

RESOLUTION TEMPLATE

Moved by:
Seconded by:

RESOLVED, that the waiver request for [applicant name, company, address or location], for waiver of [request],

Be granted for the following reasons:

That the applicant has demonstrated a compelling reason to deviate from the requirements set forth in the City's Ordinance. This compelling reason(s) is/are _____.

In addition, the Board finds that the following factors have been satisfied:

1. That the animals will be treated humanely and will not be neglected or treated with cruelty, and
2. The animals will be maintained in quarters constructed to prevent their escape, and
3. That reasonable precautions shall be taken to protect the public from the animals and the animals from the public, and
4. That the animals will not be loud or likely be detrimental to the neighborhood.

Be denied because there is not a compelling reason for this Board to deviate from the requirements set forth in the City's Ordinance.

(OPTIONAL) In addition, the Board finds:

1. That the animals will may not be treated humanely and/or will be neglected or treated with cruelty, and /or
2. The animals will not be maintained in quarters constructed to prevent their escape, and/or
3. That reasonable precautions have not been taken to protect the public from the animals and the animals from the public, and/or
4. That the animals may be loud and/or
5. That the animals will likely be detrimental to the neighborhood due to [indicate reason(s)]. and/or
6. Other [indicate reason(s)]

Be postponed for the following reasons:

Yeas:
Nays:

MOTION CARRIED / FAILED



500 West Big Beaver
Troy, MI 48084
troymi.gov

Planning Department
planning@troymi.gov
248.524.3364

ANIMAL CONTROL APPEAL BOARD MEETING AGENDA

Jayne Saeger, Chair, Al Petrulis, Vice Chair
Patrick K. Carolan, Doug Dombrowski, Patrick Floch

January 27, 2021

7:00 P.M.

Remote Meeting

Public Comment may be communicated to the Animal Control Appeal Board via telephone voice mail by calling 248-524-1319 or by sending an email to ACBPublicComments@troymi.gov. All comments will be provided to the Animal Control Appeal Board members. All comments must be received by 4 pm the day of the meeting.

1. ROLL CALL
2. RESOLUTION TO ALLOW ANIMAL CONTROL APPEALS BOARD MEETINGS ELECTRONICALLY
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES – SEPTEMBER 25, 2019
5. REVIEW AND APPROVAL OF REVISED ANIMAL CONTROL APPEALS BOARD PROCEDURE
6. HEARING OF CASES:

1875 EASTPORT, MARY SCHINGS: In order to keep 3 chickens, a waiver from the requirement that the property be at least .75 acres in area. The property is approximately .6 acres in area.

2197 BURDIC, DOINA IANCHIS: In order to keep up to 6 chickens, a waiver from the requirement that the property be at least .75 acres in area. The property is approximately .36 acres in area.

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at clerk@troymi.gov or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

3837 FERNLEIGH, PASHKO AND TEREZA IVEZAJ: In order to keep 12 chickens, 1) a waiver from the requirement that the property be at least .75 acres in area. The property is approximately .69 acres in area, and 2) Appeals the Housing & Zoning Inspector's decision to limit the number of chickens allowed by an Animal Permit to ten.

6862 HIGH OAKS, MICHAEL WEISS: In order to keep up to 5 chickens, a waiver from the requirement that the property be at least .75 acres in area. The property is approximately .37 acres in area.

2950 BRIARWOOD, MEIXIAN WANG: In order to keep up to 9 chickens, a waiver from the requirement that the property be at least .75 acres in area. The property is approximately .256 acres in area.

2223 TUCKER, OLLIE APHIDEAN: Appeals the Housing & Zoning Inspector's decision to limit the number of chickens allowed by an Animal Permit to ten, in order to have an unlimited number of chickens.

7. OTHER BUSINESS – 1) Election of Chair and Vice Chair, 2) Troy City Code Chapter 90, 3) Proposed 2021 meeting schedule.
8. ADJOURNMENT

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PROPOSED RESOLUTION

The Animal Control Appeal Board hereby ALLOWS all Animal Control Appeal Board Members to electronically participate in any Board meeting consistent with Public Act 254 of 2020 until March 31, 2021, since in-person meetings could detrimentally increase exposure of Board members and the general public to COVID-19, and would also be difficult to facilitate in light of recent epidemic orders designed to protect public health and safety. During any such virtual or electronic meeting, Board Members shall not use email, texting, instant messaging, or any other internet communication during the meeting. Additionally, the Animal Control Appeal Board AGREES to provide for two methods for receiving Public Comment for virtual meetings. For virtual or electronic Animal Control Appeal Board meetings, public comments can be submitted for the Animal Control Appeal Board meeting through email sent to:

ACBPublicComments@troymi.gov and timely emails will be administratively read at the Animal Control Appeal Board meeting. Public comments can also be submitted by calling and leaving a voicemail on the following phone number: 248-524-1319. Emails and voicemails received prior to 4 pm on the day of an Animal Control Appeal Board meeting will be read or played at the meeting and/or included in the agenda packet.

Chair Saeger called the Animal Control Appeal Board meeting to order at 7:00 p.m. on September 25, 2019 in the Troy City Hall Lower Level Conference Room.

1. ROLL CALL

Present:

Patrick Carolan
Patrick Floch
Al Petrulis
Jayne Saeger
Gretchen Waters

Also Present:

Jackie Ferencz, Administrative Assistant, Planning Department
Nicole MacMillan, Assistant City Attorney
Michael Szuminski, Troy Police Department

2. APPROVAL OF AGENDA

MOTION by Petrulis
SECOND by Carolan

RESOLVED, to approve the agenda as submitted.

Yes: All

MOTION PASSED

3. APPROVAL OF MINUTES

MOTION by Carolan
SECOND by Petrulis

RESOLVED, to approve the May 22, 2019 meeting minutes.

Yes: All

MOTION PASSED

4. HEARING OF CASES

3559 EASTBOURNE, WILLIAM BROWN, JR., WAIVER REQUEST – In order to keep 2 mini pot-bellied pigs, a waiver from the requirement that the property be at least .75 of an acre in size. The property is approximately .36 acres in size.

Chair Saeger introduced the case and Ms. Ferencz provided an overview presentation.

Chair Saeger asked the applicant to address the Board. Mr. Brown presented his Power Point. Power Point included topics;

- Narrative and purpose of request
- Prescription for Mr. Brown to own pigs as emotional support animals
- Pigs health updates
- Enclosure and housing of pigs
- In depth description of nature of behavior of the pigs

Chair Saeger opened the public hearing. Public comment provide by four residents:

1. Nancy Jones of 3560 Beach, Troy MI 48084
2. Mike Jones of 3560 Beach, Troy MI 48084
3. Marty Four
4. Lori Church of 3543 Eastbourne

Chair Saeger closed the public hearing.

Board members discussed:

- A prescription from a doctor does not supersede ordinance
- Defining how a pig is categorized in ordinance
- Behavior of the pig on the property
- Enclosure(s) for the pigs; size, building materials, location on property
- Issue of smell from the pigs
- How the pigs will affect neighbors' property values and home sales

MOTION by Carolan

SECOND by Floch

RESOLVED, to deny the request due to inadequate lot size of being .36 acre lot.

Yes: Petrulis
Carolan
Floch
Saeger

Opposed: Walters

MOTION PASSED

5. OTHER BUSINESS – There was informal discussion regarding November's Animal Control Board meeting date. Topic will be discussed with Paul Evans.

6. ADJOURNMENT

Chair Saeger adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Jayne Saeger, Chair

Jackie Ferencz, Administrative Assistant, Planning Department

G:\Animals\Animal Control Appeal Board\MINUTES\2019\Draft\2019 09 25.doc

ANIMAL CONTROL APPEAL BOARD

The Animal Control Appeal Board Appeals is a group of five of your neighbors or peers appointed by City Council to pass judgment on requests for appeals, interpretations, and other matters that are brought before them.

PROCEDURE

The Board will hear the items in the order that they appear on the agenda. When an item is called, the Chair will verify that the petitioner is present. Then the City Administration will summarize the facts of the case. The petitioner will then be given an opportunity to address the Board to explain the justification for the action requested.

After the petitioner makes their presentation, and answers any questions that the Board may have, the Chair will open the Public Hearing. Administration will present public comments to the Board.

At the conclusion of public comments, the Chair will close public comment. Once the public comment is closed, no other public comment will be taken unless in response to a specific question by a member of the Board. The Board may allow the petitioner to address or rebut public comments.

The Board will then deliberate and make a motion to approve, deny, or postpone the request. In order for the request to pass a minimum of three votes are needed. The decision of the Board is final.

ANIMAL CONTROL APPEAL BOARD

The Animal Control Appeal Board Appeals is a group of five of your neighbors or peers appointed by City Council to pass judgment on requests for appeals, interpretations, and other matters that are brought before them.

PROCEDURE

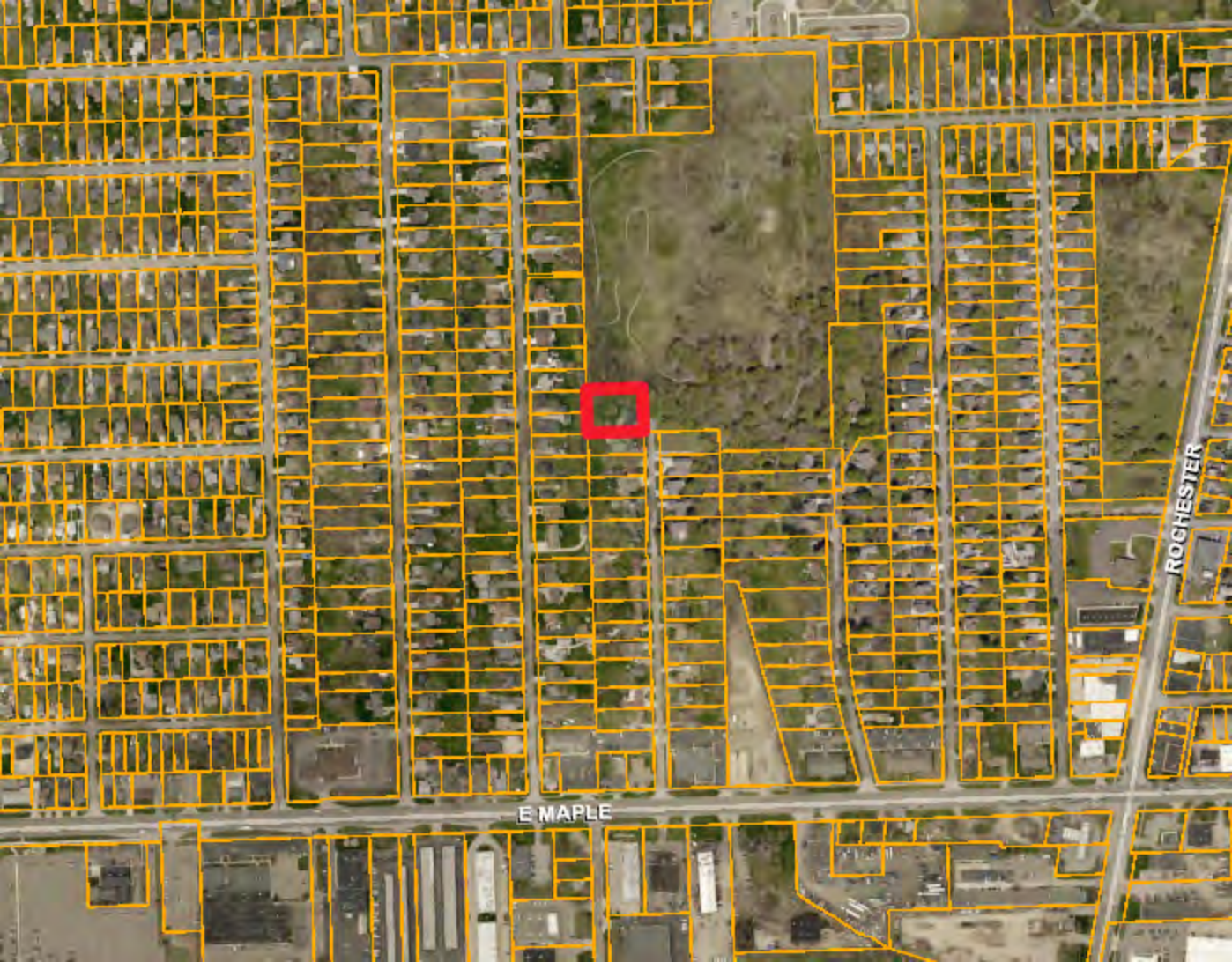
The Board will hear the items in the order that they appear on the agenda. When an item is called, the Chair will verify that the petitioner is present. The petitioner will then be given an opportunity to address the Board to explain the justification for the action requested.

After the petitioner makes their presentation, and answers any questions that the Board may have, the Chair will open the meeting to public comment. Any person wishing to speak on the request should raise their hand to be when recognized by the Chair. The speaker should identify themselves with name and address, indicate their relationship to the property in question (i.e. next door neighbor, live behind the property, etc.) and state whether they are in favor of or against the request and give reasons for their opinion. Comments must be directed through the Chair. Comments should be kept as brief as possible and closely pertain to the matter under consideration. Only one person will be recognized by the Chair to speak at one time.

After interested members of the public have spoken, the Chair will close the public comment. Once the public comment is closed, no other public comment will be taken unless in response to a specific question by a member of the Board. The Board may allow the petitioner to address or rebut public comments.

The Board will then deliberate and make a motion to approve, deny, or postpone the request. In order for the request to pass a minimum of three votes for approval are needed. The decision of the Board is final.

1875 EASTPORT, MARY SCHINGS: In order to keep 3 chickens, a waiver from the requirement that the property be at least .75 acres in area. The property is approximately .6 acres in area.



E MAPLE

ROCHESTER



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1815

1795

BEECH LANE

KIRKTON

EASTPORT

16

18

14

1875

1800



CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48084 | 248-524-3364

Animal Appeal Application

REGULAR MEETINGS OF THE ANIMAL CONTROL APPEALS BOARD ARE HELD ON THE **FOURTH WEDNESDAY OF EVERY OTHER MONTH AT 7:00 P.M. AT CITY HALL.** A COMPLETE DIGITAL APPLICATION MUST BE FILED AT LEAST **21 DAYS BEFORE** THE MEETING DATE. 2020 MEETING DATES ARE ON PAGE 2.

PROPERTY ADDRESS: 1875 Eastport Dr

APPLICANT:

NAME Mary Schings

ADDRESS 1875 Eastport Dr

CITY Troy STATE MI ZIP 48083

PHONE 313-209-2775

E-MAIL mkschings@gmail.com

PROPERTY OWNER (if different than applicant):

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

E-MAIL _____



Animal Appeal Application

APPLICATION DOCUMENTS REQUIRED:

- Written narrative describing your request
- Site plan or property survey showing the location of buildings/structures intended to house animal(s)
- Dimensioned sketches or drawings of building, structures and/or other enclosures, including fences
- Sample photos of proposed building, structures, and/or other enclosures including fences.
- Anything else that will explain what is proposed

THE BOARD MUST FIND, AT A MINIMUM, THE FOLLOWING HAS BEEN DEMONSTRATED:

- That the animals will be treated humanely and will not be neglected or treated with cruelty, and
- The animals will be maintained in quarters constructed to prevent their escape, and
- That reasonable precautions shall be taken to protect the public from the animals and the animals from the public, and
- That the animals will not be loud or likely be detrimental to the neighborhood.

E-mail signed application and supporting documents to planning@troymi.gov

Questions? Contact Paul Evans, Zoning & Compliance Specialist

- 248 524 3359
- evanspm@troymi.gov

PERMISSION TO INSPECT PREMISES

I, Mary Schings (applicant) hereby depose and say that all the above statements and statements contained in the information submitted are true and correct and give permission for the Board Members and City Staff to enter the property to ascertain conditions.

APPLICANT SIGNATURE Mary Schings DATE 5-19-20

2020 ANIMAL CONTROL APPEAL BOARD MEETING DATES

January 22

March 25

May 27

July 22

September 23

November 25

May 19,2020
1875 Eastport Dr
Troy, Michigan

City of Troy Planning Dept.
500 West Big Beaver
Troy, MI 48084

To whom it may concern:

I, Mary Schings, would like permission to house 3 chickens (hens only) on my property. My property is 0.6 acres. The property is a double lot with a backyard, side yard and front yard. The chicken coop I plan to purchase upon approval is a Jim's coop tractor style coop (please see attached photo of coop). I plan to move the coop daily around the backyard and side yard to allow grass to remain and give chickens the most nourishment and avoid the use of a larger permanent fence. I will not have the chicken coop on the front yard. I will not have any roosters on the property at any time. I would also like to add that I am a Licensed Veterinary Technician with the state of Michigan. I am able to tend to the humane care of the chickens. The chickens will have the sole purpose of being outdoor pets and provide fresh eggs for my family. I would like to thank you for your time and consideration on this matter.

Sincerely,
Mary Schings

A handwritten signature in cursive script that reads "Mary Schings". The signature is written in dark ink and is positioned below the printed name.

