

City Code of Ordinance Chapter 10 – Animals, Article III. – Livestock and Fowl

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Sec. 10-64. - Keeping of animals, fowl, etc. restricted.

No horse, cow, calf, swine, sheep, goat, geese, ducks, donkeys, fowl unless permitted by section 10-65, or pigeons shall be kept in any dwelling or part thereof. No such animals or fowl shall under any circumstances be kept on the same lot or premises with a dwelling unless they are maintained in connection with the operation of a bona fide farm. Notwithstanding the foregoing, it shall be permissible to own, keep, or harbor not more than two adult rabbits per household, together with not more than eight young rabbits until they attain the age of four months. The keeping of chickens shall be permitted with a valid permit issued by the City of Sturgis as per section 10-65.

Section 10-65. – Urban Chickens

- (a) No person shall keep chickens unless they obtain an urban chicken permit and comply with all City ordinances. No permit will be issued unless the following has been completed:
 - (1) Urban chicken permit application has been submitted.
 - (2) All fees have been paid.
 - (3) An inspection of property has been completed to verify compliance with the ordinance.
- (b) Permit applications shall be submitted to the Community Development Department on a form provided by the City for review and approval. The application must be completed with all information requested. The following additional items shall be included with your permit application:
 - (1) A sketch plan which indicates the location of any chicken coop, chicken runs, and fencing (including height and style) as well as setbacks from all property lines and structures on same property and adjoining residential structures.
 - (2) Inspections will be conducted after the permit application has been reviewed and all fees have been paid. Application will not be approved, and permit will not be issued until property is found to be in compliance with City ordinances. The first inspection is included with the cost of the permit application fee. Any additional inspections to verify compliance will require an additional inspection fee to be paid prior to scheduling of the inspection.
- (c) The applicant's first (initial) urban chicken permit is valid until June 1 of the following year. If a person wishes to continue keeping chickens, they shall obtain a new permit before their current permit expires. Renewal permits are valid for two (2) years with all permits expiring on June 1.

Renewal permit applications shall be submitted a minimum of 30 days prior to the expiration of the permit. Inspections shall be completed and approved prior to the issuance of the renewal permit. Application for a renewal permit shall be pursuant to the procedures and requirements that are applicable at the time the person applies.

- (1) No permit shall be issued without the written authorization from the owner of the property consenting to the application and the keeping of urban chickens.
 - (2) Permits are not transferrable to another applicant. When an applicant vacates a property, the permit is revoked and all structures, including chicken coop and enclosures, that were permitted as part of the permitting process must be removed.
- (d) The keeping of chickens is permitted only on a lot where the principal use is a single-family dwelling in the following zoning districts: R-1, R-2, R-3, R-4. No multi-family dwelling(s), multiple single-family dwellings on a single lot, duplex, or apartment(s) shall be permitted urban chickens.
- (e) Notwithstanding the issuance of a permit by the City, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, restrictive covenants for the neighborhood, neighborhood association by-laws, and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.
- (f) A person who has received a permit for urban chickens on their property shall comply with all of the following requirements:
- (1) Maintain a valid permit as required under this section.
 - (2) Keep no more than six (6) female chickens per property.
 - (3) All chickens shall have a City-issued identification band on their leg. Leg bands will be provided by the City of Sturgis when the permit is issued. Renewal permits will not require new bands. Replacement bands can be obtained for a fee from the City of Sturgis.
 - (4) The principal use of the applicant's property is a single-family dwelling.
 - (5) No person shall keep any rooster, crowing hens, or guinea chickens.
 - (6) No person shall slaughter any chickens in public view.
 - (7) Chickens shall be always provided and remain within a fully enclosed coop and/or fenced enclosure with a top and/or cover.

