



STATE OF MICHIGAN
VILLAGE OF STOCKBRIDGE
ORDINANCE NO. 2023-06-05.00?
(Enacted June 05, 2022)

AN ORDINANCE APPROVING TEXT AMENDMENT TO CHAPTER 18 - NUISANCES, ARTICLE V - UNSAFE NUISANCES, SECTION 18-92 - ANIMALS OF THE VILLAGE OF STOCKBRIDGE CODE OF ORDINANCES, TO ALLOW RAISING OF CHICKENS WITH GUIDELINES HAS BEEN RECOMMENDED AS SET FORTH BELOW.

recitals

WHEREAS, the Village of Stockbridge (hereinafter, the “Village”) has adopted the Village of Stockbridge Code of Ordinances.

WHEREAS, the Village of Stockbridge (hereinafter, the “Village”) has incorporated the Ingham County Animal Control Ordinance adopted the Village of Stockbridge into Villages Code of Ordinances.

WHEREAS, the Village President, established a committee who met for several months to research and discuss the possibility of allowing chickens within the Village limits. The committee decided it was prudent to create a survey that was distributed to all residents with respective water bills to determine the acceptance or rejection of allowing chickens in the residential districts resulting in the committee making the following recommendation as set forth below.

Ordinance

Chapter 18: Nuisances, Article V: Unsafe Nuisances, Section 18-92 Animals is amended to read in its entirety as follows:

Section 1: 18-92. Animals.

The care or raising of any animals in violation of the provisions of the Ingham County Animal Control Ordinance is prohibited in the Village of Stockbridge. However, the raising of chickens is permitted in the Village of Stockbridge under the following guidelines:

- a. Chickens: A person living on a residentially zoned parcel may house chickens on said residential zoned parcel, if they comply with all the following requirements:
 1. No more than 6 chickens on any residentially zoned parcel.
 2. All chickens must be female. No roosters are allowed under any circumstances.
 3. All chickens must be in a space that contains a chicken coop located in the backyard of any residentially zoned property and must have a fence around it to prevent the chickens from free ranging.
 4. Neither the chicken coop nor the fenced enclosure shall be located closer than 30 feet to any residential dwellings adjacent to said property.
 5. All feed and other items associated with the keeping of the chickens 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.



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6. A chicken coop shall be defined as a small building for housing up to six (6) poultry. The building shall contain at least one door, a weatherproof roof, four enclosed sides, and a solid floor to protect the chickens from attack from varmints or predators. The building shall have a drop downside or a removable lid to allow the owner to clean the coop at least every three (3) months, per this Ordinance.
 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.
- b. Chickens shall be provided with a covered chicken coup enclosure and must be kept in the covered enclosure and in a fenced in enclosure at all times. Fenced enclosures are subject to all provisions of the Village's zoning laws.

For the purposes of this ordinance (In 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.

- d. Cleanup - Manure, used bedding and/or other waste must be regularly cleaned up and removed from the site at a minimum of every three months, and more often as needed, to prevent objectionable smells or odors.

Section 2: 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 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 3: To the extent that any prior ordinance contradicts this ordinance, such other ordinance is deemed invalid, only to the extent necessary to give the provisions of this ordinance full effect.

Section 4:

- (a) The manager, president, or his or her authorized representative [including a code enforcement officer] may cause litigation to be filed to remove Chickens and Chicken All feed and other items associated with the keeping of the chickens 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. Cleanup - Manure, used bedding and/or other waste



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must be regularly cleaned up and removed from the site at a minimum of every three months, and more often as needed, to prevent objectionable smells or odors. in violation of this section, from any completely unenclosed private property after having notified the owner or occupant of such property, in writing, of the intention to do so at least fourteen (14) days prior to authorizing litigation [except in the case of a serious public health risk when the notice period shall be reduced to two (2) days]. Such notice shall be given as provided in section 1-5.

- (1) The litigation shall seek a fine and a writ or order requiring that Section 4 such junk, junk automobiles or abandoned vehicles, or parts of either, be removed, impounded and disposed of in accordance with law.
- (2) Such litigation to seek removal by the village shall not excuse or relieve any person of the obligation imposed by this section 4, a, nor from the penalties for violation thereof. Therefore, this section shall authorize the issuances of subsequent municipal civil infraction tickets for the same violations within fourteen (14) days of each other and do not require an additional written notice before issuance if the violation continues.
- (d) All costs and expenses incurred in litigation under this may be recovered by the village in a suit at law against the owner or occupant of any such lot or premises.
- (e) The manager, president, or his or her authorized representative [including a code enforcement officer] may enforce this Section of the Ordinance by authorizing litigation in the form of either 1) a municipal civil infraction ticket under Section 1-6 (c) or a Civil Nuisance Suit under Section 1-6 (d) (2).

SECTION 4: 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 remaining portions of this Ordinance. The Village of Stockbridge 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 section, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 5: That 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 MCL66.1.

SECTION 6: Repealer - All Ordinances or parts of Ordinances in conflict with this Ordinance are repealed only to the extent necessary to give all provisions of this Ordinance full effect.



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Adopted at a Regular Meeting of the Village of Stockbridge held on October 2, 2023.

Moved by: Morehouse

Seconded by: Cattell

YEAS: , Mullins, Fairbotham, Morehouse, Ogden

NAYS: Howlett, Cattell, Dyer

ABSENT: None

ABSTAIN: None

Village of Stockbridge

By: Jill Ogden

Its: Village President

Certification of Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Stockbridge, County of Ingham, State of Michigan, at a rescheduled regular meeting held on the 5th day of June, 2023, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act, and the foregoing Ordinance was published in a newspaper of local circulation on ??????????????????.

Village of Stockbridge

By: Lucinda Reames
Its: Interim Village Clerk

Drafted by: John L. Gormley (P53539)
Attorney for the Village of Stockbridge and
It's Planning Commission
Gormley Law Offices, PLC
101 Grand River Ave.
Fowlerville, Michigan 48836
517.223.3758



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