PDF JimsAmishCoops.pdf

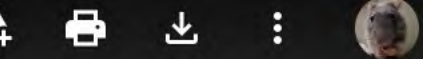



Tractor

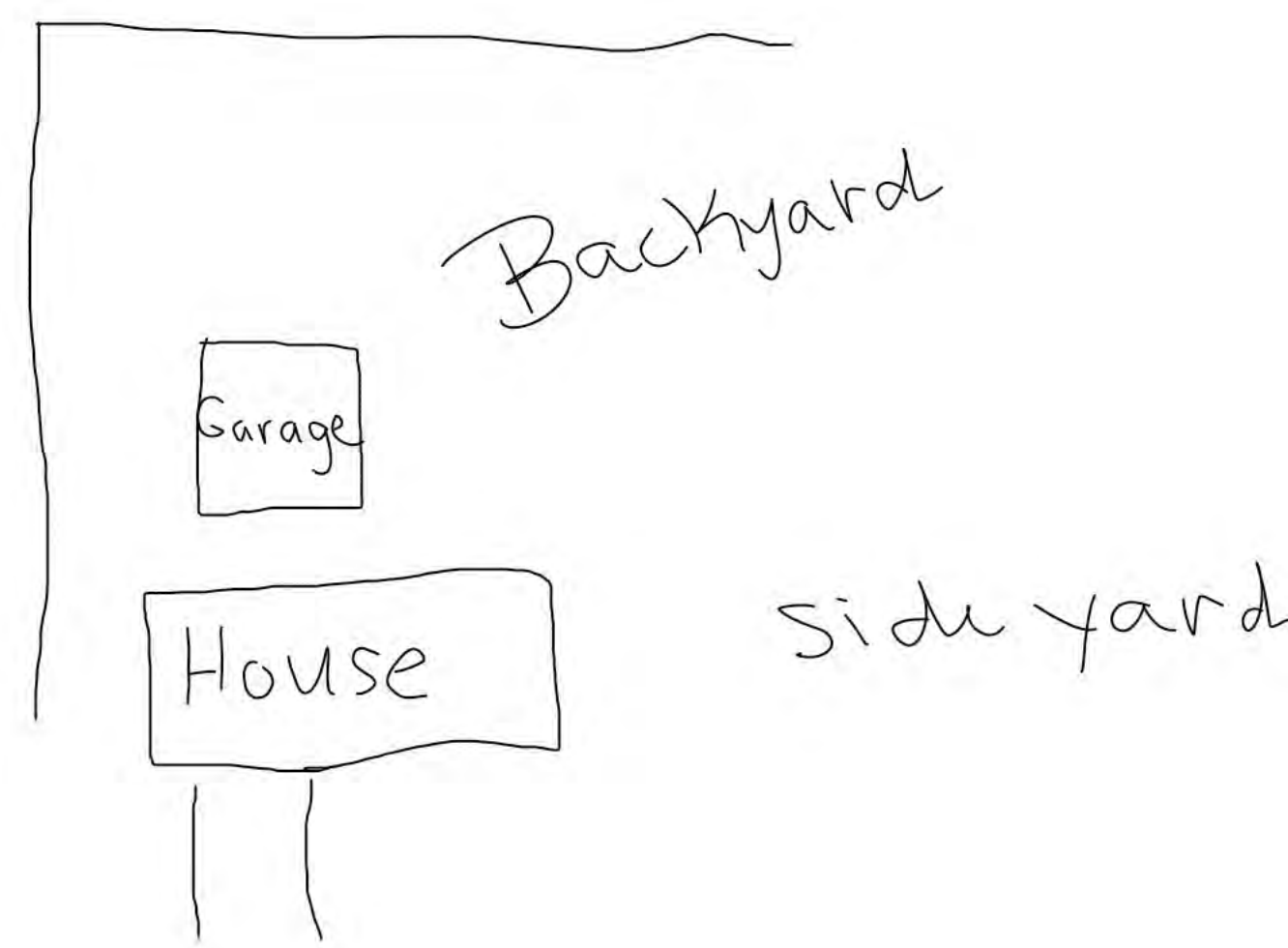
Open with ▾



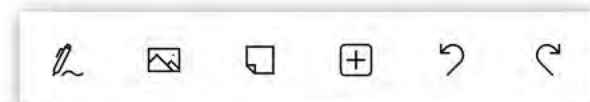
- With board and batten siding
- 58" high - 14" off ground
- 3 nesting boxes
- 2 wheels with wheelbarrow handles
- 4' x 5' run area
- Cedar stain
- Walnut brown shingles



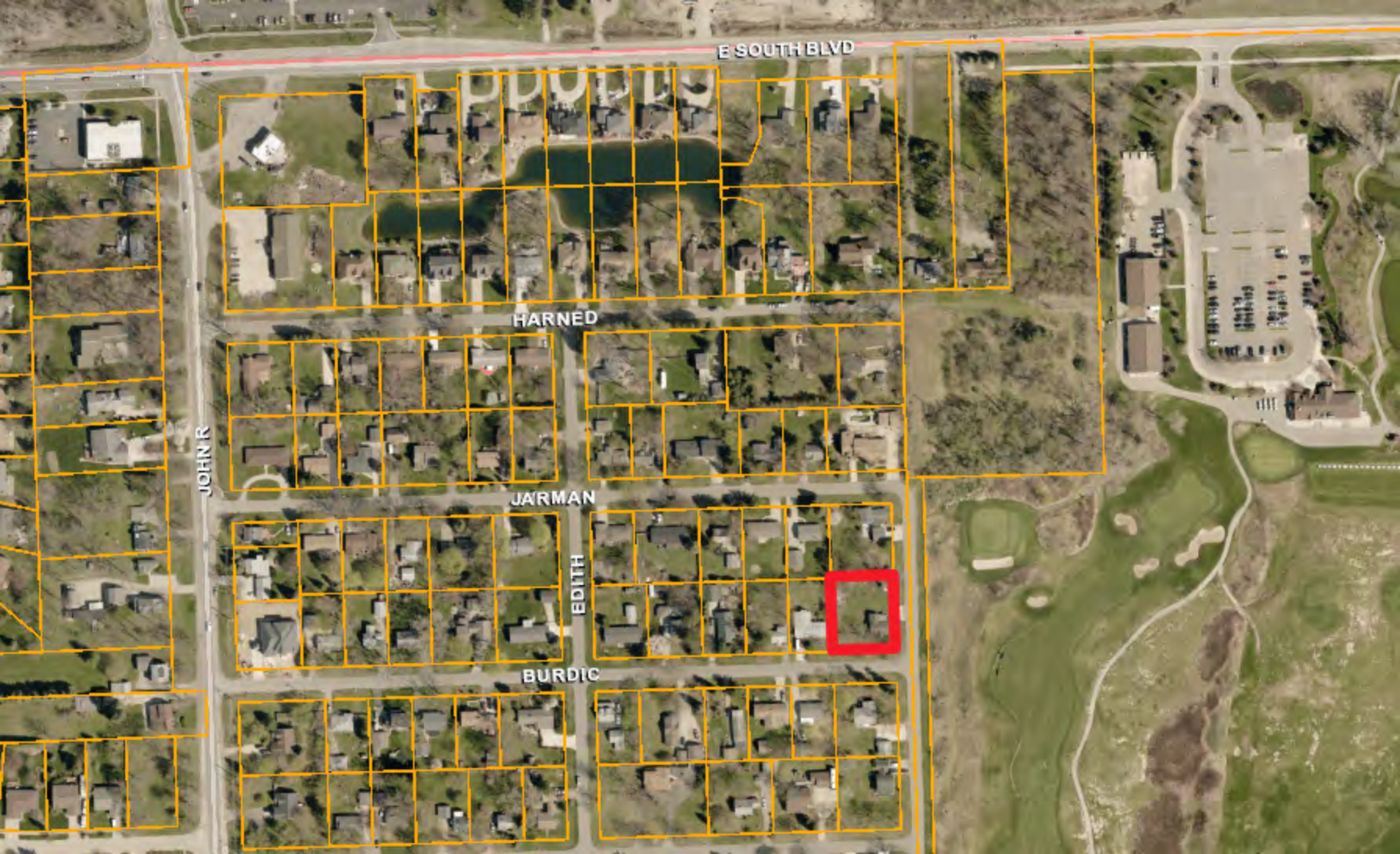
Windows Ink Workspace



unimproved fence
Robinson Park
Spencer Drive



2197 BURDIC, DOINA IANCHIS: In order to keep up to 6 chickens, a waiver from the requirement that the property be at least .75 acres in area. The property is approximately .36 acres in area.



E SOUTH BLVD

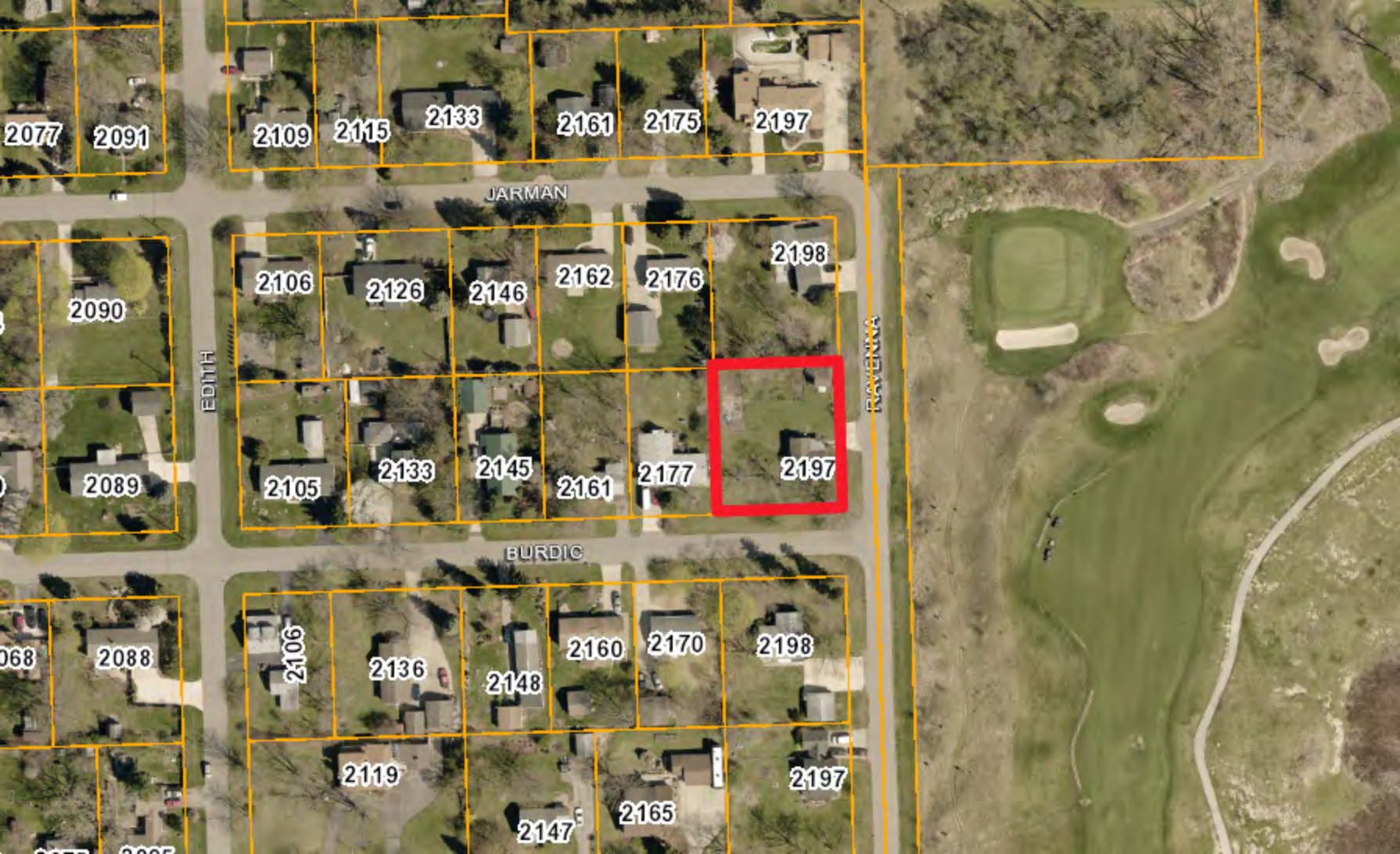
HARNED

JARMAN

BURDIC

JOHN R

EDITH



2077

2091

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2115

2133

2161

2175

2197

JARMAN

2090

2106

2126

2146

2162

2176

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EDITH

2089

2105

2133

2145

2161

2177

2197

BURDIC

2068

2088

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2119

2147

2165

2197



2161

2177

2197

BURDIC



CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48084 | 248-524-3364

Animal Appeal Application

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PROPERTY ADDRESS: _____

APPLICANT:

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

E-MAIL _____

PROPERTY OWNER (if different than applicant):

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

E-MAIL _____



Animal Appeal Application

APPLICATION DOCUMENTS REQUIRED:

- Written narrative describing your request
- Site plan or property survey showing the location of buildings/structures intended to house animal(s)
- Dimensioned sketches or drawings of building, structures and/or other enclosures, including fences
- Sample photos of proposed building, structures, and/or other enclosures including fences.
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THE BOARD MUST FIND, AT A MINIMUM, THE FOLLOWING HAS BEEN DEMONSTRATED:

- That the animals will be treated humanely and will not be neglected or treated with cruelty, and
- The animals will be maintained in quarters constructed to prevent their escape, and
- That reasonable precautions shall be taken to protect the public from the animals and the animals from the public, and
- That the animals will not be loud or likely be detrimental to the neighborhood.

E-mail signed application and supporting documents to planning@troymi.gov

Questions? Contact Paul Evans, Zoning & Compliance Specialist

- 248 524 3359
- evanspm@troymi.gov

PERMISSION TO INSPECT PREMISES

I, _____ (applicant) hereby depose and say that all the above statements and statements contained in the information submitted are true and correct and give permission for the Board Members and City Staff to enter the property to ascertain conditions.

APPLICANT SIGNATURE _____ DATE _____

2020 ANIMAL CONTROL APPEAL BOARD MEETING DATES

January 22

March 25

May 27

July 22

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November 25

Animal Appeal Application Document

These are not just farm animals to me, they are my pets. I have grown attached to them and will do everything possible to keep them. Their presence calms me down and helps me get through my day. My pet chickens don't make any noises. Roosters make a lot of noise, but I don't have any roosters.



6 chickens no roosters



The images above are 2197 Burdic Dr Troy MI 48085 MI address we are holding the chickens as pets.

As you can see, the site is enclosed with high metal fences that prevent the chickens from escaping into the street.

During the day, the chickens roam around the yard freely; we feed the chickens corn/grain oats daily.

We also provide them with fresh drinking water daily. There are trees in the backyard for shelter from the sun's ray. We have planned this through to make sure the chickens are as comfortable and free as possible.





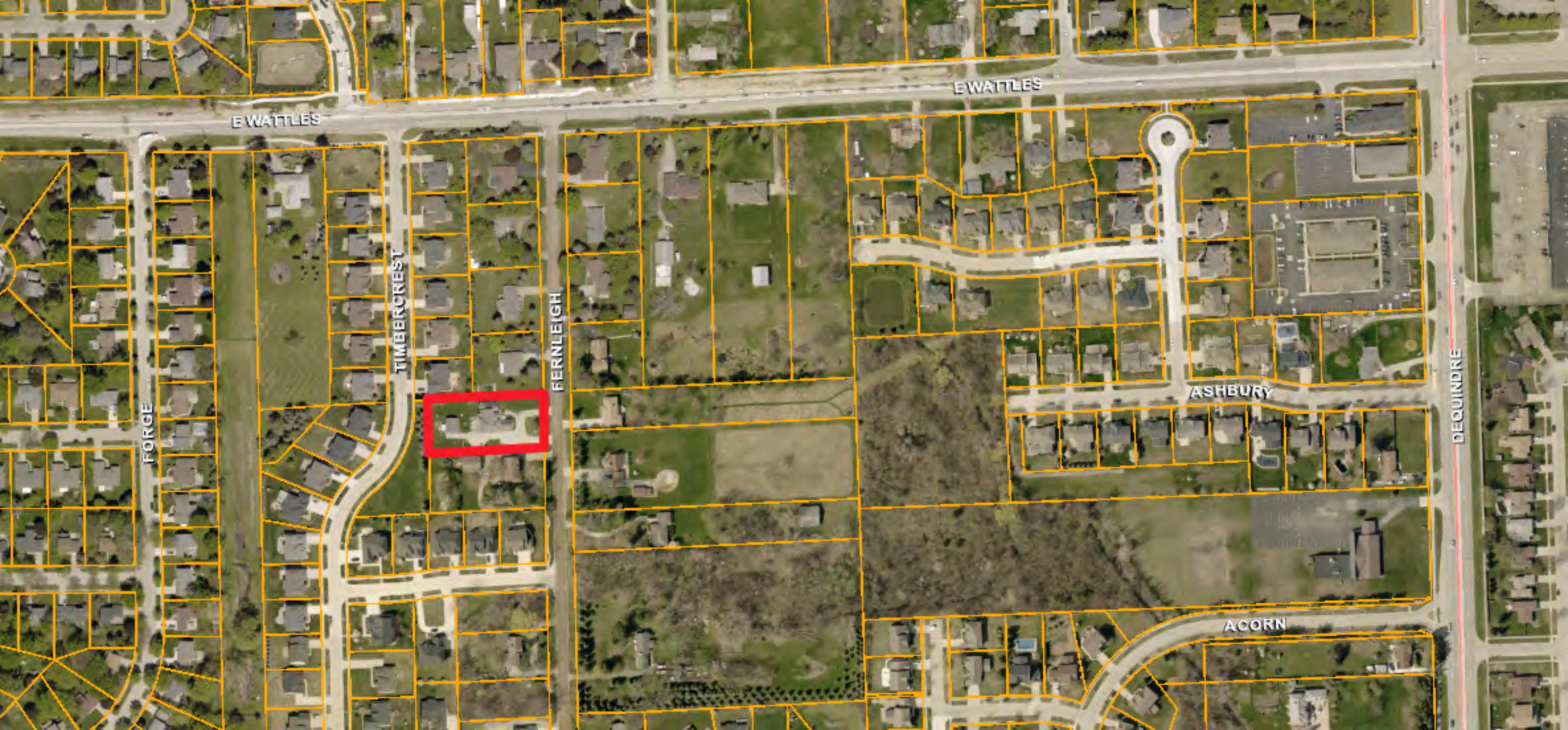
Here is the shelter I keep my pet chickens in.

