

for exhibition films, or glass slides either in negative or positive form designed for exhibition by projection on a screen, are photographed, manufactured, developed, screened, exhibited, or otherwise prepared or shown, and the personal property and contents used in conducting and maintaining any such place for any such purpose. This chapter shall not affect any newspaper, magazine, or other publication entered as second class matter by the post office department;

(3) Any room, house, building, boat, vehicle, structure, or place where beer or intoxicating liquor is manufactured, sold, bartered, possessed, or kept in violation of law and all property kept and used in maintaining the same, and all property designed for the unlawful manufacture or beer, or intoxicating liquor and beer, or intoxicating liquor contained in the room, house, building, boat, structure, or place described in this division (3) where the operation of that place substantially interferes with public decency, sobriety, peace, and good order. "Violation of Law" includes but is not limited to sales to any person under the legal drinking age prohibited in R.C. § 4301.22(A) or R.C. § 4301.69(A), and any violation of R.C. § 2913.46 or R.C. § 2925.03.

PERSON. Includes any individual, corporation, association, partnership, trustee, lessee, agent or assignee.

PLACE. Includes any building, erection, or place or any separate part or portion thereof or the ground itself. (R.C. § 3767.01) (Rev. 1999)

Cross-reference:

Penalty and procedure when injunction issued pursuant to division (3) of the definition of "nuisance" is violated, see § 92.27

**§ 93.03 NUISANCES GENERALLY;
INJUNCTIONS; VIOLATION; CONTEMPT.**

(A) (1) Any person who uses, occupies, establishes, or conducts a nuisance, or aids and abets in the use, occupancy, establishment, or conduct of a nuisance; the owner, agent, or lessee of an interest in any such nuisance; any person who is employed in that nuisance by that owner, agent, or lessee; and any person who is in control of that nuisance is guilty of maintaining a nuisance and shall be enjoined as provided in R.C. §§ 3767.03 through 3767.11.

(2) A criminal gang that uses or occupies any building, premises, or real estate, including vacant land, on more than two occasions within a one-year period to engage in a pattern of criminal gang activity is guilty of maintaining a nuisance and shall be enjoined as provided in R.C. §§ 3767.03 through 3767.11. As used in this division (A)(2), **CRIMINAL GANG** and **PATTERN OF CRIMINAL GANG ACTIVITY** have the same meanings as in R.C. § 2923.41.

(R.C. § 3767.02) (Rev. 1999)

(3) Any building, premises, or real estate, including vacant land, that is used or occupied by a criminal gang on more than two occasions within a one-year period to engage in a pattern of criminal gang activity constitutes a nuisance subject to abatement pursuant to R.C. §§ 3767.01 through 3767.11

(R.C. § 2923.43) (Rev. 1999)

(B) In case of the violation of any injunction or closing order granted under R.C. §§ 3767.01 through 3767.11, or of a restraining order or the commission of any contempt of court in proceedings under such sections, the court or, in vacation, a judge thereof, may summarily try and punish the offender. The trial may be had upon affidavits or either party may demand the production and oral examination or witnesses.

(R.C. § 3767.07)

(C) Whoever is guilty of contempt under this section is guilty of a misdemeanor of the first degree.

(R.C. § 3767.99(A))

Statutory reference:

Abatement of nuisance, bond and notice, see R.C. § 3767.03

Content of judgment and order, disposition of property seized, see R.C. § 3767.06

Criminal gang activity, see R.C. §§ 2923.41 et seq.

Priority of actions, evidence, costs; nuisances relating to liquor permit premises, see R.C. § 3767.05

Procedure in injunction action, see R.C. § 3767.04

§ 93.04 MAINTAINING CERTAIN NUISANCES.

(A) No person shall erect, continue to use, or maintain a building, structure, or place for the exercise of a trade, employment, or business or for keeping or feeding an animal which, by occasioning noxious exhalations or noisome or offensive smells, becomes injurious to the health, comfort, or property of individuals or of the public.