- (8) The coop shall be a single structure not to exceed sixty (60) square feet in area and eight (8) feet in height. The minimum run size per chicken shall be eight (8) square feet with a maximum area of 300 square feet. The coop shall meet the standards for accessory structures (section 1.1105 of the zoning ordinance) and the enclosure shall meet the standards for fences (section 1.1106 of the zoning ordinance).
- (9) The use of corrugated metal/fiberglass, sheet metal, plastic tarps, scrap lumber or similar materials not in keeping with the appearance of other accessory buildings in the immediate area of the property as determined by the Zoning Administrator is prohibited.
- (10) The coop and enclosure may be movable only if the dimensional/setback restrictions required in this section are maintained.
- (11) A person shall not keep chickens in any location on the property other than in the rear yard.
- (12) The coop or enclosure shall not be located closer than forty (40) feet to the nearest residence on an abutting lot. For the purpose of this section, "residence" shall be defined to include both the principal structure and any decks, porches, sunrooms, or similar areas attached to the principal structure. This requirement shall be met at the time of initial permit issuance and is not meant to be retroactively applied in the event a residence on an abutting lot constructs an addition of some type that encroaches upon an existing chicken coop or enclosure.
- (13) No coop or enclosure shall be located closer than ten (10) feet to any property line of an abutting lot.
- (14) No coop or enclosure shall be located closer than ten (10) feet to the principal structure or three (3) feet to an accessory structure on the same property.
- (15) Coops and enclosures must be clean, dry, odor-free and kept in a neat and sanitary condition and in compliance with all City ordinances.
- (16) All enclosures shall be constructed or repaired to prevent rats, mice, other rodents, or predators from being harbored underneath, within, or within the walls of the enclosure.
- (17) All feed and other items associated with the keeping of chickens shall be kept in a vermin and predator proof sealed container.
- (18) Waste materials (feed, manure, and litter) must be disposed of in an environmentally responsible manner. Piling waste materials on the property is not permitted. Litter must be kept dry.
- (19) If the above requirements are not complied with, the City may revoke any permit granted under this section and /or initiate prosecution for a civil

infraction violation.

(g) Enforcement and penalties:

- (1) Any person who keeps chickens without a valid permit as required by this ordinance or who otherwise violates any of the provisions of this section shall be deemed guilty of a civil infraction and be issued a notice of violation. If the violation is not corrected within the timeframe referenced in this subsection, a citation may be issued and fine applied in accordance with the fine schedule of the City code of ordinances.
- (2) The City may revoke any permit granted under this section if any of the requirements of this section are not complied with.
- (3) A person who has been issued a notice of violation shall be given up to seven (7) days to correct the violation unless an extension has been granted by the zoning administrator.
- (4) A person who remains in violation after the timeframe for correction shall have their permit revoked and shall immediately discontinue the keeping of chickens at the permitted premise.

(h) Amendments to this section:

- (1) In adherence to the ballot proposal, any proposed amendments mandate a 2/3s majority vote from the City of Sturgis Commission.

City Code of Ordinances, Appendix A – Zoning, Article XI. – General Provisions

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1.1105 Accessory buildings, structures and uses.

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(B) Accessory building or accessory structures in a residential district.

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(8) There shall be no more than two accessory buildings on any one parcel excluding play houses, dog houses, chicken coops not exceeding 30 square feet, pergolas or gazebos not exceeding 150 square feet, or buildings of similar uses.

(10) Chicken coops shall not exceed eight (8) feet in height and sixty (60) square feet in area. Chicken coops shall be removed if a valid urban chicken permit as per section 10.65 of the City of Sturgis code of ordinances is not maintained.

City Code of Ordinances, Appendix A – Zoning, Article XIV. – Administration and Enforcement

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1.1401.-Building Permits.

No sign, parking area, fence, building, or other structure regulated by this zoning ordinance shall be erected, razed, moved, extended, enlarged, altered, or changed in use, and no exterior of any commercial building in the central business district shall be painted until a building permit has been issued by the building department, except the following:

1. Touch-up painting of the same color of any commercial building in the central business district.
 2. Accessory structures and fences that are included as part of an urban chicken permit, section 10.65 of the City of Sturgis code of ordinances.
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City Code of Ordinances, Appendix B – Fine Schedule for Municipal Civil Infractions

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Chapter 10. -Animals

Urban Chickens Violations:

First Offense - \$150.00

Second Offense - \$300.00

Any additional offenses - \$500.00

City of Sturgis Fee Schedule

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Planning / Zoning

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Urban Chickens

Initial Permit Application Fee	\$75.00
Renewal Permit Application Fee	\$00.00/NO FEE
Additional Inspection Fee	\$50.00
Permitted Chickens Running At Large (per Chicken)	\$40.00
Keeping of chickens prior to permit issuance	\$100.00