The shelter is 29 inches wide and 19 inches high.



If you have any more question, please contact me. Thank you for your time.

3837 FERNLEIGH, PASHKO AND TEREZA IVEZAJ: In order to keep 12 chickens, 1) a waiver from the requirement that the property be at least .75 acres in area. The property is approximately .69 acres in area, and 2) Appeals the Housing & Zoning Inspector's decision to limit the number of chickens allowed by an Animal Permit to ten.



E WATTLES

E WATTLES

FORCE

TIMBERCREST

FERNLEIGH

ASHBURY

ACORN

DEQUINDRE



3834

3837



**ANIMAL PERMIT APPLICATION
DOMESTIC, DANGEROUS, OR WILD ANIMALS
NOT REQUIRED FOR DOGS, CATS OR HOUSE PETS
FEE \$70.00**

PLANNING DEPARTMENT
500 W BIG BEAVER
TROY MI 48084
248 524 3359
evanspm@troymi.gov
ANIMAL ORDINANCE ONLINE [Ctrl+click here](#)



APPLY VIA E-MAIL - INSTRUCTIONS

1. COMPLETE APPLICATION AND SAVE TO YOUR DEVICE .
2. E-MAIL APPLICATION AND ALL SUPPORTING DOCUMENTS TO PAUL EVANS AT evanspm@troymi.gov
3. PAUL WILL NOTIFY APPLICANT WHEN PERMIT IS READY TO ISSUE. YOU MAY PAY FOR THE PERMIT AT THAT TIME.

PROPERTY ADDRESS: 3837 Fernleigh Dr

APPLICANT INFORMATION:

NAME Pashko & Tereza Ivezaj

ADDRESS 3837 Fernleigh Dr.

CITY Troy STATE MI ZIP 48083

TELEPHONE 586-770-1065

E-MAIL tereza525@yahoo.com

Type of Animal	Number	Location
Chickens	12	in a chicken coup in the back yard

APPLICATION DOCUMENTS REQUIRED

- Site plan or property survey showing the location of buildings/structures intended to house animal(s)
- Dimensioned sketches or drawings of building, structures and/or other enclosures, including fences.
- Sample photos of proposed building, structures, and/or other enclosures including fences.
- Anything else that will explain what is proposed

APPLICATION DOCUMENTS SHOULD DEMONSTRATE THE FOLLOWING

- That the animals will be treated humanely and will not be neglected or treated with cruelty.
- That the animals will be maintained in quarters constructed to prevent their escape.
- That reasonable precautions shall be taken to protect the public from the animals and the animals from the public.
- That applicant can comply with the ordinance.
- That property size is at least $\frac{3}{4}$ of an acre.

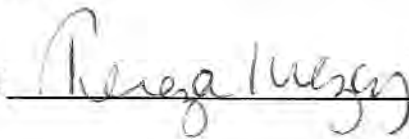
PERMISSION TO INSPECT PREMISES

Applicant's signature below authorizes representatives of the City of Troy to make such inspections in connection with application as is deemed necessary.

HOLD HARMLESS AND INDEMNIFICATION:

I Tereza Ivezaj (PRINT NAME) indemnify and hold the City of Troy harmless from any personal injury or property damage caused by the animal(s) for which the permit is issued as a result of the negligence of the permit holder or any other person placed in control of the animal by the permit holder.

APPLICANT SIGNATURE



DATE 8/21/2020

DEFINITIONS

"Domestic Animal" - An animal, other than a dog, that is not feral in nature, including, but not limited to horses, cows, chickens, geese, pigeons, ducks, steers, ponies, mules, donkeys, sheep, swine, pigs and goats.

"Dangerous Animal" - A wild or feral animal, other than a dog or cat, which because of its size, aggressive nature or other characteristics constitutes a danger to persons or property.

"Wild Animal" - An animal that is not defined in this Chapter as a dangerous animal, domestic animal or house pet.



CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48084 | 248-524-3364

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PROPERTY ADDRESS: 3837 FERNELIGH DR

APPLICANT:

NAME PASHKO & TEREZA IVEZAJ

ADDRESS 3837 FERNLEIGH DR

CITY TROY STATE MI ZIP 48083

PHONE 586-770-1065

E-MAIL tereza525@yahoo.com

PROPERTY OWNER (if different than applicant):

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

E-MAIL _____



Animal Appeal Application

APPLICATION DOCUMENTS REQUIRED:

- Written narrative describing your request
- Written response explaining how the request will Satisfy the Minimum Four Criteria below.
Site plan or property survey showing the location of buildings/structures intended to house animal(s)
- Dimensioned sketches or drawings of building, structures and/or other enclosures, including fences
- Sample photos of proposed building, structures, and/or other enclosures including fences.
- Anything else that will explain what is proposed

THE BOARD MUST FIND THE FOLLOWING MINIMUM FOUR CRITERIA HAVE BEEN SATISFIED:

- That the animals will be treated humanely and will not be neglected or treated with cruelty, and
- The animals will be maintained in quarters constructed to prevent their escape, and
- That reasonable precautions shall be taken to protect the public from the animals and the animals from the public, and
- That the animals will not be loud or likely be detrimental to the neighborhood.

E-mail signed application and supporting documents to planning@troymi.gov

Questions? Contact Paul Evans, Zoning & Compliance Specialist

- 248 524 3364
- planning@troymi.gov.

PERMISSION TO INSPECT PREMISES

I, **TEREZA IVEZAJ**

(applicant) hereby depose and say that all the above statements and statements contained in the information submitted are true and correct and give permission for the Board Members and City Staff to enter the property to ascertain conditions.

APPLICANT SIGNATURE

DATE **9/1/20**

2020 ANIMAL CONTROL APPEAL BOARD MEETING DATES

January 22

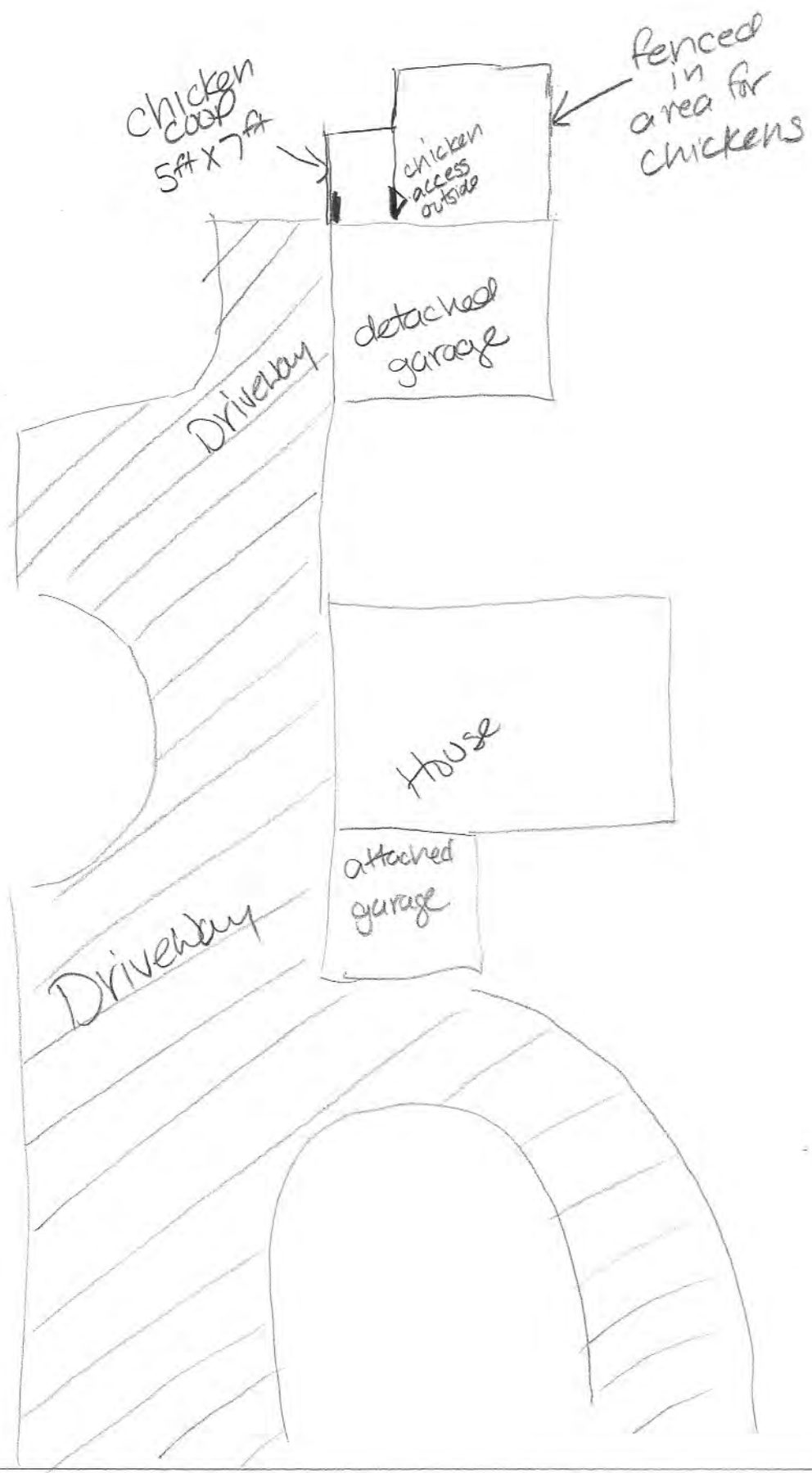
March 25

May 27

July 22

September 23

November 25







2 ft

7 ft

SAT











THE LNU
WOOD ASS.
KATEL SHEP

WOOD ASSOCIATION

RATED SHEATHING

24/16 1/2" INCH

SIZED FOR SPACING

EXPOSURE 1

538

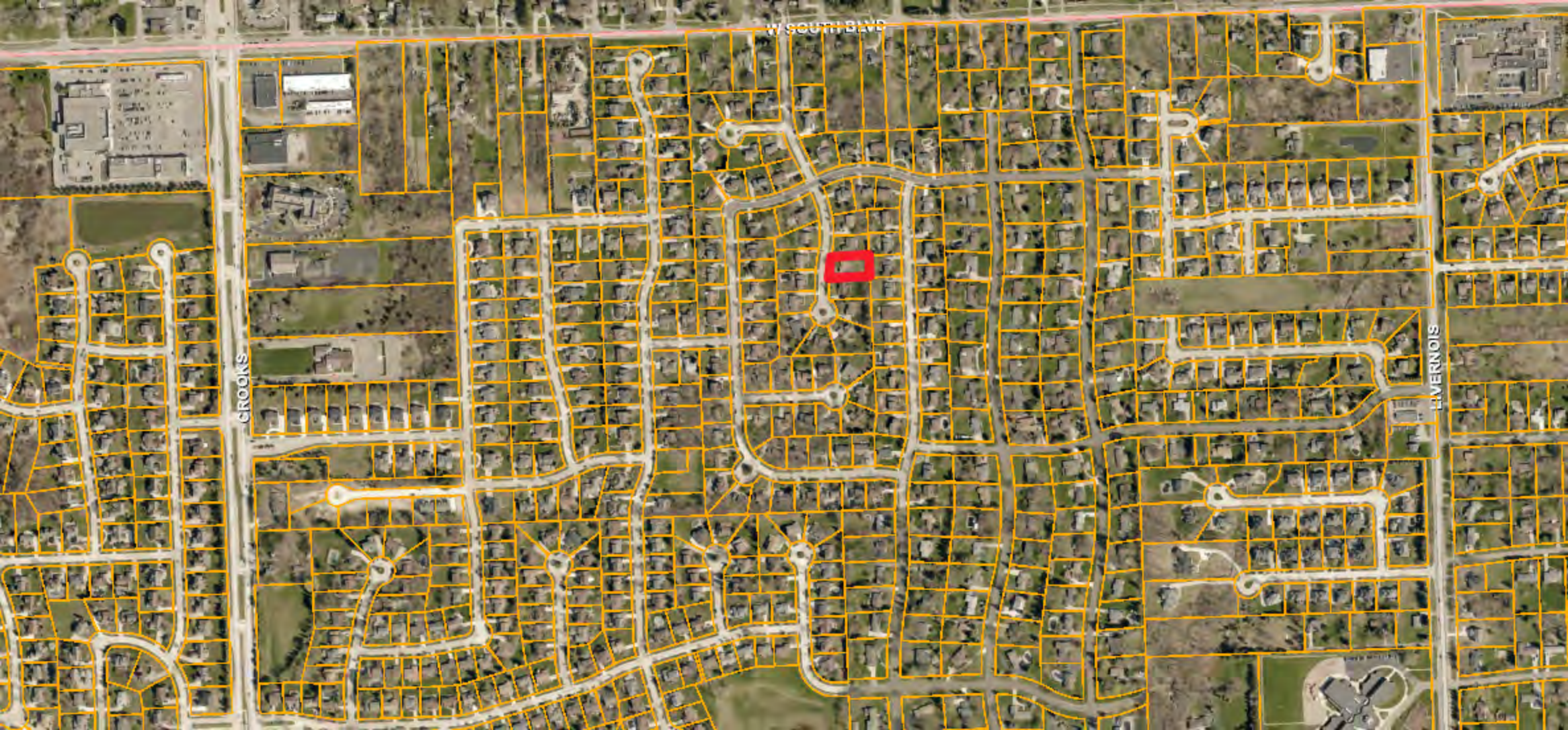








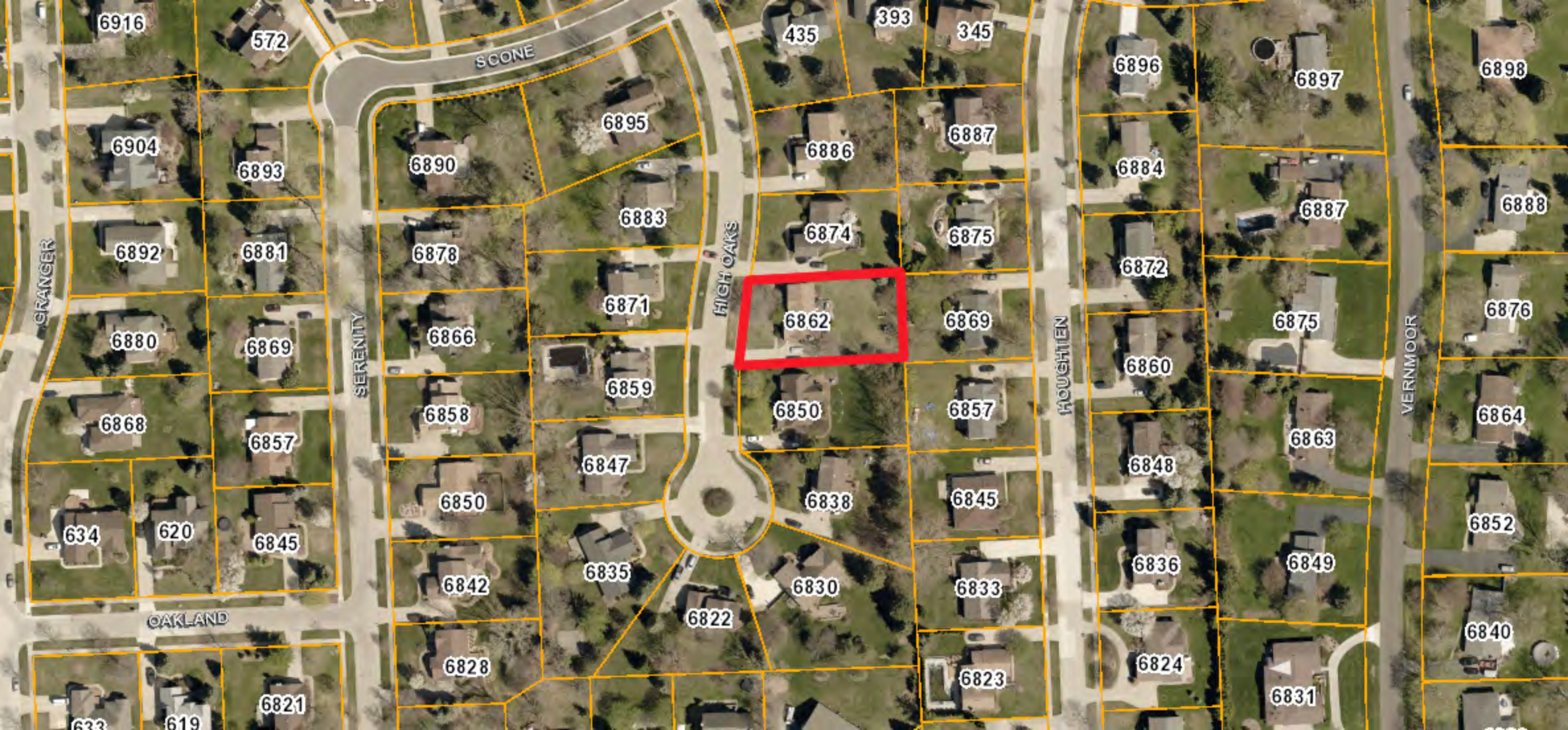
6862 HIGH OAKS, MICHAEL WEISS: In order to keep up to 5 chickens, a waiver from the requirement that the property be at least .75 acres in area. The property is approximately .37 acres in area.