(B) No person shall cause or allow offal, filth, or noisome substances to be collected or remain in any place to the damage or prejudice of others or of the public.

(C) No person shall unlawfully obstruct or impede the passage of a navigable river, harbor, or collection of water, or corrupt or render unwholesome or impure a watercourse, stream of water, or unlawfully divert such watercourse from its natural course or state to the injury or prejudice of others.

(D) Persons who are engaged in agriculture-related activities, as "agriculture" is defined in R.C. § 519.01, and who are conducting those activities outside the municipality, in accordance with generally accepted agricultural practices, and in such a manner so as not to have a substantial, adverse effect on the public health, safety, or welfare, are exempt from divisions (A) and (B) above and from any ordinances, resolutions, rules, or other enactments of the municipality that prohibit excessive noise.

(R.C. § 3767.13)

(E) Whoever violates this section is guilty of a misdemeanor of the third degree.
(R.C. § 3767.99(C))

§ 93.05 COLLECTION OF COST OF ABATING DANGEROUS PROPERTY CONDITION; INJUNCTION; REHABILITATION.

(A) *Collection of costs of abating dangerous property conditions.*

(1) As used in this division, **TOTAL COST** means any costs incurred due to the use of employees, materials, or equipment of the municipality or its agent pursuant to division (A)(5) of this section, any costs arising out of contracts for labor, materials, or equipment, and costs of service of notice or publication required under this division.

(2) The municipality or its agent pursuant to division (A)(5) of this section may collect the total cost of removing, repairing, or securing insecure, unsafe, structurally defective, abandoned, deserted, or open and vacant buildings or other structures, of making emergency corrections of hazardous conditions, or of abating any nuisance by any of the following methods:

(a) The Clerk of the Legislative Authority of the municipality or its agent pursuant to division (A)(5) of this section may certify the total costs, together with a proper description of lands to the County Auditor who shall place the costs upon the tax list and duplicate. The costs are a lien upon such lands from and after the date the costs were incurred. The costs shall be collected as other taxes and returned to the municipality or its agent pursuant to division (A)(5) of this section, as directed by the Clerk of the Legislative Authority in the certification of the total costs or in an affidavit from the agent delivered to the County Auditor or County Treasurer. The placement of the costs on the tax list and duplicate relates back to, and is effective in priority, as of the date the costs were incurred, provided that the municipal corporation or its agent pursuant to division (A)(5) of this section certifies the total costs within one year from the date the costs were incurred.

(b) The municipality or its agent pursuant to division (A)(5) of this section may commence a civil action to recover the total costs from the owner.

(3) This division (A) applies to any action taken by the municipality, or its agent pursuant to division (A)(5) of this section, pursuant to R.C. § 715.26, which authorizes the inspection, removal and repair of buildings, or pursuant to the Ohio Constitution, Article XVIII, Section 3.

(4) The municipality or its agent pursuant to division (A)(5) of this section shall not certify to the County Auditor for placement upon the tax list and duplicate the cost of any action that it takes under division (A)(2) of this

section if the action is taken on land that has been forfeited to the state for delinquent taxes, unless the owner of record redeems the land.

(5) The municipality may enter into an agreement with a County Land Reutilization Corporation organized under R.C. Chapter 1724 wherein the County Land Reutilization Corporation agrees to act as the agent of the municipality in connection with removing, repairing, or securing insecure, unsafe, structurally defective, abandoned, deserted, or open and vacant buildings or other structures, making emergency corrections of hazardous conditions, or abating any nuisance, including high weeds, overgrown brush, and trash and debris from vacant lots. The total costs of such actions may be collected by the corporation pursuant to division (A)(2) of this section, and shall be paid to the corporation if it paid or incurred such costs and has not been reimbursed.

