

**VILLAGE OF HARTVILLE
STARK COUNTY, OHIO
ORDINANCE NO. 1-13.10**

ORDINANCE NO. 1-13.10 limiting the keeping, harboring or permitting of an excessive number of live chickens within the Village of Hartville.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HARTVILLE, STARK COUNTY, OHIO.

Section 1. Findings and Determinations. This Council finds and determines the following matters:

- (a) The Council, recognizing the need to balance the quantity and types of chickens located in non-agricultural zoning districts is necessary and beneficial to the health and safety of its residents.
- (b) That the keeping, harboring, or permitting of an excessive number of live chickens within the Village of Hartville, be, and the same are hereby prohibited in all zoning districts other than an agricultural district, except as provided herein.
- (c) All formal actions of this Council relating to the enactment of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22, Revised Code.

Section 2. Definitions.

- (a) "Person" includes a natural person, association, partnership, limited partnership, limited liability partnership, corporation, Limited Liability Company, professional association, society, foundation, federation, organization or any other legal entity.
- (b) "Chicken" means that species of fowl commonly known as domesticated fowl, typically kept for its eggs or meat, and referred to as *gallus domesticus*.
- (c) "Keep, harbor, or permit" includes having custody or control over a live chicken, within the Village.

Section 3. Prohibitions. That no person shall keep, harbor, or permit more than six (6) live chickens or any amount of roosters within the Village in any zoning district except an agricultural district.

Section 4. Permitted Circumstances. That a person is permitted to keep, harbor, or permit six (6) or less live chickens, in a non-agricultural district, if the chickens are:

- (a) at all times when outdoors kept securely enclosed in a yard or pen of at most eighteen (18) square feet ("Chicken Coop") that is cleaned on a regular basis to prevent the accumulation of animal waste, and otherwise not violating the Village's Ordinances, including but not limited to Ohio Basic Code Section 93.04;
- (b) at all times when outdoors kept at least fifty (50) feet away from any residence;