W SOUTH BLVD

CROOKS

LIVERNOIS



6916

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GRANGER

6892

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6883

6874

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SERENITY

6880

6869

6866

6871

HIGH OAKS

6862

6869

6872

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6857

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6875

6876

634

620

6845

6850

6847

6838

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6863

6864

OAKLAND

HOUGHTIEN

VERNMOOR

633

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6871

6862

6869

6859

6850

6855

Dr. Michael D. Weiss
6862 High Oaks Drive
Troy, MI 48098
248.225.5377

October 27, 2020

This Spring I would like to a build pre-fab chicken coop for 4-5 laying hens; no rooster.

Respectfully,

Dr. Michael D. Weiss

A handwritten signature in black ink, appearing to read "M. Weiss", followed by a long horizontal flourish.



Animal Appeal Application

APPLICATION DOCUMENTS REQUIRED:

- Written narrative describing your request
- Site plan or property survey showing the location of buildings/structures intended to house animal(s)
- Dimensioned sketches or drawings of building, structures and/or other enclosures, including fences
- Sample photos of proposed building, structures, and/or other enclosures including fences.
- Anything else that will explain what is proposed

THE BOARD MUST FIND, AT A MINIMUM, THE FOLLOWING HAS BEEN DEMONSTRATED:

- That the animals will be treated humanely and will not be neglected or treated with cruelty, and
- The animals will be maintained in quarters constructed to prevent their escape, and
- That reasonable precautions shall be taken to protect the public from the animals and the animals from the public, and
- That the animals will not be loud or likely be detrimental to the neighborhood.

E-mail signed application and supporting documents to planning@troymi.gov

Questions? Contact Paul Evans, Zoning & Compliance Specialist

- 248 524 3359
- evanspm@troymi.gov

PERMISSION TO INSPECT PREMISES

I, Michael Dweir (applicant) hereby depose and say that all the above statements and statements contained in the information submitted are true and correct and give permission for the Board Members and City Staff to enter the property to ascertain conditions.

APPLICANT SIGNATURE Michael Dweir DATE 10-27-20

2020 ANIMAL CONTROL APPEAL BOARD MEETING DATES

January 22

March 25

May 27

July 22

September 23

November 25



CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48064 | 248-524-3364

Animal Appeal Application

REGULAR MEETINGS OF THE ANIMAL CONTROL APPEALS BOARD ARE HELD ON THE FOURTH WEDNESDAY OF EVERY OTHER MONTH AT 7:00 P.M. AT CITY HALL. A COMPLETE DIGITAL APPLICATION MUST BE FILED AT LEAST 21 DAYS BEFORE THE MEETING DATE. 2020 MEETING DATES ARE ON PAGE 2.

PROPERTY ADDRESS: 6862 High Oaks Drive

APPLICANT:

NAME Michael Weiss

ADDRESS 6862 High Oaks Drive

CITY TROY STATE MI ZIP 48098

PHONE 248 - 225 - 5377

E-MAIL doctorstork@live.com

PROPERTY OWNER (if different than applicant):

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

E-MAIL _____



All ▾ chicken coop

Hello, Sign in
Account & Lists ▾
Account ▾Returns
& Orders

Try Prime ▾

0
CartHello
Select your address

Holiday Deals

Gift Cards

Best Sellers

Customer Service

New Releases

Shop today's epic deals now

Amazon Home

Shop by Room

Discover

Shop by Style

Home Décor

Furniture

Kitchen & Dining

Bed & Bath

Garden & Outdoor

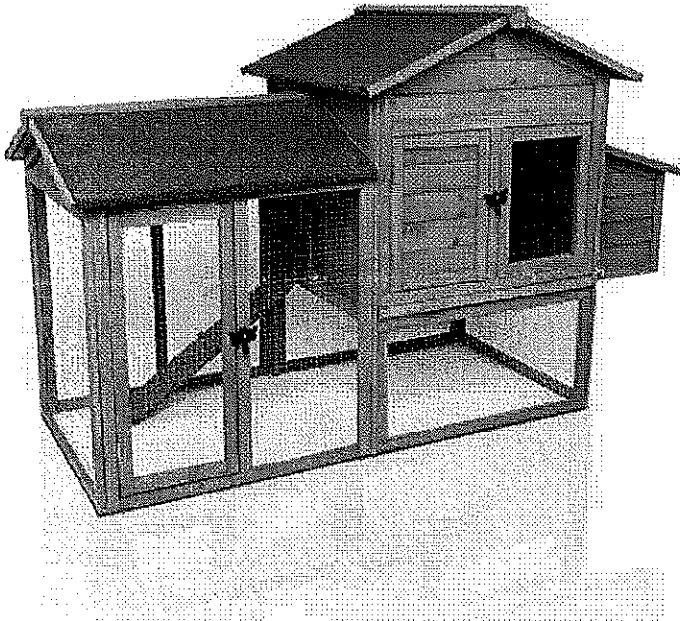
Home Improvement

amazonbasics

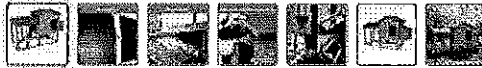
Get 15% off on select products
when you add \$40 through Amazon Cash

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◀ Back to results



Roll over image to zoom in



LAZY BUDDY Chicken Coop, 41" Wooden Chick Cage with Egg Box, Indoor and Outdoor Use Chicken Coop with Waterproof Roof for Chicken and Other Pets (Medium)

At the LAZY BUDDY Store

152 ratings

Price: \$177.99

\$50 off instantly: Pay \$127.99

in approval for the Amazon Rewards Card.

Size: Medium

- **【Specialized and Luxurious House】** Your chicken need a space for his or her own to play and live in. This chicken coop gives your chicken the poultry penthouse they deserve. The spacious design features an elevated coop with a nesting box, as well as an enclosed run. It is not only a playground for your chicken, but also a good helper for you.
- **【Sturdy and Safety Are Always the Priority】** Constructed by premium natural fir wood and painted with eco-friendly waterproof non-toxic varnish. The original wood is firm and natural for your beloved pet, which ensures the safety of your lovely pet. Besides, due to eco-friendly paint, the cage is waterproof, anti-corrosion and also UV-resistant, which offers long-lasting lifespan to provide a warm house for pet all the time.
- **【Large Activity Space with Multi-door Design】** Large activity space with three opening doors, which makes it easier for your lovely pet to come in and out. Also, multi-door design help you interactive with your pet, and clean the hutch easier.
- **【Easy Assemble and Clean】** Simple overall structure which is quite easy to assemble, it is better to use

\$177.99

FREE delivery: Nov 10 - 23

Usually ships within 6 to 10 days.

Qty: 1

Add to Cart

Buy Now

Secure transaction

Ships from ... QMCY

Sold by ... QMCY

Return policy: Returnable until Jan 31, 2021

Select delivery location

Add to List

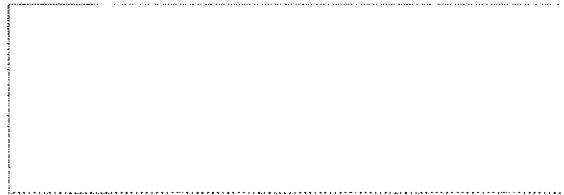
Share

Have one to sell?

Sell on Amazon

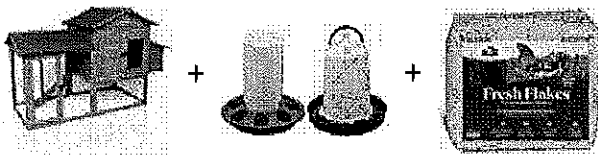
electronic drill to assemble, and the estimated assemble time is about 20 minutes. Removable tray makes it easier for you to clean the hutch, a cleaner hutch will give your pet a more comfortable experience to live in.

- **【12 Months Warranty】** All the LAZY BUDDY products are backed by our 12-Month product warranty, we are always standing by to solve your problem.



Sponsored

Frequently bought together



Total price: \$225.93

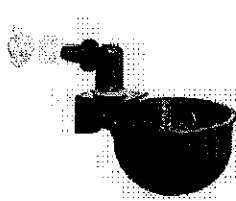
Add all three to Cart

Add all three to List

These items are shipped from and sold by different sellers. Show details

- ☑ **This item:** LAZY BUDDY Chicken Coop, 41" Wooden Chick Cage with Egg Box, Indoor and Outdoor Use Chicken Coop... \$177.99
- ☑ RentACoop Chick Feeder Waterer Kit (1.5 L Waterer 1L Feeder Kit) \$18.95
- ☑ Manna Pro 1000316 Pine Shavings Bedding for Chickens | 3.5 Cubic Feet \$28.99

More items to explore



Pack of 6 - RentACoop Automatic Chicken Water Nipple Cup Waterer Kit for Poultry

5,215

\$24.95



Large Metal Chicken Coop Walk-in Poultry Cage Hen Run House Rabbits Habitat Cage...

191

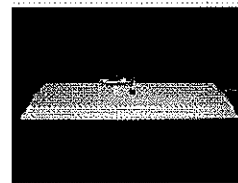
\$315.99



Purina | Nutritionally Complete Duck Feed for All Life-Stages | 40 Pound (40 lb) Bag

293

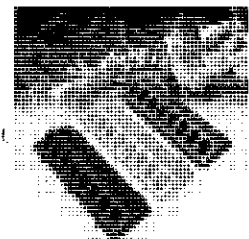
3 offers from \$43.99



SWEETER HEATER Safe Heater for Chicks, Coops, & Animals, OH11x40, 150 Watt

81

\$152.00
Only 8 left in stock - order...



WSERE 3 Pack Plastic Flip Top Bird Small Poultry Feeder for Pigeon Quails...

28

\$18.99

Products related to this item

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6862 High oak
Drive Troy MI 48098

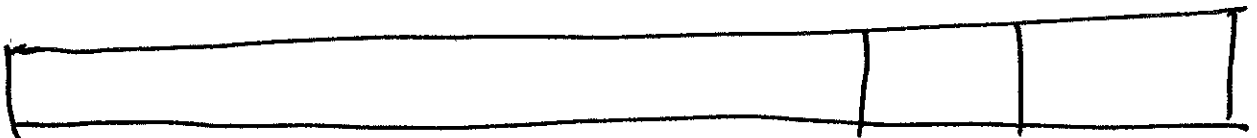
Garden

chicken
COOP

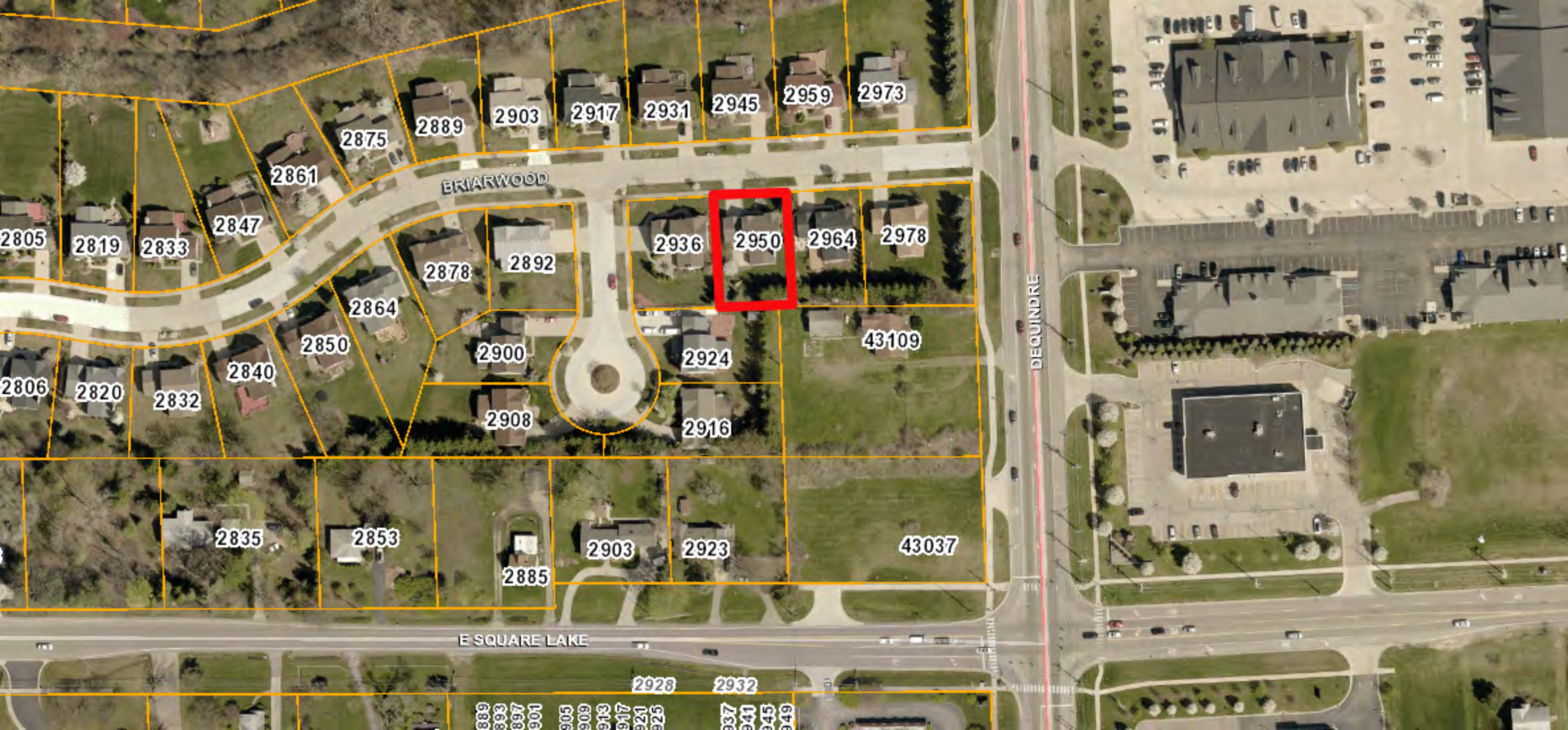


Deck

House



2950 BRIARWOOD, MEIXIAN WANG: In order to keep up to 9 chickens, a waiver from the requirement that the property be at least .75 acres in area. The property is approximately .256 acres in area.



2805 2819 2833 2847 2861 2875 2889 2903 2917 2931 2945 2959 2973

2806 2820 2832 2840 2850 2864 2878 2892 2900 2908 2916 2924 2936 2950 2964 2978

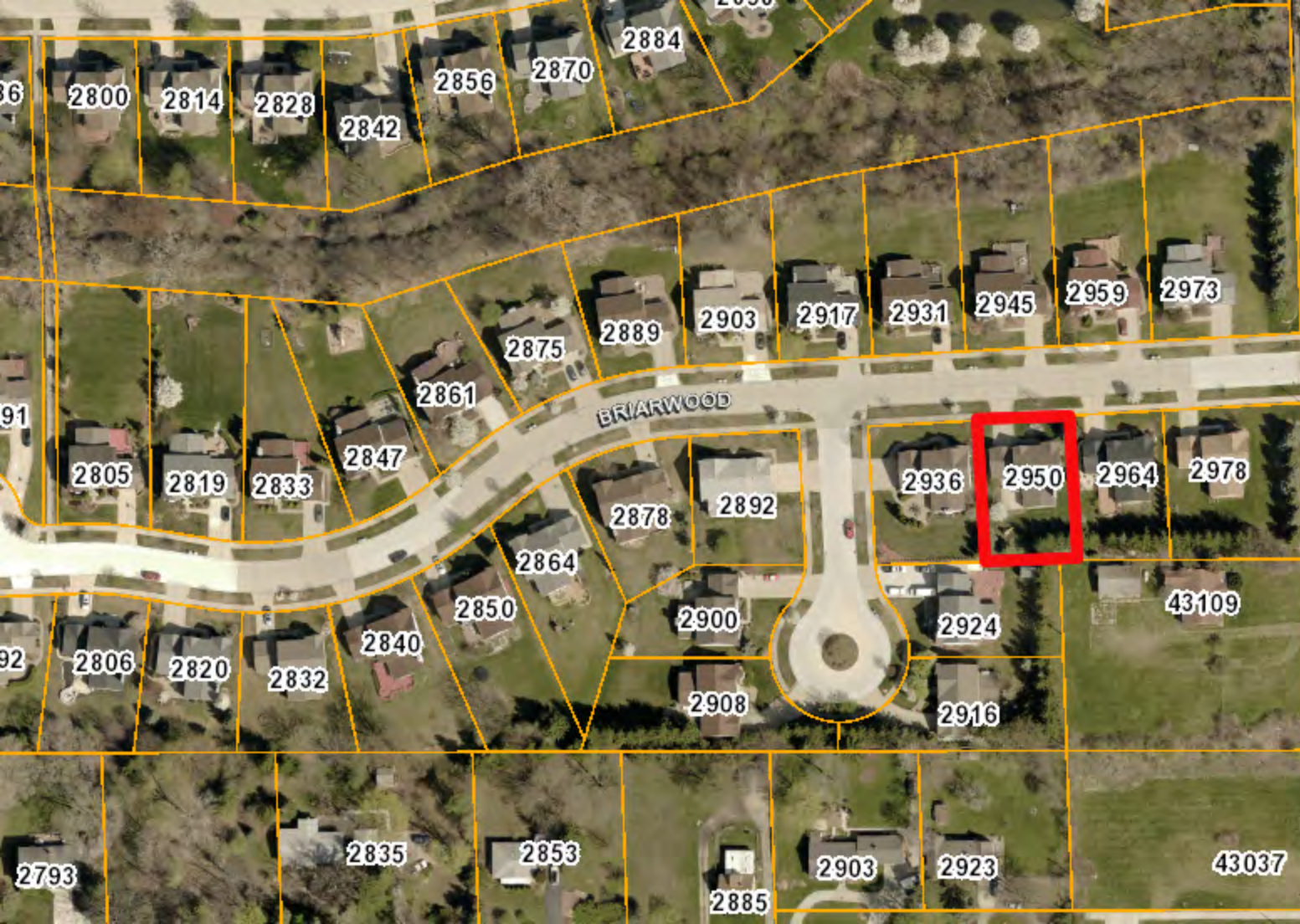
2835 2853 2885 2903 2923 2928 2932 389 393 397 391 395 399 393 397 221 225 337 341 345 349

43109 43037

BRIARWOOD

E SQUARE LAKE

DEQUINDRE



2

2936

2950

2964

2978

43100

BRIARWOOD



CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48084 | 248-524-3364

Animal Appeal Application

REGULAR MEETINGS OF THE ANIMAL CONTROL APPEALS BOARD ARE HELD ON THE **FOURTH WEDNESDAY OF EVERY OTHER MONTH AT 7:00 P.M. AT CITY HALL.** A COMPLETE DIGITAL APPLICATION MUST BE FILED AT LEAST **21 DAYS BEFORE** THE MEETING DATE. 2020 MEETING DATES ARE ON PAGE 2.