(6) In the case of the lien of a County Land Reutilization Corporation that is the agent of the municipality, a notation shall be placed on the tax list and duplicate showing the amount of the lien ascribed specifically to the agent's total costs. The agent has standing to pursue a separate cause of action for money damages to satisfy the lien or pursue a foreclosure action in a court of competent jurisdiction or with the Board of Revision to enforce the lien without regard to occupancy. For purposes of a foreclosure proceeding by the County Treasurer for delinquent taxes, this division does not affect the lien priority as between a County Land Reutilization Corporation and the County Treasurer, but the corporation's lien is superior to the lien of any other lienholder of the property. As to a direct action by a County Land Reutilization Corporation, the lien for the taxes, assessment, charges, costs, penalties, and interest on the tax list and duplicate is in all cases superior to the lien of a County Land Reutilization Corporation, whose lien for total costs shall be next in priority as against all other interests, except as provided in division (A)(7) of this section.

(7) A County Land Reutilization Corporation acting as an agent of the municipality under an agreement under this division (A) may, with the County Treasurer's consent, petition the court or Board of Revision with jurisdiction over an action undertaken under division (A)(6) of this section pleading that the lien of the corporation, as agent, for the total costs shall be superior to the lien for the taxes, assessments, charges, costs, penalties, and interest. If the court or Board of Revision determines that the lien is for total costs paid or incurred by the corporation as such an agent, and that subordinating the lien for such taxes and other impositions to the lien of the corporation promotes the expeditious abatement of public nuisances, the court or board may order the lien for the taxes and other impositions to be subordinate to the corporation's lien. The court or board may not subordinate the lien for taxes and other such impositions to any other liens.

(R.C. § 715.261) (Rev. 2010)



City of Cleveland

Zoning Code Update

Effective Date: February 5, 2009

347.02 Restrictions on the Keeping of Farm Animals and Bees

347.02 Restrictions on the Keeping of Farm Animals and Bees

(a) Purpose. The regulations of this section are established to permit the keeping of farm animals and bees in a manner that prevents nuisances to occupants of nearby properties and prevents conditions that are unsanitary or unsafe.

(b) Chickens, Ducks, Rabbits and Similar Animals. The keeping of chickens, ducks, rabbits and similar farm animals, and cages, coops and enclosures for the keeping of such animals, shall be governed by the following regulations.

(1) In Residential Districts. In Residential Districts, the following regulations shall apply.

A. Number. No more than one such animal shall be kept on a parcel of land for each 800 square feet of parcel or lot area. For a standard residential lot of 4,800 square feet, this regulation would permit no more than a total of six (6) such animals.

B. Setbacks. The coops or cages housing such animals may not be located in front yard or side street yard areas and shall not be located within five (5) feet of a side yard line nor within eighteen (18) inches of a rear yard line, except where the rear lot line forms the side lot line or front lot line of an abutting property, in which case the setback from such rear lot line shall be five (5) feet. No animals shall be kept in required front yard or side street yard areas.

C. Prohibitions. No roosters, geese or turkeys may be kept in a Residential District except on a parcel that is at least one (1) acre in area and only if the coop or cage housing the bird(s) is at least one hundred (100) feet from all property lines. For parcels greater than one (1) acre in area, one (1) additional such bird may be kept for each 24,000 square feet in excess of one (1) acre. No predatory birds may be kept on any property under the regulations of this Section.

D. Coops and Cages. All animals shall be provided with a covered, predator-proof coop or cage or other shelter that is thoroughly ventilated, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the animals, exclusive of areas used for storage of materials or vehicles. The total area of all coops or cages on a lot shall not be greater than thirty-two (32) square feet for up to six (6) animals. Coops and cages, singly or in combination, shall not exceed fifteen (15) feet in height.

E. Enclosures and Fences. Chickens and other birds shall have access to an outdoor enclosure adequately fenced or otherwise bounded to contain the birds on the property and to prevent access by dogs and other predators and providing at least ten (10) square feet of area for each bird.

