shall be defined as one cow, one horse, one pig, two sheep, two goats or one sheep plus one goat.



8.

Section 4: Chickens, turkeys, rabbits, cows, goats, sheep, pigs and horses shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times. Fenced enclosures are subject to all provisions of the Village of Bancroft zoning laws.

Section 5: For the purposes of this ordinance "backyard" means that portion of a lot(s) enclosed by the property's rear lot line and the side lot lines to the points where the side lot lines intersect with an imaginary line established by the rear of the single family or two family structure and extending to the side lot lines.

Section 6: Cleanup

Manure, used bedding and/or other waste must be regularly cleaned up a minimum of every three months, and more often as needed, to prevent objectionable smells or odors.

Section 7: This ordinance shall expire one year after taking effect.

Section 8: If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remain portions of this ordinance. The Village of Bancroft declares that it would have passed this ordinance and each section, subsection, clause, or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 9: To the extent that any prior ordinance contradicts this ordinance, such other ordinance is deemed invalid during the period of this ordinance, only to the extent necessary to give all provisions of this ordinance full effect.

Section 10: This ordinance and the related rules, regulations, provisions, requirements, orders, and matters established shall take effect immediately upon publication, except any penalty provisions which shall take effect twenty (20) days after publication, pursuant to Michigan Compiled Law 66.1.

Adopted at a regular meeting of the Village Council held on the 11<sup>th</sup> day of May, 2016.

Yeas: Barnum, Bible, R. Miller, A. Miller, Johnson

Nays: None

Absent: Green

Signed: \_\_\_\_\_

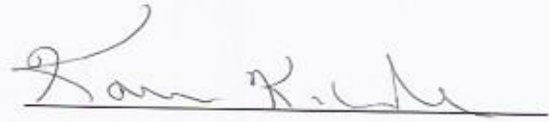
Christopher S. Johnson

Village President

I certify that the above is a true and complete copy of Ordinance No. 287.16  
adopted by the Village Council at a Regular Meeting held on the 11<sup>th</sup> day of May, 2016 and published in

the Independent newspaper on

May 29, 2016.

A handwritten signature in dark ink, appearing to read "Karen Cole", written over a horizontal line.

Karen Cole, Village Clerk