PROPERTY ADDRESS: 2950 Briarwood Dr, Troy , MI 48085

APPLICANT:

NAME Meixian Wang

ADDRESS 2950 Briarwood Dr

CITY Troy STATE MI ZIP 48085

PHONE 5867673738

E-MAIL meixwang2950@gmail.com

PROPERTY OWNER (if different than applicant):

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

E-MAIL _____



Animal Appeal Application

APPLICATION DOCUMENTS REQUIRED:

- Written narrative describing your request
- Written response explaining how the request will Satisfy the Minimum Four Criteria below. Site plan or property survey showing the location of buildings/structures intended to house animal(s)
- Dimensioned sketches or drawings of building, structures and/or other enclosures, including fences
- Sample photos of proposed building, structures, and/or other enclosures including fences.
- Anything else that will explain what is proposed

THE BOARD MUST FIND THE FOLLOWING MINIMUM FOUR CRITERIA HAVE BEEN SATISFIED:

- That the animals will be treated humanely and will not be neglected or treated with cruelty, and
- The animals will be maintained in quarters constructed to prevent their escape, and
- That reasonable precautions shall be taken to protect the public from the animals and the animals from the public, and
- That the animals will not be loud or likely be detrimental to the neighborhood.

E-mail signed application and supporting files to planning@troymi.gov

Questions? Contact Paul Evans, Zoning & Compliance Specialist

- (248) 524-3364
- planning@troymi.gov.

PERMISSION TO INSPECT PREMISES

I, Meixian Wang (applicant) hereby depose and say that all the above statements and statements contained in the information submitted are true and correct and give permission for the Board Members and City Staff to enter the property to ascertain conditions.

APPLICANT SIGNATURE

A handwritten signature in black ink, appearing to read 'Meixian Wang', is written over a horizontal line.

DATE 11/23/2020

2020 ANIMAL CONTROL APPEAL BOARD MEETING DATES

January 22

March 25

May 27

July 22

September 23

November 25

Dear Members:

I, Meixian Wang, home address: 2950 Briarwood Dr, Troy, MI 48085, hereby submit a request for a waiver to keep some chickens and ducks (total number less than 10) in my backyard.

As you all know, the troy school has cancelled the in-class teaching due to this pandemic, so my kids have to stay home, and now it is not safe to go outside to play. Also, we have cancelled all our visits to other families and rejected visits to our home as well. So, I decided to buy some chickens and ducks for my kids to have some fun at home since my son and daughter love them so much. I hope they can have a good time at this pandemic time.

Thanks for your consideration.

Best Regards!

Meixian Wang



Customers who viewed **BestPet Chicken Coop Chicken Cage Pens C**



FDW 86" x 40" Chicken Coop Chicken
Cage Outdoor Metal Pet Enclosure Pet
Playpen Exercise Run for Rabbits,
Chickens, Cats, Small Animals
★★★★☆ 43

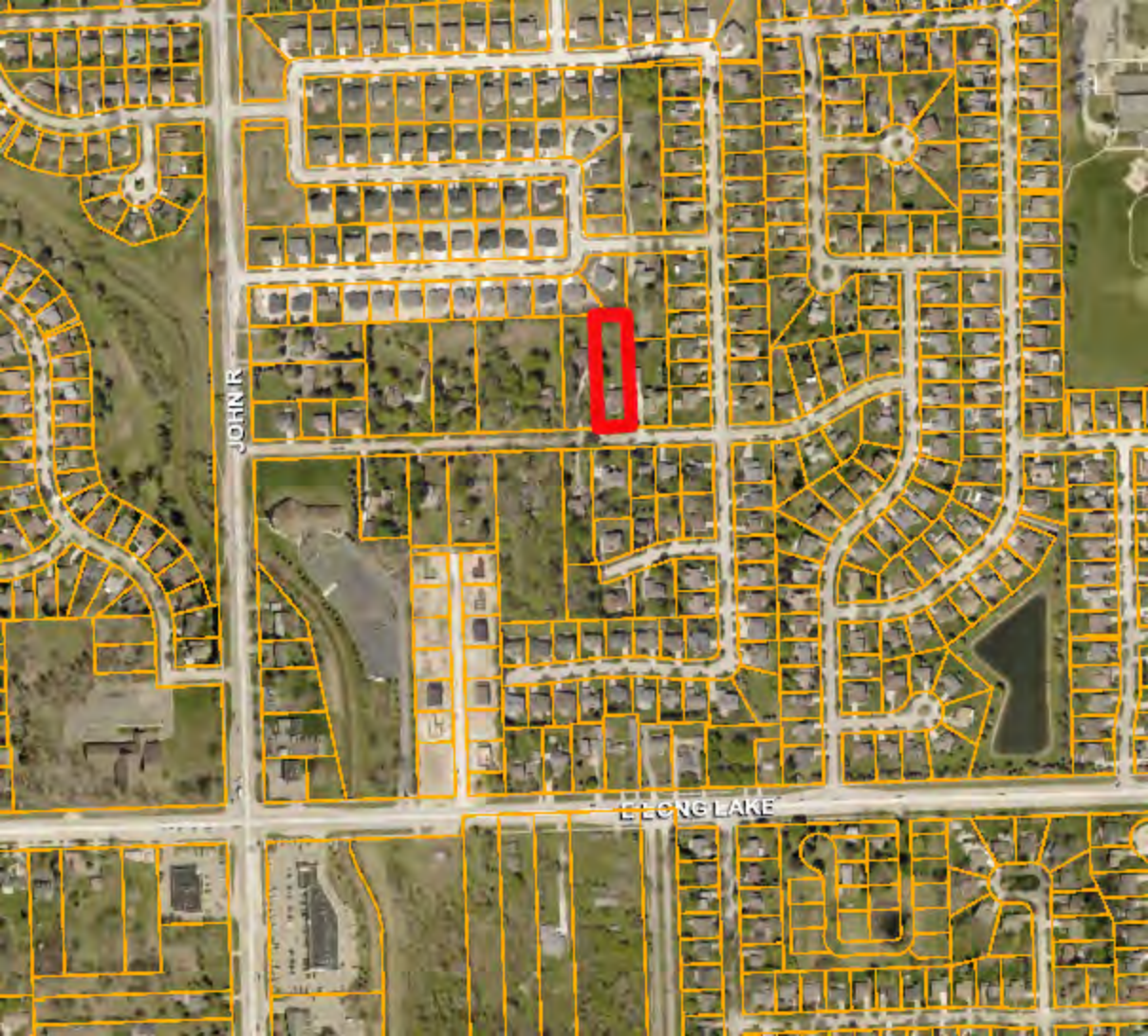


Chick
Poul
Anti-
Back
Pet F
★★
\$99.9
1 use

Pet Supplies › Dogs › Doors, Gates & Ramps › Playpens

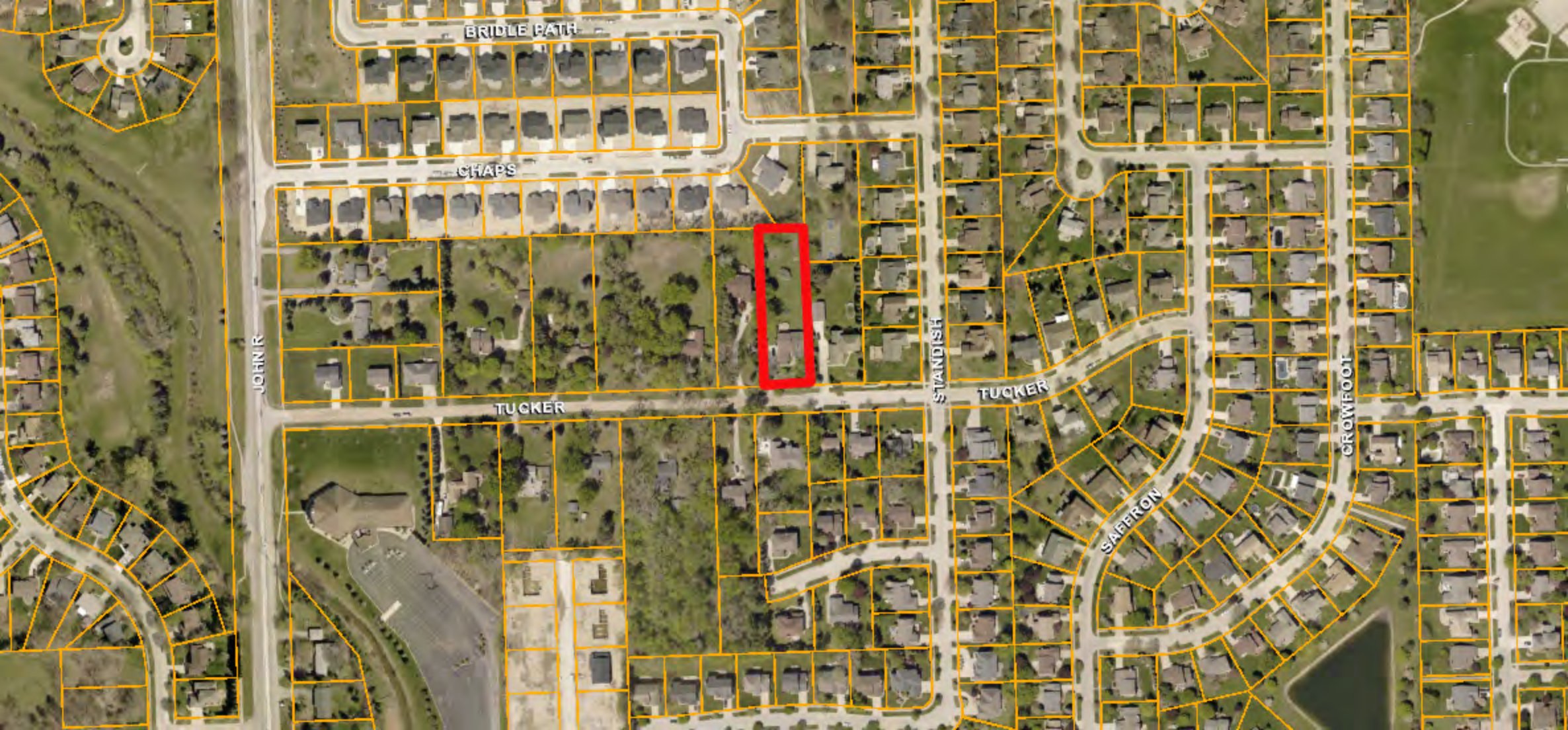


2223 TUCKER, OLLIE APHIDEAN: Appeals the Housing & Zoning Inspector's decision to limit the number of chickens allowed by an Animal Permit to ten, in order to have an unlimited number of chickens.



JOHN R

ELONG LAKE



BRIDLE PATH

CHAPS

JOHN R

TUCKER

STANDISH

TUCKER

SAFFRON

CROWFOOT



2155

2197

2223

2227

5227

5241

5255

5269

5228

5242

5256

5270

TUCKER

TUCKER

STANDISH



CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48084 | 248-524-3364

Animal Appeal Application

REGULAR MEETINGS OF THE ANIMAL CONTROL APPEALS BOARD ARE HELD ON THE **FOURTH WEDNESDAY OF EVERY OTHER MONTH AT 7:00 P.M. AT CITY HALL.** A COMPLETE DIGITAL APPLICATION MUST BE FILED AT LEAST **21 DAYS BEFORE** THE MEETING DATE. 2020 MEETING DATES ARE ON PAGE 2.

PROPERTY ADDRESS: 2223 Tucker Dr.

APPLICANT:

NAME Ollie Apahidean

ADDRESS 2223 Tucker Drive

CITY Troy STATE MI ZIP 48085

PHONE 586-604-8554

E-MAIL apahidean@comcast.net

PROPERTY OWNER (if different than applicant):

NAME same

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____

E-MAIL _____



Animal Appeal Application

APPLICATION DOCUMENTS REQUIRED:

- Written narrative describing your request
- Site plan or property survey showing the location of buildings/structures intended to house animal(s)
- Dimensioned sketches or drawings of building, structures and/or other enclosures, including fences
- Sample photos of proposed building, structures, and/or other enclosures including fences.
- Anything else that will explain what is proposed

THE BOARD MUST FIND, AT A MINIMUM, THE FOLLOWING HAS BEEN DEMONSTRATED:

- That the animals will be treated humanely and will not be neglected or treated with cruelty, and
- The animals will be maintained in quarters constructed to prevent their escape, and
- That reasonable precautions shall be taken to protect the public from the animals and the animals from the public, and
- That the animals will not be loud or likely be detrimental to the neighborhood.

E-mail signed application and supporting documents to planning@troymi.gov

Questions? Contact Paul Evans, Zoning & Compliance Specialist

- 248 524 3359
- evanspm@troymi.gov

PERMISSION TO INSPECT PREMISES

I, Ollie Apahidean (applicant) hereby depose and say that all the above statements and statements contained in the information submitted are true and correct and give permission for the Board Members and City Staff to enter the property to ascertain conditions.

APPLICANT SIGNATURE  DATE 12/4/2020

2020 ANIMAL CONTROL APPEAL BOARD MEETING DATES

January 22

March 25

May 27

July 22

September 23

November 25

Dear Board Members,

On September 4, 2020 I submitted an animal permit application to keep backyard chickens. I meet all the requirements of Section 90.70.20 of the Animal Ordinance. On November 3, 2020 City Inspector David Koss issued me a citation for violating a non-existent requirement of the Animal Ordinance: to not exceed 10 chickens. On December 3, 2010 at 10:30 A.M. I appeared before a Magistrate in the 52-4 District Court to argue my case. Between 11/3/20 and 12/2/20 I reached out numerous times to Troy City Attorney Lori Bluhm and Code Enforcement Specialist Paul Evans requesting an explanation as to what part of the Animal Ordinance I wasn't in compliance with. As of today, I haven't received a response back from either of them. During my court hearing on 12/3/2020 the Magistrate stated clearly that there is no legal basis for the City to restrict the number of chickens permitted on a property that meets all other ordinance requirements. Even Inspector Koss, who was present at the hearing, confirmed to the Magistrate that the Animal Ordinance does not put a quantity limit on the number of chickens allowed on a property.

What I'm respectfully asking of this Board is the following: approve my animal permit application without any quantity restrictions. That's exactly what the Ordinance allows and exactly what the Magistrate says the ordinance allows.

The Animal Ordinance is the Law of the City of Troy. All I'm asking for is a fair and legal application of the Law without any additional hearsay postulations and regulations that have been gathered over the decades by the Code Enforcement Department.

No resident and taxpayer of Troy should be given a citation FOR complying with an ordinance. Citations should be reserved for NOT complying with an ordinance.

Another document that supports and allows raising chickens on a residential property is the Zoning Ordinance. Section 4.21 clearly states that Agriculture is a permitted use on a R-1C property, which my property is. The Zoning Ordinance defines agriculture as: "Farms and general farming, including horticulture, floriculture, dairying, livestock, and poultry raising, farm forestry, and other similar uses."

The Right to Farm Act is another State law that allows raising chickens on a residential property. On March 28, 2018, Attorney General Bill Schuette wrote a letter to Gordon Wenk, Director of Department of Agriculture and Rural Development. In Opinion No. 7302, AG Schuette made this statement: "It is my opinion, therefore, that unless otherwise approved under § 4(7), § 4(6) of the Right to Farm Act preempts provisions in ordinances adopted by local units of government that regulate farming activities".

Troy's Animal Ordinance not only permits chickens but also horses. The farming industry uses an Animal Unit (AU) to compare animals amongst each other in terms of quantity and size. This standard is recognized by the Michigan Department of Agriculture. Table 1 below clearly shows that 1 horse is equivalent to 200 chickens. What this translates into is that the enclosure needed for 1 horse could house 200 chickens. The food needed for 1 horse is equivalent with the food needed for 200 chickens. The waste produced by 1 horse is equivalent to the waste produced by 200 chickens. The weight of a horse definitely exceeds the weight of 200 chickens. And so on and so forth. If the City Ordinance allows at least 1 horse on a 0.75 acre parcel, it equally allows a number of chickens that is equal in AU to a horse. Even if someone would have 20 chickens, that's only 10% of the equivalent of a horse. From a nuisance perspective, that's 10% of the potential noise, odor, smell, etc. of what a horse can produce.