(2) In Non-Residential Districts. In zoning districts other than Residential Districts, all regulations applicable in Residential Districts shall apply except that the number of such animals shall be limited to one (1) animal for each four hundred (400) square feet of lot area.

(c) Goats, Pigs, Sheep and Similar Animals. The keeping of goats, pigs, sheep and similar farm animals, and stables and enclosures for the keeping of such animals, shall be governed by the following regulations.

(1) In Residential Districts. In Residential Districts, no goats, pigs, sheep or similar farm animals shall be kept on a parcel of land less than 24,000 square feet in area. For a parcel that is at least 24,000 square feet in area, a maximum of two (2) such animals may be kept on the property, with one (1) additional animal permitted for each additional 2,400 square feet of area. Stables or other enclosures for such animals shall not be permitted in front yards or in side street yards and shall be set back at least forty (40) feet from any street and from any property other than a property located in an Industrial District and shall be set back at least one hundred (100) feet from a dwelling on another parcel or from the permitted placement of a dwelling on an adjoining vacant parcel.

(2) In Non-Residential Districts. In zoning districts other than Residential Districts, no goats, pigs, sheep or similar farm animals shall be kept on a parcel of land less than 14,400 square feet in area. For a parcel that is at least 14,400 square feet in area, a maximum of two (2) such animals may be kept on the property, with one (1) additional animal permitted for each additional 1,200 square feet of area. Stables or other enclosures for such animals shall be set back at least forty (40) feet from any street and from any property other than a property located in an Industrial District and shall be set back at least one hundred (100) feet from a dwelling on another parcel or from the permitted placement of a dwelling on an adjoining vacant parcel.

(3) Prohibitions. No horses, cows, alpacas, llamas or similar animals shall be kept on a property except in areas specifically designated for the keeping of such animals.

(d) Bees. The keeping of bees, and associated beehives, shall be governed by the following regulations.

(1) In Residential Districts. In Residential Districts, the following regulations shall apply.

- A. Number. No more than one (1) beehive shall be kept for each 2,400 square feet of lot area, and no beehive shall be kept on a lot less than 2,400 square feet in area.
- B. Location and Setbacks. No beehive shall be kept closer than five (5) feet to any lot line and ten (10) feet to a dwelling or the permitted placement of a dwelling on another parcel, and no beehive shall be kept in a required front yard or side street yard. The front of any beehive shall face away from the property line of the Residential property closest to the beehive.
- C. Fences and Shrubs. A solid fence or dense hedge, known as a "flyway barrier," at least six (6) feet in height, shall be placed along the side of the beehive that contains the entrance to the hive, and shall be located within five (5) feet of the hive and shall extend at least two (2) feet on either side of the hive. No such flyway barrier shall be required if all beehives are located at least twenty-five (25) feet from all property lines and for beehives that are located on porches or balconies at least ten (10) feet above grade, except if such porch or balcony is located less than five (5) feet from a property line.
- D. Water Supply. A supply of fresh water shall be maintained in a location readily accessible to all bee colonies on the site throughout the day to prevent bees from congregating at neighboring swimming pools or other sources of water on nearby properties.
- E. Prohibitions. No Africanized bees may be kept on a property under the regulations of this Section.

(2) In Non-Residential Districts. In zoning districts other than Residential Districts, all regulations applicable in Residential Districts shall apply except that the number of beehives shall be limited to one (1) for each 1,000 square feet of lot area.

(e) Lots Without a Residence. Notwithstanding the provisions of Section 337.23 regarding Accessory Uses, farm animals or bees may be kept on a lot that is vacant or has no occupied residence but only if the applicant for such activity submits written documentation to the Director of Public Health, in accordance with the provisions of Section 205.04, demonstrating that the use will be managed in a manner that prevents the creation of nuisances or unsanitary or unsafe conditions.

