

**CHARTER TOWNSHIP OF KALAMAZOO  
KALAMAZOO COUNTY, MICHIGAN**

**ORDINANCE NO. 579**

**ADOPTED: FEBRUARY 22, 2016**

**EFFECTIVE: EIGHT DAYS FOLLOWING  
PUBLICATION AFTER ADOPTION**

An Ordinance to amend the Charter Township of Kalamazoo Zoning Ordinance by the amendment of Section 12, Light, Ventilation, Billboards, Sanitation and Protection Requirements, Subsection 10 (20.990) thereof pertaining to the keeping of chickens; and to repeal of all ordinances or parts of ordinances in conflict herewith.

**THE CHARTER TOWNSHIP OF KALAMAZOO  
KALAMAZOO COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**  
**AMENDMENT OF SECTION 12, SUBSECTION 10 (20.99)**  
**OF THE TOWNSHIP ZONING ORDINANCE**

Subsection 10 of Section 12 “Light, Ventilation, Billboards, Sanitation and Protection Requirements” of the Kalamazoo Charter Township Zoning Ordinance is hereby amended to read as follows:

Section 20.990

[Sec.] 10. The keeping of more than 3 dogs and/or cats, the keeping of pigeons having free access outside of their cages, or the keeping of pigs, hogs, horses or poultry other than chickens (hens) as defined herein, is prohibited within or upon any platted properties used primarily for residential purposes or within or upon any area located within 132 feet of such aforesaid platted properties, unless such latter area is located in a "C-1" Local Business District classification or lower, provided, however, that any litter of dogs or cats which causes the aforesaid limit of 3 to be exceeded shall not constitute a violation of this provision for a period of 4 months after birth, and provided further, however, that no more than 2 such litters shall be allowed to so remain on the afore-described premises within any consecutive 12 months period. All such pigs, hogs, horses, livestock, more than 3 dogs and/or cats or poultry other than chickens (hens) as defined herein, shall also be prohibited in any area of the Township if the same become obnoxious by reason of odors or noise. The determination of the Board of Appeals, established under the statute and this Ordinance, shall in the absence of fraud, be conclusive on the question of whether such are so obnoxious.

## 1. KEEPING OF CHICKENS (HENS)

*Chickens (hens).* The purpose of this section is to provide standards and requirements for the keeping of chickens. Roosters are not permitted. It is intended to enable residents to keep up to four chickens on a non-commercial basis while limiting and mitigating any potential adverse impacts on surrounding properties and neighborhoods. The keeping of up to four chickens that are utilized exclusively by the person(s) occupying a one-family dwelling as a locally grown food source for the consumption of eggs or meat, is permitted as accessory to the residential use if all of the following are satisfied:

- A. Chickens shall be kept only in the rear yard secured within a coop and attached pen during non-daylight hours. During daylight hours, chickens may be allowed to roam outside of the coop and pen, if supervised, and only within an area completely enclosed by a fence with a minimum height of four feet.
- B. The accessory use, coop and pen shall be designed to provide safe and healthy living conditions for chickens while minimizing adverse impacts on other residents and the neighborhood. The coop and pen shall meet the following additional requirements:
  - 1. The coop shall be setback a minimum of ten feet from all property lines of adjacent property and both the coop and pen shall be located a minimum of 35 feet from the nearest wall of any adjacent dwelling. Additionally, a coop and pen located on a lake front lot shall have a 40-foot rear yard setback. Public streets and public easements shall not be considered adjacent property lines for purposes of this section.
  - 2. The coop and pen shall be a maximum of six feet in height and shall not exceed a combined total of 80 square feet.
  - 3. The use of corrugated fiberglass, plastic tarps, scrap lumber or similar materials is prohibited. The coop and pen shall be similar in appearance to the surrounding residential dwellings and must be completely enclosed with a top and/or cover. The coop shall have a pitched roof.
  - 4. The coop and pen may be movable only if the dimensional/setback restrictions contained in this section are satisfied.
- C. All feed and other items associated with the keeping of chickens that are likely to attract or 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 or coming into contact with them.
- D. The outdoor slaughter of chickens is prohibited.

- E. The accessory use shall comply with all provisions of the Kalamazoo Charter Township Code of Ordinances pertaining to noise, odors, dust, fumes, sanitation and health or other comparable nuisances to ensure the public health, safety and welfare.
- F. No person shall keep chickens without first securing a permit from the Township on a form provided and without paying a permit fee as prescribed by the Kalamazoo Township Board by resolution. The permit shall be issued by the Zoning Administrator. Such permit may be revoked by the Zoning Administrator if it is determined that any provision of this section is violated. The permit holder shall be noticed of such violation and have the right to a hearing by the Planning Commission before the permit may be revoked.
- G. Establishment of an accessory use and/or accessory building under this section shall not confer a vested right in the provisions contained herein or a right to continue such use. Further, a permit granted under this section is personal to the applicant occupying the dwelling and is not transferable.
- H. This section shall not regulate the keeping of chickens in those areas where a form of agriculture is a permitted principal use or special land use under other sections of this zoning code.
- I. All licensing required by the State of Michigan and Kalamazoo County, as well as all other statutes, ordinances and codes, shall be satisfied.
- J. No permit shall be issued by the Zoning Administrator without the written authorization from an owner of the property (if different from the applicant) consenting to the application on a form provided. Once authorization is obtained it shall continue for as long as the applicant is in possession of the property.

**SECTION II**  
**SEVERABILITY**

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason, by any court of competent jurisdiction, it shall not affect any portion of the Ordinance other than said part or portion thereof.

**SECTION III**  
**REPEAL**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION IV**  
**EFFECTIVE DATE**

This Ordinance shall take effect eight days following publication after adoption.

**KALAMAZOO CHARTER TOWNSHIP**  
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