In conclusion, it should be more than obvious to this Board as to what this situation is all about. All I'm requesting is equal protection under the law, the Ordinance. I have these chickens as my family's pets. The Animal ordinance allows a property owner to have more than 10 dogs WITHOUT a permit but it also allows a property owner to have more than 10 chickens WITH a permit. 10 dogs will most likely make more waste and more noise than 10 chickens. We are all living with a new normal as it relates to the Covid pandemic. As parents we are all looking out for the physical health of our children but also for their mental health. Some people choose dogs or cats as pets to help their children destress and connect to nature: we chose chickens. There is absolutely no additional nuisance or harm or negative impact to my neighborhood if I choose to have 15 chickens versus 10. My property, the fenced area and the coop are all large enough to accommodate way more than 15 chickens. I respectfully request that the law be applied as written and not as someone wishes it would be written.

Sincerely,



Ollie Apahidean

P.S. If any of you have never had an omelette made from fresh organic free-range eggs laid 10 minutes before you put them in the pan, you're invited over for breakfast.

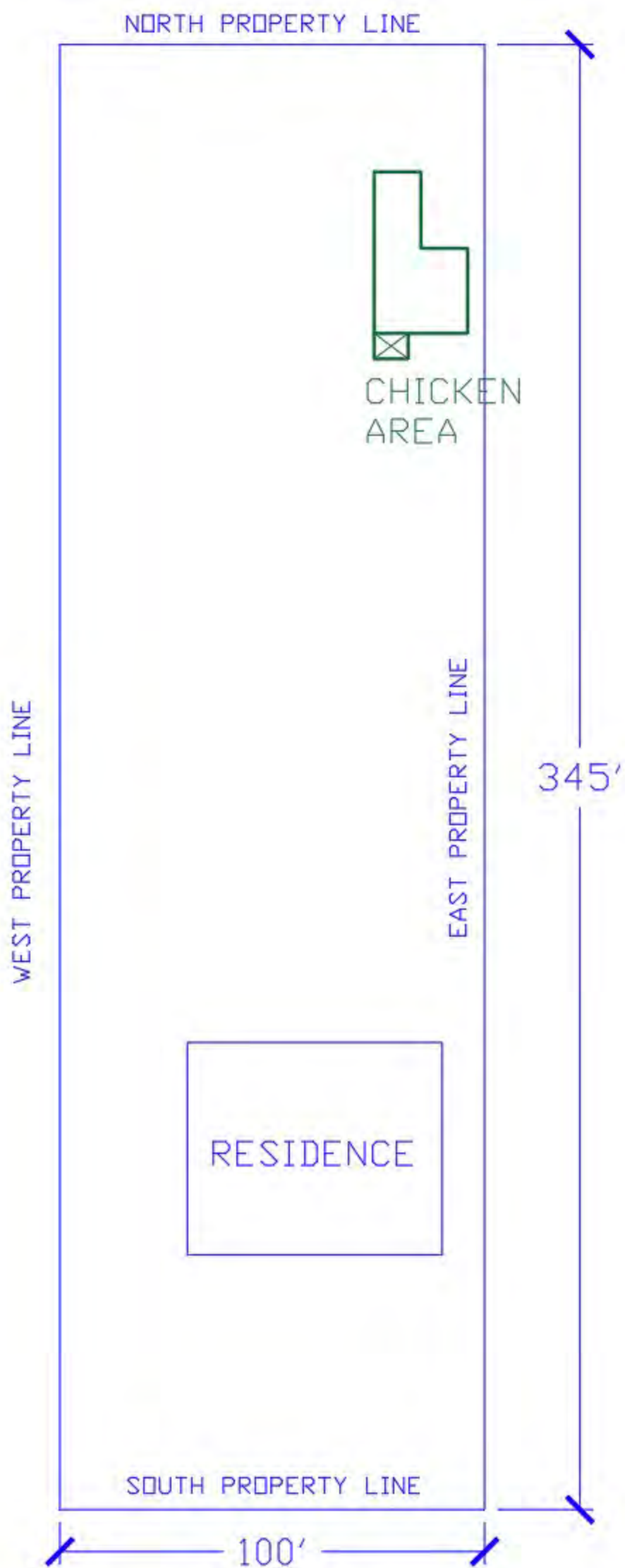
Table 1. Animal Units

Animal Units	50	250	500	750	1,000
Animal Type¹	Number of Animals				
Slaughter and Feeder Cattle	50	250	500	750	1,000
Mature Dairy Cattle	35	175	350	525	700
Swine ²	125	625	1,250	1,875	2,500
Sheep and Lambs	500	2,500	5,000	7,500	10,000
Horses	25	125	250	375	500
Turkeys	2,750	13,750	27,500	41,250	55,000
Laying Hens or Broilers	5,000	25,000	50,000	75,000	100,000

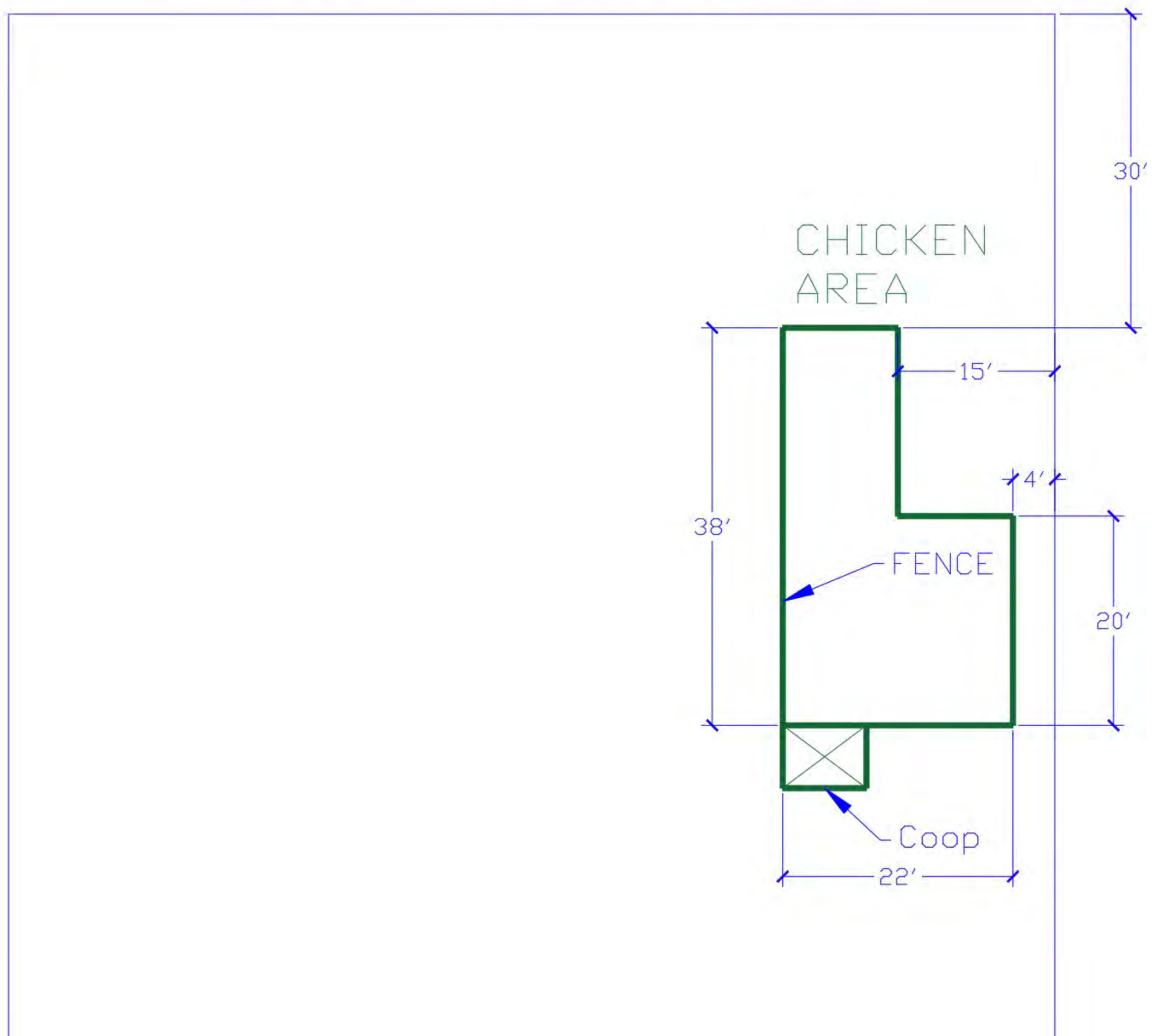
¹All other animal classes, types or sizes (eg. Nursery pigs) not in this table, but defined in the Michigan Right to Farm Act or described in Michigan Commission of Agriculture and Rural Development Policy, are to be calculated as one thousand pounds live weight equals one animal unit.

² Weighing over 55 pounds.

The chickens are kept in a fenced area in the northeast corner of the property as shown on the attached drawing. This area is completely enclosed in with a 6' tall fence to keep the chickens in that area 24/7. The entire enclosed area also has a continuous fence above the space to prevent the chickens from flying out and predators from entering at night. The chickens are housed in a coop during the night. The approximate size of the coop is 6'x8'. The chickens are kept as pets and are treated humanly at all times. They can not escape the fenced area and therefore will never be on anyone else's property other than ours. Chickens are quiet pets. 99% of the time the chickens are so quiet no one would even know we have them. They are more quiet than neighbors dogs and wild crows flying around. Chickens are environmentally friendly pets to have because they actually eat bugs and pests.



NORTH PROPERTY LINE











**ANIMAL PERMIT APPLICATION
DOMESTIC, DANGEROUS, OR WILD ANIMALS
NOT REQUIRED FOR DOGS, CATS OR HOUSE PETS
FEE \$70.00**

PLANNING DEPARTMENT
500 W BIG BEAVER
TROY MI 48084
248 524 3359
evanspm@troymi.gov
ANIMAL ORDINANCE ONLINE [Ctrl+click here](#)



APPLY VIA E-MAIL - INSTRUCTIONS

1. COMPLETE APPLICATION AND SAVE TO YOUR DEVICE .
2. E-MAIL APPLICATION AND ALL SUPPORTING DOCUMENTS TO PAUL EVANS AT evanspm@troymi.gov
3. PAUL WILL NOTIFY APPLICANT WHEN PERMIT IS READY TO ISSUE. YOU MAY PAY FOR THE PERMIT AT THAT TIME.

PROPERTY ADDRESS: 2223 Tucker Dr.

APPLICANT INFORMATION:

NAME Ollie Apahidean

ADDRESS 2223 Tucker Drive

CITY Troy STATE MI ZIP 48085

TELEPHONE 586-604-8554

E-MAIL apahidean@comcast.net

Type of Animal	Number	Location
chickens	10	back yard

APPLICATION DOCUMENTS REQUIRED

- Site plan or property survey showing the location of buildings/structures intended to house animal(s)
- Dimensioned sketches or drawings of building, structures and/or other enclosures, including fences.
- Sample photos of proposed building, structures, and/or other enclosures including fences.
- Anything else that will explain what is proposed

APPLICATION DOCUMENTS SHOULD DEMONSTRATE THE FOLLOWING

- That the animals will be treated humanely and will not be neglected or treated with cruelty.
- That the animals will be maintained in quarters constructed to prevent their escape.
- That reasonable precautions shall be taken to protect the public from the animals and the animals from the public.
- That applicant can comply with the ordinance.
- That property size is at least $\frac{3}{4}$ of an acre.

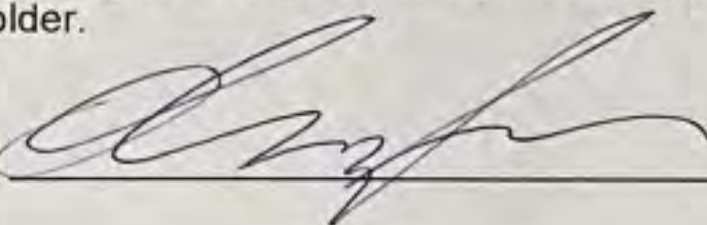
PERMISSION TO INSPECT PREMISES

Applicant's signature below authorizes representatives of the City of Troy to make such inspections in connection with application as is deemed necessary.

HOLD HARMLESS AND INDEMNIFICATION:

I Ollie Apahidean (PRINT NAME) indemnify and hold the City of Troy harmless from any personal injury or property damage caused by the animal(s) for which the permit is issued as a result of the negligence of the permit holder or any other person placed in control of the animal by the permit holder.

APPLICANT SIGNATURE



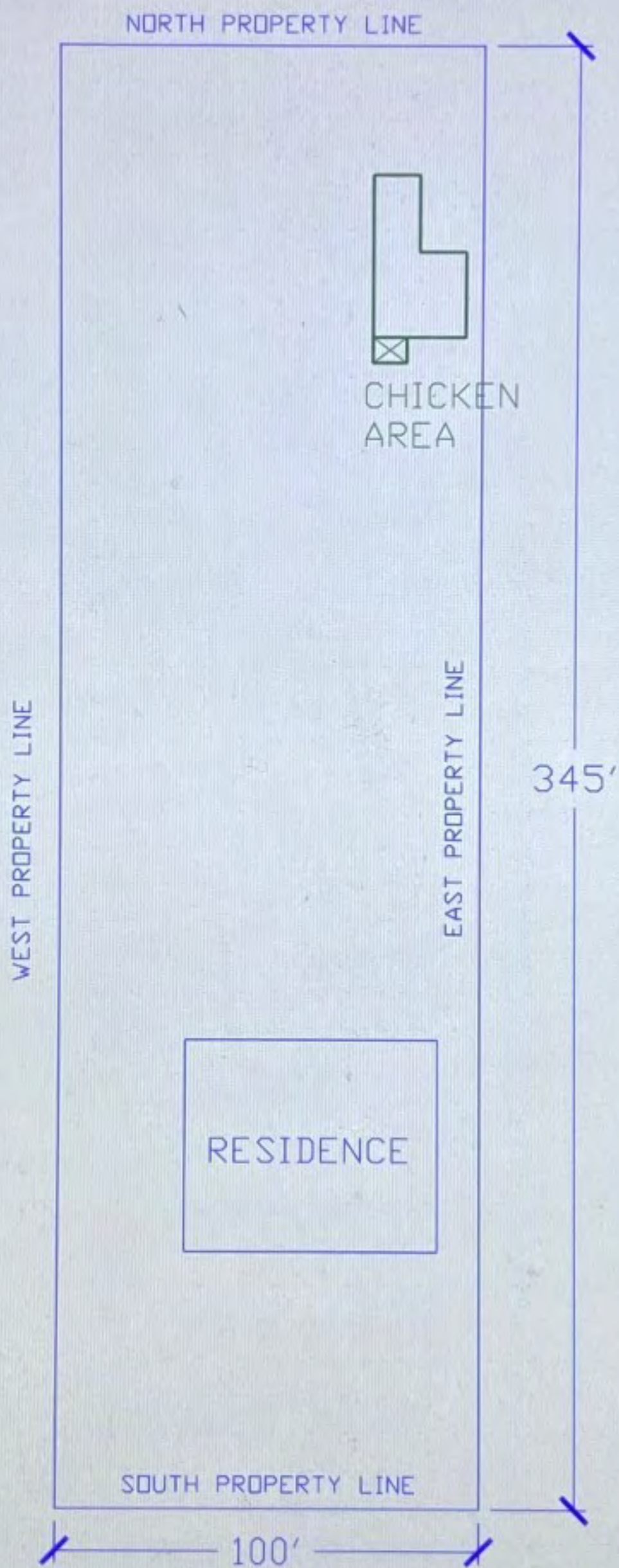
DATE 9/4/2020

DEFINITIONS

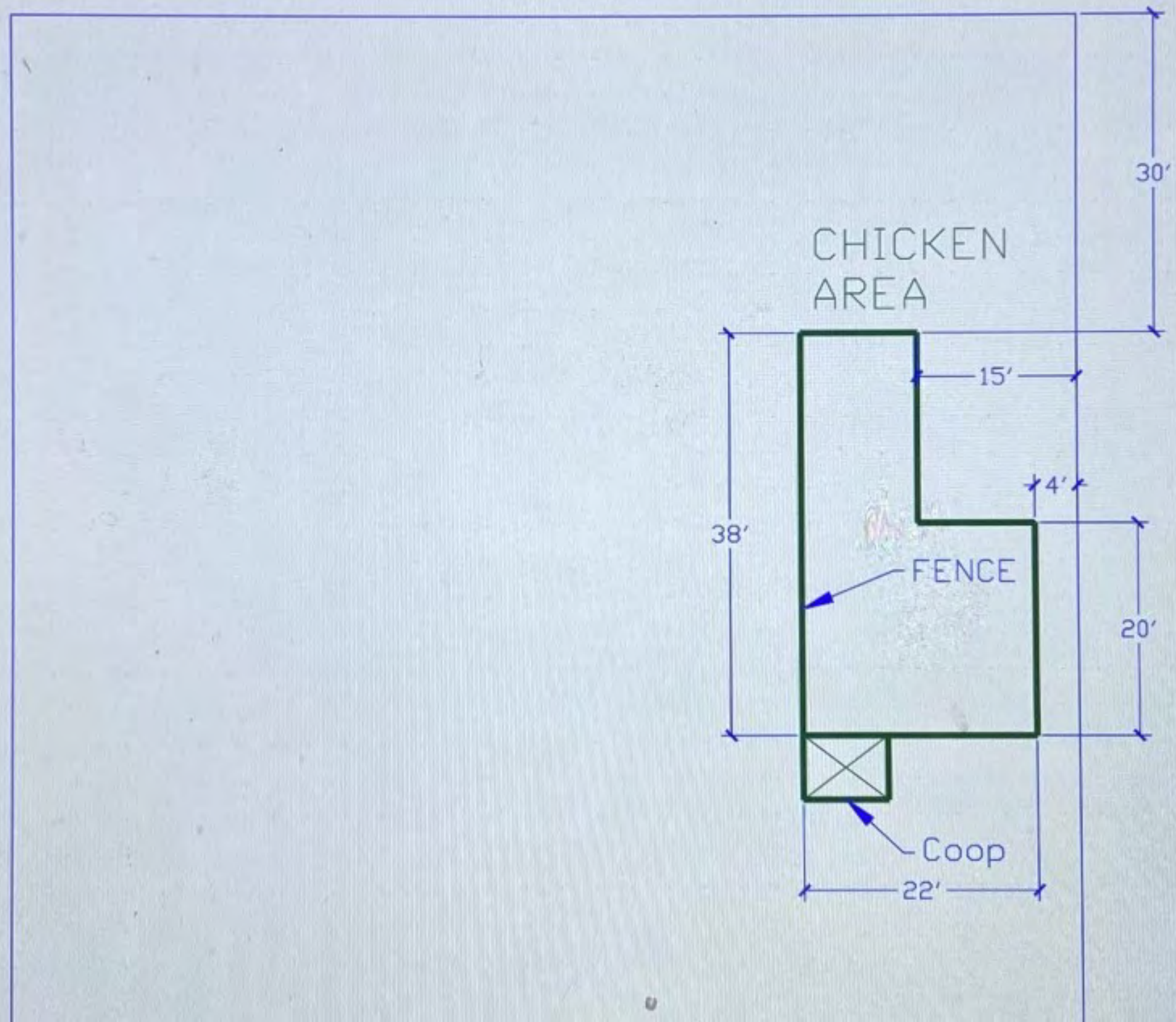
"Domestic Animal" - An animal, other than a dog, that is not feral in nature, including, but not limited to horses, cows, chickens, geese, pigeons, ducks, steers, ponies, mules, donkeys, sheep, swine, pigs and goats.