(f) Sanitation and Nuisances. Farm animals shall be kept only in conditions that limit odors and noise and the attraction of insects and rodents so as not to cause a nuisance to occupants of nearby buildings or properties and not to cause health hazards. Furthermore, farm animals shall not be kept in a manner that is injurious or unhealthful to the animals being kept on the property.

(g) Animal or Bird Noise. It shall be unlawful for any person or other party operating or occupying any building or premises to keep or allow to be kept any animal or bird that makes noise so as to habitually disturb the peace and quiet of any person in the vicinity of the premises.

(h) Slaughtering of Animals. Chickens, ducks, rabbits and similar small animals may be slaughtered on site only inside a garage or other building and only if for use by the occupants of the

premises and not for sale. No other farm animal may be slaughtered on site.

(i) Application to Building and Housing Department. Anyone proposing to keep farm animals or bees on a property in the City of Cleveland or to expand such use shall apply for approval from the Department of Building and Housing, which shall determine if the application is in compliance with regulations regarding construction and permitted placement of enclosures, fences, cages, coops, beehives, flyway barriers, stables and other structures used in the keeping of farm animals or bees and whether the property is occupied by a condemned building.

(1) Contents of Application. The application shall include the information required by the provisions of division (a) of Section 205.04.

(2) Building Permits. A Building Permit shall be required for installation of a fence or for construction of a stable or other structure routinely requiring such permit, except that no Building Permit shall be required for cages, coops or beehives that are not permanently attached to the ground or to another structure and do not exceed thirty-two (32) square feet in area nor eight (8) feet in height. No Building Permit shall be required for the barrier constituting a required enclosure if such barrier is not permanently attached to the ground and does not exceed three (3) feet in height; and no Permit shall be required for a "flyway" barrier not exceeding six (6) feet in height and six (6) feet in length.

(h) Application to Public Health Department. In accordance with the provisions of Section 205.04, anyone proposing to keep farm animals or bees on a property in the City of Cleveland shall apply for a two-year license from the City of Cleveland through its Department of Public Health on a form provided by that office.

(i) Building Conditions. The keeping of farm animals or bees shall not be permitted on a property occupied by a building that has been condemned by the Department of Building and Housing.

(j) Enforcement. The Director of the Department of Building and Housing or the Director's designee shall have the authority to inspect any property to determine compliance with the regulations of this Section regarding the construction and permitted placement of enclosures, fences, cages, coops, beehives, stables and other structures used in the keeping of farm animals or bees and shall have the authority to enforce the regulations of this Section as they apply to such matters. The Department of Public Health shall have the authority to enforce regulations of this Section in accordance with the provisions of Section 205.04.

(k) Variances. The Board of Zoning Appeals may vary the regulations of this section as they apply to a particular property if it determines that such variance will be consistent with the stated purpose of this Section.

(l) Definitions. Terms used in this Section shall have the meanings assigned to them in the

following definitions.

(1) Farm Animal. "Farm animal" means any domestic species of animal that is kept and raised for use as food or in the production of food or in the operation of a farm and is not an "exotic animal" as defined in Section 603A.02 and is not a house pet such as a dog, cat or similar animal.

(2) Coop and Cage. "Coop" and "cage" mean a structure, not necessarily attached to the ground, with a top and sides and designed to provide shelter and protection for small animals or birds.

(3) Enclosure. "Enclosure" means a set of walls or fences designed to confine animals or birds to a space that is large enough to permit the animals and birds to roam relatively freely in an open yard area.

(4) Predatory Bird. "Predatory bird" means an owl, hawk, falcon, eagle or similar bird that feeds principally by catching living prey.

(5) Similar Animal. Any farm animal that is similar to other animals listed in a particular category of permitted animals with respect to impacts on nearby properties, including noise, odors, safety hazards or other nuisances.

