

City of Battle Creek  
608.30 Urban Livestock  
Draft 4/25/17

(a) In addition to livestock otherwise allowed in the Ag Agriculture and R-1R Rural Residential zoning districts, urban livestock outlined herein is permitted on single and two-family residential parcels when accessory to a permitted residential use providing they are housed at the premises that is residentially occupied by the owner of the livestock. The care and keeping of urban livestock is subject to restrictions outlined herein, and for accessory buildings, fencing, and nuisance provisions of the Battle Creek Codified Ordinances.

(b) Animal Units / Property Size

The number of urban livestock housed at each property will be determined by calculating the allowable animal units (au) based on parcel size. For purposes of this chapter, the following permitted livestock equate to the animal units listed:

<u>ANIMAL TYPE</u>	<u>ASSOCIATED ANIMAL UNITS</u>
Rabbit	.5 au
Hen	1 au
Miniature/Dwarf Goat	5 au
Honey Bee Hive/Box	6 au

The number of urban livestock permitted shall be limited to the total square footage of a parcel outlined herein:

<u>LOT SIZE</u>	<u>PERMITTED ANIMAL UNITS</u>
5,000 s.f. – 9,999 s.f.	2 au
10,000 – 14,999 s.f.	4 au
15,000 – 29,999 s.f.	6 au
30,000 – 43,559 s.f.	8 au
43,560 s.f. (one acre)	10 au

(c) The following regulations apply based upon the type of urban livestock being housed on a property. In no instance shall urban livestock be kept within one hundred feet of any well, spring, or stream:

(1) Rabbits, when kept outdoors, may be kept subject to the following requirements:

- a. Rabbits must be kept in the rear yard and at least 10 feet from all adjacent property lines and 25 feet from any residential structure.
- b. There must be a covered, predator proof hutch that provides a minimum of 6 sq. ft. per rabbit and 2 feet high living area. The bottom floor of the hutch shall be elevated above grade level a minimum of three feet. At least 25% of the surface floor of the hutch shall have a wire floor and the remainder shall have solid surfacing. The hutch shall be well ventilated and contain windows for natural light. A hutch shall not exceed 8 feet in height.

(2) Hens, but not roosters, may be kept subject to the following requirements:

- a. Hens must be kept in an enclosure, including a fence or corral, in the rear yard that provides at least 10 sq. ft. of space for each hen. The enclosure must be of sufficient type, height, and strength to secure and reasonably assure that the hens will not escape. The enclosure must be at least 10 feet from all adjacent property lines and 40 feet from any residential structure. The area within the enclosure must be well drained and free from standing water.
- b. There shall be a covered, well ventilated, predator proof coop within the enclosure that provides at least 2 sq. ft. per hen, nesting boxes for each three hens, 12 inches of roost per hen, and provides access to the outdoor portion of the enclosure. A coop shall not exceed 8 feet in height.
- c. Hens may be allowed to roam outside of the coop or fenced enclosure if within the fully fenced rear yard of the premises housing the hens, and under direct supervision by an adult in the immediate vicinity of the hens.
- d. Roosters are expressly prohibited, regardless of the age or maturity of the bird.

(3) Dwarf/Miniature Goats (“goats”) may be kept subject to the following requirements:

- a. A minimum of two dwarf/miniature goats will be required on properties wanting goats in order to provide the optimum social and living environment. Acceptable breeds include, but are not limited to, Nigerian Dwarfs, African Pygmy Goats, The Kinder, Mini Dairy Goats, and Swiss Alpine Goats.
- b. All goats must be disbudded to prevent harm to each other, themselves, people, and property.
- c. Goats must be kept in an enclosure in the rear yard that provides at least 100 sq. ft. of space for each goat. The enclosure must be of sufficient type, height, and strength to secure and reasonably assure that the goats will not escape. The enclosure must be at least 50 feet from all adjacent property lines and 100 feet from any residential structure. The area within the enclosure must be well drained and free from standing water.
- d. There must be a covered, well ventilated, predator proof shed within the enclosure that provides at least 15 sq. ft. per goat, and provides access to the outdoor portion of the enclosure.
- e. Goats may be allowed to roam outside of the shed or fenced enclosure if within the fully fenced rear yard of the premises housing the goats, and under direct supervision by an adult in the immediate vicinity of the goats.

(4) Honey Bees may be kept subject to the following requirements.

- a. Hives must be kept in the rear yard and 50 feet from any adjacent property lines.
- b. Each hive shall not exceed a maximum size of 20 cubic feet.
- c. A constant supply of water shall be provided for all hives.

- d. When hives are within 200 feet of any adjacent property line, the hive entrances must open toward the property keeping the bees so that the bees fly across the property where the hive is located. If this is not possible, a solid fence or dense vegetative barrier at least 6 feet in height shall be required to redirect the bees flight pattern and prevent a direct line of flight from the hives onto a neighboring property.

(d) Maintenance and Care.

- (1) All premises on which urban livestock is housed shall be kept clean from filth, garbage, and any substance that attracts rodents. The enclosures and structures clean and sanitary, and odors from animals, manure, or other animal related items shall not be perceptible at the property boundaries.
- (2) Adequate fresh feed, water, and bedding must be provided sufficient for the number and type of urban livestock on a parcel.
- (3) Feed must be stored in a rodent-proof and weather resistant container located off the ground and in a cool dry place not accessible to animals.
- (4) Urban livestock is not allowed to run loose beyond the confines of the rear yard of the premises housing the animals.
- (5) Waste shall either be composted with carbonaceous material such as hay, bedding, or leaves and located 20 feet from all adjoining property lines, or stored in a sealed container until it is removed from the property.
- (6) On-site slaughtering of any urban livestock is prohibited.

(e) Permit and License Required. The keeping of urban livestock is subject to zoning permits and inspections for the construction and placement of the enclosures and any structures, and an annual animal license as outlined in 608.17. If a rental property, the property owner must issue in writing approval for the application for a license or permit for the keeping of urban livestock. Permits or licenses may be denied for failure to comply with the provisions of this chapter, if the facilities for the keeping of animals are or become inadequate for their purpose, if the conditions of the permit or license are not met, if a nuisance condition is created, or if the public health and safety would be unreasonable endangered by granting of such permit. The City may refuse to grant or may revoke a permit if the urban livestock become a nuisance, as evidenced by the third substantiated violation.

(f) Any person who violates or fails to comply with any of the provisions of this chapter will be subject to the penalties established by section 608.99 of this chapter.