"Dangerous Animal" - A wild or feral animal, other than a dog or cat, which because of its size, aggressive nature or other characteristics constitutes a danger to persons or property.

"Wild Animal" - An animal that is not defined in this Chapter as a dangerous animal, domestic animal or house pet.



NORTH PROPERTY LINE









500 West Big Beaver
Troy, MI 48084
troymi.gov

Memorandum

Date: January 7, 2021

To: Animal Control Appeal Board Members

From: Lori Grigg Bluhm, City Attorney
Nicole MacMillan, Assistant City Attorney

Subject: Troy City Code Chapter 90

Within the past year, City Administration has received at least two requests to modify its Animal Ordinance—Troy City Code Chapter 90 (requests attached). These requests were submitted to the Troy City Council. Since it is the Animal Control Appeal Board that is tasked with appeals and the interpretation of the ordinance, your input would likely be invaluable to the Troy City Council.

The City's Animal Ordinance was last amended in 2011, when the animal control operations were transferred to the County. At that time, the Animal Control Appeal Board did not recommend any other changes to the City's Ordinance. Upon information and belief, this was due to the fact that there were not very many requests and/or appeals in the City.

The goal of the City's Animal Ordinance has always been to strike a balance between protecting neighboring residents and property values; ensuring the health, safety and welfare of the community; and providing a fair way for residents to own domestic animals. This is why the Animal Control Appeal Board is so important. Although generally permitted on properties that are at least $\frac{3}{4}$ acre, subject to some restrictions, the smaller property owners are not absolutely precluded from having animals on their property. For those properties that are close to their neighbors, an applicant can invoke the appellate process, which allows the applicant to show any steps taken or proposed to minimize any inconvenience to the neighbors, show that the property and/or structures are sufficient for the care of the animals, and allows neighbors to be alerted to the request, and to voice any comments, concerns, or support. This appellate process usually results in good neighbor relations, and a reduction in code enforcement calls, since there is notification, education, and an opportunity to comment. It allows for each case to be decided on a case by case basis, and weigh the competing interests and factors to determine whether it is safe and fair for a particular resident to have a domestic animal. This process has served the City well for at least two decades.

The first request attached is from the Animal Control Appeal Board's newest member, Doug Dombrowski, which was sent to Council prior to his appointment. He suggests amongst other things that the City eliminate the $\frac{3}{4}$ acre requirement for up to six small poultry. The request is very detailed, and we expect that he will further expound on it at the meeting. The second request is from another Troy resident, Dorene Randall. Most of Ms. Randall's suggestions are already covered by City Ordinance and/or State Law. Ms. Randall's recommendation to require sterilization and microchipping would likely not be enforceable.

Both requests are being submitted for your review. Any recommendation and/or input will be forwarded to City Council. If you have any questions, please let us know.



500 West Big Beaver
Troy, MI 48084
troymi.gov

P-02a

CITY COUNCIL AGENDA ITEM

Date: September 4, 2019

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
R. Brent Savidant, Community Development Director
Paul Evans, Zoning & Compliance Specialist
Drew Benson, Assistant to the City Manager

Subject: Ordinance Concern – Chapter 90 - Domestic Animal Ordinance

History

Attached to this report is a message from a Troy resident regarding a concern over the restrictive nature of Chapter 90 of the City's Code of Ordinances as it refers to "Domestic Animals" such as horses, cows, chickens, geese, pigeons, ducks, steers, ponies, mules, donkeys, sheep, swine, pigs and goats.

This resident's assertion is that the current Troy Animal Ordinance is outdated and in need of revision, and has requested that City Council consider potential revisions to the ordinance. In an effort to support this effort, the resident has researched ordinances from other similar cities, and compiled his findings in a report (attached), along with a red-lined version of the City's current ordinance with changes he would recommend. This information is being provided to Council on behalf of the concerned resident.

The City's current Animal Ordinance was last amended in March of 2011, and authorizes the Animal Control Board of Appeals (ACBA) to grant waivers on a case-by-case basis for property owners to have domestic animals on their property if they do not meet the specified requirements to do so. Over the past 12 months, the ACBA has considered 2 cases for waiver requests for chickens, both of which were denied.

The research, information, and the subsequent red-lined version of the current ordinance have not been researched by the City Attorney, or other City Staff, and are not representative of Staff's thoughts or opinions. City Administration has no recommendation at this time, and is seeking direction from Council whether there is interest to review the current ordinance.



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

From: Doug Dombrowski [<mailto:userz2675@hotmail.com>]
Sent: Monday, July 29, 2019 12:04 AM
To: Paul M Evans <P.Evans@troymi.gov>
Subject: Re: Request for Domestic Animal Permit - Dombrowski

Hi Paul. Thanks for taking so much time to talk with me by telephone on Tuesday July 23rd about my desire to get a [waiver](#) from the Troy Animal Control Appeals Board for six chickens since I only have 0.6 acres. You suggested that I structure my appeal around why the Board should feel compelled to grant a waiver. Consideration of this advice took me in a new unforeseen direction.

Section 90.10.30 states:

["Domestic Animal" - An animal, other than a dog, that is not feral in nature, including, but not limited to horses, cows, chickens, geese, pigeons, ducks, steers, ponies, mules, donkeys, sheep, swine, pigs and goats.](#)

Section 90.70.20 f states:

[in the case of domestic animals, demonstrate to the Housing and Zoning Inspector that the lot or parcel that animals will be kept on is three-quarters \(¾\) of one \(1\) acre or larger.](#)

In contrast to other cities' ordinances, small poultry is lumped together with large livestock under the umbrella of "domestic animals" in the Troy ordinance. As such, the largest animal sets the standard for the minimum lot - that probably being a horse. Is it right that a horse is allowed on a 3/4 acre lot but one chicken is not ok on a slightly smaller 2/3 acre lot? Other cities' ordinances have greater detail in which they specifically outline poultry regulations apart from livestock - the number of birds per lot size (not simply minimum lot size with no limitations on quantity), the distance of coops from property lines, minimum fenced space per bird, etc.

You mentioned that most waivers are sought for chickens, and that my chances of getting a waiver are less than half. We also discussed how some of my neighbors with my lot size who have chickens may not have permits. Considering all of these facts, I respectfully suggest that the current Troy Animal Ordinance is outdated and in need of revision not just for me but for the whole community. (Even the allowance of horses or cows on a 3/4 acre lot, and no animal quantity limitations, indicate this.)

Research reveals that urban poultry as a hobby is growing. There are several stories of local cities getting involved and how they are setting better guidelines to facilitate it. These reports also state the numerous benefits of urban poultry to the community.

What is the procedure for changing the ordinance? I would like to author a draft revision to the ordinance for a poultry clause, based on the ordinances of other cities, to submit for consideration. If a change can be made, I'm even considering the creation of a local poultry club through which Troy residents could collaborate, learn, and manage the hobby for the betterment of the community.

Doug Dombrowski

From: [Nicole F MacMillan](#)
To: [Paul M Evans](#)
Subject: Ex2
Date: Friday, January 8, 2021 12:52:49 PM

From: Dorene Randall <martha-jr@comcast.net>
Sent: Tuesday, June 09, 2020 7:40 AM
To: Ann Erickson Gault
Subject: Support Responsible Pet Ownership

Dear Ms. Erickson Gault,

Animal care and control is a vital function of local government, but it must be supported by responsible pet ownership practices. Each of us has a part to play in maintaining a safe and healthy community.

For the estimated 90 million dogs and 95 million cats owned in this country, local ordinances that support responsible pet ownership can maintain public and animal safety, foster humane treatment, and reduce costs for local communities and institutions.

I invite you and your colleagues to review our local ordinances to ensure that they sufficiently incorporate the following key components to support responsible behaviors in our community:

1. Abandonment of an animal should be prohibited in all cases.
2. Sterilization should be required unless an owner explicitly wants to breed his/her pet.
3. Identification, such as licenses and microchips, should be required for pets to help return lost animals to their owners.
4. Roaming pets should be prohibited for the safety of the animal and its community.

Responsible pet ownership reduces the financial and administrative burdens of local government and supports a safer community. I ask that our ordinances reflect and encourage these values.

Thank you very much for your consideration,

New ordinances must be made for cats. They roam the streets killing of precious wildlife. Cap the number a household can own just like dogs.

Sincerely,

Dorene Randall
5348 Abington
Troy, MI 48085

GENERAL REGULATIONS

- 90.10.10 **Definitions.** The following terms when used in this Chapter shall have the meanings set forth in this Section:
- 90.10.11 “Animal” - Any living creature, except humans and plants. “Animal” includes any mammal, bird, reptile, snake, turtle, crustacean or any other vertebrate or invertebrate.
- 90.10.25 “Dangerous Animal” - A wild or feral animal, other than a dog or cat, which because of its size, aggressive nature or other characteristics constitutes a danger to persons or property.
- 90.10.30 “Domestic Animal” - An animal, other than a dog, that is not feral in nature, including, but not limited to horses, cows, chickens, geese, pigeons, ducks, steers, ponies, mules, donkeys, sheep, swine, pigs and goats.
- 90.10.35 “House Pet” - A non-domestic and non-dangerous small animal normally kept confined as a pet, including but not limited to hamsters, fish and parakeets.
- 90.10.60 “Owner” - A person or a group of persons who owns, controls, harbors, keeps, or has a property interest in any animal.
- 90.10.65 “Person” - An individual, employee, corporation, partnership or association.
- 90.10.90 “Wild Animal” – An animal that is not defined in this Chapter as a dangerous animal, domestic animal or house pet.

DUTIES OF ANIMAL OWNERS

- 90.30.50 Possession of Excrement Removal Device. No person, who is accompanying an animal, shall allow that animal to be on property owned by another unless the person has in his or her immediate possession, an appropriate device for the scooping and temporary storage of excrement. A person who violates this section is guilty of a misdemeanor punishable by imprisonment in the county jail for not more than 90 days or by a fine of not more than \$500 or both.
- 90.30.55 Removal of Animal Excrement. No person, who owns or controls an animal that deposits excrement on property owned by another, shall fail to immediately remove such excrement and immediately dispose of it in a receptacle located on the property of the person who owns or controls the animal and if the person is not aware that the animal deposited excrement on another property, shall upon being made aware of such fact, immediately dispose of it in a receptacle located on the property of the

person who owns or controls the animal. A person who violates this section is guilty of a misdemeanor punishable by imprisonment in the county jail for not more than 90 days or by a fine of not more than \$500 or both.

PERMITS

90.70.10 Permit Required for Domestic, Dangerous and Wild Animals. No person shall own or control a domestic animal or a dangerous animal or a wild animal, other than a dog, cat or house pet, within the City of Troy, without having obtained an animal permit from the Clerk for the City of Troy. A person who violates this section is responsible for a Municipal Civil Infraction subject to the provision of Chapter 100 of the Code of the City of Troy. Each day that the violation continues is a separate Municipal Civil Infraction. Sanctions for each violation shall include a fine of not more than \$500, costs, damages, and injunctive orders as authorized by Chapter 100.

Exception:

- a) a permit is not required for a dog, house pet or domestic cat.
- b) permits are not required for wild animals if the Housing and Zoning Inspector determines that the wild animal, because of its size, the number of animals, temperament or other characteristics does not create a hazard or nuisance.

90.70.20 Permit Application Process. An applicant for a domestic, dangerous or wild animal permit shall:

- a) furnish the Housing and Zoning Inspector a list of the species of animals to be kept and the maximum number of each species to be kept at any one time, and
- b) demonstrate that the animals will be treated humanely and will not be neglected or treated with cruelty, and
- c) demonstrate that the animals will be maintained in quarters constructed to prevent their escape, and
- d) demonstrate that reasonable precautions shall be taken to protect the public from the animals and the animals from the public, and
- e) demonstrate that he or she can comply with the ordinance and any regulations promulgated by the Animal Control Appeal Board, and
- f) in the case of domestic animals, demonstrate to the Housing and Zoning Inspector that the lot or parcel that animals will be kept on is

three-quarters ($\frac{3}{4}$) of one (1) acre or larger. This requirement may be waived by the Animal Control Appeal Board if the applicant can demonstrate circumstances that allow for waiver pursuant to regulations promulgated by the Animal Control Appeal Board. Waivers will not be granted for animals that are loud or likely to be detrimental to the neighborhood.

90.70.30 Issuance of Permit for Domestic, Dangerous or Wild Animal. The Housing and Zoning Inspector shall issue a domestic, dangerous or wild animal permit upon showing by the applicant that he or she has obtained the approval of the Housing and Zoning Inspector and has paid the applicable fee. The permit shall list with specificity the animals subject to the permit, the location of the animals in the City of Troy and may contain limitations and conditions required by the Housing and Zoning Inspector or the Animal Control Appeal Board.

90.70.40 Duties of Permit Holder. The holder of a domestic, dangerous or wild animal permit shall:

- (a) comply with all present and future ordinances in this Chapter and comply with the regulations promulgated by the Animal Control Appeal Board, and
- (b) apply for a new permit prior to changing their address or changing the location of the animals, and
- (c) indemnify and hold the City of Troy harmless from any personal injury or property damage caused by the animal for which the permit is issued as a result of the negligence of the permittee or any other person placed in control of the animal by the permittee.
- (d) consent to inspection of the applicant's facilities by a Housing and Zoning Inspector before and after the granting of the permit.

90.70.50 Expiration of Permit. A permit shall expire:

- a) 5 years from the date of issuance, or
- b) when ownership or control of the animal or animals is transferred to another person, or
- c) when the animal or animals are moved to another location, or
- d) upon death of the animal for which the permit is issued, unless the permit specifically provides for replacement of the animal, or

- e) when the terms of the permit require that the permit expires.

90.70.60 Revocation of Permit. A Housing and Zoning Inspector may revoke a permit:

- a) if the permit holder fails to comply with the requirements of this Chapter, or
- b) if the permit holder fails to comply with regulations promulgated by the Animal Control Appeal Board, or,
- c) if a permit holder fails to comply with federal, state or local laws governing cruelty to animals or the keeping of animals, or
- d) if a species of animal not listed in the permit application is acquired, or
- e) the maximum number of animals allowed pursuant to the permit is exceeded.

90.70.70 Removal of Animals. A person whose permit is revoked or has expired, shall immediately remove all animals subject to the permit, from the City of Troy, unless the permit holder has filed a timely appeal with the Animal Control Appeal Board in which case the revocation shall be postponed pending the outcome of the appeal.

ANIMAL CONTROL APPEAL BOARD

90.80.10 Animal Control Appeal Board. There is hereby created an Animal Control Appeal Board.

90.80.20 This Board shall:

- a) consist of five (5) members appointed by the City Council for three (3) year overlapping terms, and
- b) annually elect from among its members a Chair, a Vice Chair and a Secretary.

90.80.30 All Board Members, including the Chair, Vice Chair and Secretary shall have voting privileges.

90.80.40 The Chair shall preside over meetings of the Board.

90.80.50 The Vice Chair shall preside over meetings of the Board in the absence of the Chair.

90.80.60 The Secretary shall record and file with the City Clerk accurate and complete resolutions, rules and interpretations rendered by the Board.