(m) Review and Expiration. Not later than six (6) months after the effective date of this section, the Department of Public Health and the Department of Building and Housing shall submit a report to City Council listing any public complaints received and any enforcement actions taken during the first six (6) months after the effective date of this section relative to the keeping of farm animals or bees in accordance with the regulations of this section. Upon receiving this report from the Director of Public Health, City Council members shall conduct a mobile tour of select locations throughout the City where farm animals and bees are being kept in connection with licenses obtained under this ordinance. City Council shall use this report to make a determination on the effectiveness of the regulations. This section shall expire and be of no further force and effect twelve (12) months after the effective date of this section.

SECTION 115 – REGULATION OF AGRICULTURE

115.08 - REGULATION OF CHICKENS, DUCKS AND RABBITS

115.082– Purpose and Intent

- a) Pursuant to Ohio Revised Code Section 303.21, SECTION 115.08 – REGULATION OF CHICKENS, DUCKS AND RABBITS applies to lots that meet all of the following:
 - 1) Lot meets the criteria outlined in SECTION 110.011(b).
 - 2) Lot is located in a residential zoning district as identified in SECTION 2.00 –THE RESIDENTIAL DISTRICTS and SECTION 3.00 – THE PLANNED RESIDENTIAL DISTRICTS.
 - 3) Lot is used primarily for one- or two-family dwelling purposes.
- b) The purpose of this section is to establish certain requirements for the keeping of chickens, ducks and rabbits on lots smaller than 5 acres, which are intended to prevent nuisances to occupants of nearby properties and prevent unsanitary or unsafe conditions.
- c) The following findings are hereby made in relation to chickens, ducks and rabbits:
 - 1) Keeping chickens, ducks and rabbits provides access to fresh, healthful food products.
 - 2) Keeping chickens, ducks and rabbits is a productive and sustainable use of land.
 - 3) Chickens, ducks and rabbits can be kept on lots smaller than 5 acres without causing a nuisance if appropriate practices and limits are observed.

115.084 - Establishment and Applicability – No person shall engage in the keeping of chickens, ducks or rabbits without a certificate of zoning compliance that specifically identifies such use in compliance with the requirements of SECTION 115.08 – REGULATION OF CHICKENS, DUCKS AND RABBITS.

115.086- Types and Number of Animals

- a) **Prohibited poultry** – No person shall keep any roosters, geese, peafowl, or turkeys on lots smaller than 5 acres.
- b) **Allowed densities for keeping any combination of chickens, ducks, and rabbits** – When both poultry and rabbits are kept on a parcel smaller than 5 acres, the method for determining the allowed numbers of animals shall be as follows: each one (1) chicken, duck or rabbit shall count as one (1) point. It shall be unlawful to keep more animals than the point system below allows:
 - 1) Smaller than 0.5 acres – 4 points maximum
 - 2) 0.5 acres to less than 1.0 acres – 8 points maximum
 - 3) 1.0 acres to 5.0 acres – 16 points maximum

115.088 - Development Standards

- a) **Yards and Location on Lot** – Any sheltering structure and outdoor areas used for keeping chickens, ducks or rabbits shall comply with the following yard and setback requirements:
 - 1) Be located on a property containing a principal structure.
 - 2) Be located in a side or rear yard.
 - 3) Be located at least 10 feet from any property line.

- b) **Sheltering Structures and Outdoor Areas** – All chickens, ducks and rabbits shall be kept in a sheltering structure or fenced outdoor area at all times.
 - 1) All chickens, ducks and rabbits shall be provided with a covered, predator-proof sheltering structure, which shall be kept in sound and usable conditions. Sheltering structures shall be thoroughly ventilated, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the animals.
 - 2) If the total area of sheltering structure does not exceed 65 square feet or if the sheltering structure does not otherwise meet the definition of a building, the structure shall not be considered an accessory building.
 - 3) There shall be no more than one (1) sheltering structure 65 square feet or smaller in size.
 - 4) If the sheltering structure exceeds 65 square feet and meets the definition of a building such structure shall be considered an accessory building and must comply with the requirements of SECTION 512 – ACCESSORY BUILDINGS and the setback requirements of Section 115.088(a).
 - 5) Any outdoor areas accessible to chickens, ducks, or rabbits shall be adequately fenced or otherwise bounded to contain the animals on the property.
- c) **Screening** – Properties smaller than 1 acre must screen sheltering structures and outdoor areas used by chickens, ducks, or rabbits, from adjacent properties and from the public right-of-way. Fences used for screening shall be 6 feet in height, 100% opaque, and made of wood or other similar opaque fencing material that complies with SECTION 501.024 – Fence Materials.
- d) **Feed Storage** – All feed shall be stored in rodent-proof containers.
- e) **Manure** – Manure from chickens, ducks and rabbits must be disposed of in one of the following manners:
 - 1) Household trash collection
 - a. Manure must be bagged, placed in a waterproof container and disposed of with household trash.
 - 2) Composted and applied onsite
 - a. Manure must be kept in a rodent-proof container designed to limit odors.
 - b. Containers must be located in a side or rear yard a minimum of 10 feet from property lines.
 - c. Finished compost may be applied onsite.
 - 3) Directly applied onsite
 - a. Manure applied directly onsite must be done in such a way as to prevent nuisance and polluted stormwater runoff.

115.0810 – Animal Products and Processing

- a) **Sale of Animal Products** – The sale of animal products including but not limited to meat, eggs, and fur shall be prohibited unless in conformance with Section 110.011(b).
- b) **Slaughtering and Butchering** - Chickens, ducks and rabbits may be slaughtered and butchered onsite only inside an accessory structure or otherwise out of public view. All waste must be bagged and disposed of with household trash to prevent nuisance and health hazards.

115.0812 – Certificate of Zoning Compliance Required

- a) **Information required** –Applicants seeking to engage in keeping chickens, ducks or rabbits must apply for and receive a certificate of zoning compliance. If the applicant is someone other than the property owner, the application must include a notarized statement of support, signed by the property owner. In addition to the requirements of SECTION 705.022 – Application for Certificates, the following information must be included on the site plan or in accompanying documentation:
- 1) A description of the type and number of animals to be kept
 - 2) Coop or shelter type
 - 3) Location of coop or shelter with all setbacks from property lines indicated. If using a portable coop or shelter, indicate the yard area in which the coop or shelter will be kept.
 - 4) Location and manner of containment of outdoor areas with all setbacks from property lines indicated. If using a portable containment system, indicate the yard area in which the system will be kept.
 - 5) Feed storage container location and type
 - 6) Location, method, and schedule of manure storage and disposal
 - 7) Any other relevant information related to keeping the animals, if requested by the Administrative Officer
- b) **Operation** – The person or persons that keep the chickens, ducks or rabbits shall be the person or persons who own or otherwise have the present right of possession of the parcel upon which coops or shelters are situated.
- c) **Conditions** - Notwithstanding compliance with the various requirements of this section, chickens, ducks and rabbits shall not be kept in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others. Chickens, ducks and rabbits shall be kept only in conditions that limit odors and noise and the attraction of insects and rodents so as not to cause a nuisance to occupants of nearby buildings or properties and not to cause health hazards. It is the responsibility of the person keeping chickens, ducks or rabbits to be aware of and abide by all applicable local, state or federal requirements including but not limited to the Ohio Department of Agriculture's Ohio Livestock Care Standards and private deed or covenant restrictions.

SECTION 720 – DEFINITIONS

Sheltering Structure - a structure, not necessarily attached to the ground, with a top and sides that provides shelter and protection for small animals or birds.

Adult Rabbit – any of several soft-furred, long-eared, mammals of the family Leporidae having a divided upper lip and long hind legs. “Adult” refers to the capability to produce offspring.

Rodent-proof container – a container which, by design, will prevent rodents or other animals from accessing its contents.