90.80.70 Duties Of Animal Control Appeal Board. The Animal Control Appeal Board shall:

- a) promulgate regulations regarding dangerous animal permits and domestic animal permits, and
- b) interpret and determine the application of provisions contained in this Chapter as they relate to specific fact situations presented to the Animal Control Appeal Board, and
- c) adjudicate appeals from a Housing and Zoning Inspector's decision regarding the issuance or denial of a permit for dangerous animals, domestic animals and wild animals, and
- d) adjudicate appeals from a Housing and Zoning Inspector's decision regarding the revocation of a permit for dangerous animals, domestic animals or wild animals.

90.80.80 Procedure for Appeals.

Appeals from the decisions of the Housing and Zoning Inspector to the Animal Control Appeal Board must be:

- a) filed at the office of the Troy Housing and Zoning Inspector on forms provided, and
- b) filed within seven (7) days of the date of the Housing and Zoning Inspector's decision regarding the issuance or denial of a permit for dangerous animals or domestic animals, and
- c) filed within seven (7) days of the date of the Housing and Zoning Inspector's decision regarding the revocation of a permit for dangerous animals or domestic animals.
- d) upon acceptance of an appeal, the City Clerk shall provide notice of the time, date and place of the appeal to all property owners within 300 feet of the appellant's property.

90.8.90 Rulings and interpretations of the Animal Control Appeal Board shall be final.

(Amended: 03/28/2011)

Pros/Benefits

1) For Bird Owners

a) It is a great hobby

- i) Poultry are fun pets
- ii) Raising poultry is cheap
- iii) The Social Aspect

(1) It's novel which piques people's interest and conversation

(2) Kids are interested and want to get involved.

b) Entertainment Value

- i) Observing the individual personalities and quirks of each

c) Improved lawn

- i) Chickens are ground birds, with strong, sturdy feet that are meant for digging and scratching in search of grubs, worms, bugs, tender shoots, and aerating.
- ii) They turn leaf litter and dead bio-matter into the soil.

d) Fresh Eggs

- i) Organic & Non-GMO
- ii) Greater Nutrition

e) Stress relief and companionship

- i) A Source of Therapy

f) Plenty of literature, websites, and support groups exist for urban chicken hobbyists for reference to help conduct the hobby in a cohesive manner in the neighborhood environment.

g) Weed Control

- i) As they scratch and claw the ground, they eat and disperse weed seeds that have blown in

2) For Community

a) A Taste of Country Life

- i) Many people would prefer to live in the country but their job or your family keeps them in the city. Keeping backyard poultry is a way of bringing country life to the city.

b) Educational Value

- i) Learn Where Food Comes From
- ii) A Lesson in Self-Sustainability

c) Pest Control

- i) Chickens are omnivores by nature and thoroughly enjoy chasing down plant-destroying insects like grasshoppers, grubs, beetles, and larvae.

d) Less Food Waste/Bio-recycling

- i) up to 25% of a chicken's diet can be table scraps, thereby avoiding landfill waste.
- ii) each bird can bio-recycle more than 2 pounds per month in vegetable matter and table waste.
- iii) A flock of four birds, if fed a diet of 75 percent layer ration and 25 percent food waste, can eat more than 100 pounds per year in waste.

e) Chicken owners care for the birds like pets and go to extreme measures to pacify neighbors.

- i) Good regulation through local ordinances provides framework for cohabitation
- ii) Local clubs help guide urban chicken owners on how to manage their hobbies

3) For the Chickens

a) Cruelty Free

- i) hens on factory farms are often kept in such close, inhumane quarters that they cannot stretch their legs or wings, walk around, or participate in normal social behaviors

b) Save a Life

- i) 300 million birds each year are crammed into cages that are far too small

- ii) Give a bird a chance at a happy life
- a) Save Heritage Breeds
 - i) Different breeds have different characteristics.
 - (1) Because only certain chickens are good for meat, and others are specially bred for maximum egg production, today's chickens look significantly different from their ancestors.
 - (2) Hobbyists are the ones who raise rare heritage breeds.

Problems/Concerns

Table 3. Common urban chicken keeping concerns addressed

CONCERN	MORE INFORMATION	POSSIBLE SOLUTIONS
Disease	Contracting a communicable disease, like the flu or respiratory illness is negligible for urban poultry farming because of the size of the flock. This is a larger concern in industrial farming. Bacteria, like <i>Salmonella</i> , can be found in poultry droppings.	The hazards of bacterial infections can be mitigated by education regarding how to handle and care for poultry, including washing hands after returning indoors, and how to properly compost droppings for fertilizer. This can easily be addressed by educating urban chicken farmers with printed materials or offering classes.
Attracting pests	Flies and other pests lay their eggs in droppings because they like moisture.	Pests can be minimized through proper bedding care, and the chickens help by eating pests.
Attracting predators	Chickens should not attract urban predators any more than a cat or dog.	With the exception of hawks, most predators are nocturnal while chickens are diurnal (active during the day). Enclosing the chickens at night should prevent predators from accessing the chickens.
Cost for low-income families		Part of the Metropolitan Food Systems Plan is addressing issues of food access, possible barrier reduction could include funding and management from outside sources, like a non-profit, to cover the startup costs.
Disposal		For a fee, the Vet Diagnostic Lab at NDSU will provide dead animal disposal. * Other communities have offered these options: 1. City provides dead animal pick-up free of charge 2. Buried on property at least two feet down 3. Closed securely in a plastic bag and placed in the municipal trash
Noise	Hens "talking" at their loudest, speak at the same decibel level as human conversation (about 60 decibels). This is also personality-based; some hens are more talkative than others. Roosters crow at about the same decibel level as a barking dog (90 decibels).	A majority of urban ordinances ban roosters, because of their loud crowing.
Smell	Chicken manure is high in nitrogen, which can lead to an ammonia smell if not properly cared for.	Adding carbon material, like dried leaves and straw, to the bedding will get rid of the smell; it is all about carbon to nitrogen ratio. Odor can be remedied through quality bedding.
Winter keeping		Proper education can reduce the impact of winter poultry farming: make sure to keep combs warm and use a heat lamp when the temperature gets below 20 degrees.

Options

- 1) Increase the distance to lot line in the proposed animal ordinance revision from 10' to 25' and to adjacent house from 40' to 50'.
- 2) For concerns about noise, require soundproofing of coop.
- 3) Limit the number of birds allowable on any property to a maximum number.
- 4) Increase the number of birds allowed on smaller lots from 4 to 6.
- 5) Different quantity max's of birds
- 6) Expand the scope of revising the animal ordinance
 - a. Include a restriction on all or most livestock, based on input from Troy Animal Inspectors' experience; or
 - i. Limit number of livestock on $\frac{3}{4}$ acre
- 7) Include a restriction on Pitbulls and Rottweilers.
- 8) Endorse creation of poultry club to aid in kickoff of revised ordinance to ensure minimal issue.
- 9) Trial pilot program like Berkley limited # of permits for trial period.

Sources

<https://www.greenamerica.org/green-living/many-benefits-backyard-chickens>

<https://www.usatoday.com/story/sponsor-story/tractor-supply-co/2018/03/12/benefits-of-owning-chickens/32855461/>

<https://permaculturenews.org/2017/07/18/benefits-keeping-chickens/>

https://my.chicagobotanic.org/education/adult_ed/the-environmental-benefits-of-backyard-chickens/

<https://www.naturallivingideas.com/20-convincing-reasons-to-keep-backyard-chickens/>

ORDINANCE SUMMARIES OF 34 MICHIGAN CITIES THAT ALLOW CHICKENS

CITY	# of CHICKENS ALLOWED	ROOSTERS ALLOWED?	PROPERTY SIZE	ADDITIONAL ORDINANCE PROVISIONS	LINK TO REFERENCE
Albion	5 birds<1 acre 7 birds >acre	no	no restriction	kept in backyard location of enclosure feed waste	http://www.cityofalbionmi.gov/2015_02.pdf
Auburn Hills	6	no	no restriction	backyard only pen location noise nuisance wandering restrictions safe conditions sanitary conditions no slaughtering feed	https://library.municode.com/mi/auburn_hills/codes/code_of_ordinances?nodeId=COOR_CH14AN_ARTIINGE_S14-2.1KECH
Ann Arbor	6	no	no restriction	kept in backyard location of enclosure feed waste rodent/vermin prevention no slaughtering	https://library.municode.com/mi/ann_arbor/codes/code_of_ordinances?nodeId=TITIXPORE_CH107AN_9_42KECHDU
Berkley	3	no	no restriction	no slaughtering eggs for personal use only	https://library.municode.com/mi/berkley/codes/code_of_ordinances?nodeId=PTIICOOR_CH22AN_ARTIVCH
Charlotte	6	no	no restriction	kept in backyard location of enclosure feed waste rodent/vermin prevention no slaughtering	http://library.amlegal.com/nxt/gateway.dll/Michigan/charlotte_mi/cityofcharlottemichigancodeofordinances/chapter10animals?f=templates\$fn=default.htm\$3.0\$vid=amlegal:charlotte_mi\$anc=JD_10-4

ORDINANCE SUMMARIES OF 34 MICHIGAN CITIES THAT ALLOW CHICKENS

Chelsea	4	no	no restriction	noise nuisance wandering restrictions safe conditions sanitary vermin coop structure pen size per chicken pen location rodent/vermin prevention personal use only revocation guidelines	https://library.municode.com/mi/chelsea/codes/code_of_ordinances?nodeId=COOR_CH4AN_ARTIIBACH
Cold Water	no max	yes	no restriction	smell not dangerous to public health wandering restrictions	https://www.backyardchickens.com/articles/cold-water-michigan-chicken-ordinance.61474/
Dearborn	no max	yes	no restriction	sanitary conditions wandering restrictions	
De Soto	6 max	no	no restriction	noise nuisance wandering restrictions safe conditions sanitary	https://www.ecode360.com/28314852?highlight=chickens&searchId=2550658570039322#28314852
East Lansing	4	no	no restriction	backyard only pen location noise nuisance wandering restrictions safe conditions sanitary no slaughter on-site	https://www.cityofeastlansing.com/DocumentCenter/View/644/Animals-and-Pets-PDF
Eastpointe	3	no	no restriction	personal use/pet shelter no ground feeding	https://library.municode.com/mi/eastpointe/codes/code_of_ordinances?nodeId=PTIICOOR_CH8AN_ARTIINGE_S8-6POGABI
Farmington Hills	no limit	yes	no restriction	severe distance restriction noise limits	https://library.municode.com/mi/farmington_hills/codes/code_of_ordinances?nodeId=PTIICOOR_CH6AN_ARTIINGE_S6-4KEANOTPEPROTDWRULA
Ferndale	3	no	no restriction	wandering restrictions backyard only	https://ferndalechickens.com/

ORDINANCE SUMMARIES OF 34 MICHIGAN CITIES THAT ALLOW CHICKENS

Georgetown Twp	6	no	no restriction/ zoning requirements	coop size pen location coop construction no slaughtering	https://www.gtwp.com/documentcenter/view/304
Grand Rapids	no max	yes	3,800 square feet (0.087 acres)	Coop must be under 8 feet tall Coop size Pen location	https://www.grandrapidsmi.gov/Services/Apply-for-a-Backyard-Chicken-Permit
Hazel Park	no max	yes	no restriction	not well defined	https://www.municode.com/library/mi/hazel_park/codes/code_of_ordinances?nodeId=TIT6AN_CH6.08RAPO_6.08.020APKE
Holland	4 5 6	no	<1/2 acre 1/2 - 1 acre > 1 acre	coop size rodent/vermin prevention pen location personal use only no slaughtering	https://www.cityofholland.com/permitsandinspections/backyard-chickenfowl-permits?fbclid=IwAR3UFLkBD0NvX7stKN27vKMJaPYTEszfDiyMqs7dmHnuHD2w5BKafNeQkFY
Lansing	5	no	no restriction	coop size rodent/vermin prevention pen location personal use only no slaughtering	https://drive.google.com/open?id=0B64q3VhsvqiZWJEX0tSOVhBT0t1RIZPbFhEVng2QzIFNHZv
Lanthrup Village	3	no	no restriction	personal use only no slaughtering	http://www.lathrupvillage.org/document_center/Animals%20-with%20review%20board.pdf
Kalamazoo	4	no	no restriction	coop size pen location no slaughtering wandering restrictions	http://ktwp.org/Portals/16/Ordinance%20Officer/fillable%20chicken%20application%20%202-%20K%20Twp.pdf
Madison Heights	3	no	no restriction	adequate shelter no ground feeding	https://library.municode.com/mi/madison_heights/codes/code_of_ordinances?nodeId=PTIICOOR_CH5AN_ARTIINGE_S5-4REKECEAN
Northville	no max	yes	no restriction	containment pen location	https://library.municode.com/mi/northville/codes/code_of_ordinances?nodeId=COOR_CH10AN_ARTIINGE_S10-10RAPO
Norton Shores	4	no	0.275 acre min	shelter pen location coop size	https://library.municode.com/mi/norton_shores/codes/code_of_ordinances?nodeId=COORNOSHMI_CH6AN_ARTIILI_S6-52LI
Pontiac	4 10	yes	<1 acre >1 acre	coop sq ft per bird pen sq ft per bird	https://www.codepublishing.com/MI/Pontiac/?Pontiac18/Pontiac1801.html&?f

ORDINANCE SUMMARIES OF 34 MICHIGAN CITIES THAT ALLOW CHICKENS

Rochester Hills	12	yes	>1 acre	limit # on livestock min 2 acre for livestock	https://library.municode.com/mi/rochester_hills/codes/code_of_ordinances?nodeId=SPBLADERE_CH138ZO_ART4ZO_DIPEUS_CH4DESTSPUS_S138-4.438RAKEAN
Roseville	4	no	no restriction	shelter backyard sanitary conditions pen location rodents and vermin coop construction	https://ecode360.com/7617521
Royal Oak	no limit	yes	no restriction	sanitary condition	https://ecode360.com/8261474?highlight=chicken#8261474
Redford	3	yes	no restriction	pen location	http://chicken.io/ordinance/redford-michigan-chicken-ordinance
Southfield	no max	yes	no restriction	pen location wandering restriction	https://library.municode.com/mi/southfield/codes/code_of_ordinances?nodeId=PTIICO_TITIXPORE_CH113AN_S9.76KEOTAN
Troy	no limit	yes	min 3/4 acre	- poultry and livestock addressed together as domestic animals - humane treatment - kept from escaping - "promulgated regulations"? - Waiver possible	https://cms6.revize.com/revize/troymi/Departments/City%20Attorney/Code%20and%20Charter/Code%20Table%20of%20Contents/CH090.pdf
Traverse City	4	no	no restriction	shelter pen location no slaughter backyard	https://library.municode.com/mi/traverse_city/codes/code_of_ordinances?nodeId=PTSIXGEOFCO_CH610AN_610.01PRAN
Warren	3	no	no restriction	shelter pen location no slaughter backyard	http://www.cityofwarren.org/images/stories/ordinances/80-766.pdf?fbclid=IwAR3PZl46djyasQCFIxEYOZ4z0j8vHp5R61uZx9W9Lgapx5M1yHP4IS223j4
Westland	no limit	yes	min 1/2 acre	- poultry and livestock addressed together as domestic animals - pen location	https://library.municode.com/mi/westland/codes/code_of_ordinances?nodeId=PTIICOOR_CH18AN_ARTIINGE_S18-3KEFAAN
Ypsilanti	4	no	no restriction	no slaughtering backyard only shelter pen location rodent/vermin prevention	https://library.municode.com/mi/ypsilanti/codes/code_of_ordinances?nodeId=PTIICOOR_CH14AN_ARTIINGE_S14-5KEFECHHE

Chapter 90 - Animals

90-1

GENERAL REGULATIONS

- 90.10.10 **Definitions.** The following terms when used in this Chapter shall have the meanings set forth in this Section:
- 90.10.11 “Animal” - Any living creature, except humans and plants. “Animal” includes any mammal, bird, reptile, snake, turtle, crustacean or any other vertebrate or invertebrate.
- 90.10.25 “Dangerous Animal” - A wild or feral animal, other than a dog or cat, which because of its size, aggressive nature or other characteristics constitutes a danger to persons or property.
- 90.10.30 “Domestic Animal” – **livestock and poultry¹** - An animal, other than a dog, that is not feral in nature, including, but not limited to horses, cows, chickens, geese, pigeons, ducks, steers, ponies, mules, donkeys, sheep, swine, pigs and goats.
- 90.10.31 “Livestock” - **Farm animals, with the exception of poultry, including, but not limited to cattle, sheep, pigs, goats, horses, donkeys, and mules.²**
- 90.10.32 “Poultry” - **Birds raised commercially or domestically for meat, eggs, and feathers including, but not limited to chickens, ducks, turkeys, and geese.³**
- 90.10.35 “House Pet” - A non-domestic and non-dangerous small animal normally kept confined as a pet, including but not limited to hamsters, fish and parakeets.
- 90.10.60 “Owner” - A person or a group of persons who owns, controls, harbors, keeps, or has a property interest in any animal.
- 90.10.65 “Person” - An individual, employee, corporation, partnership or association.
- 90.10.90 “Wild Animal” – An animal that is not defined in this Chapter as a dangerous animal, domestic animal or house pet.
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- 90.70.20 Permit Application Process. An applicant for a domestic, dangerous or wild animal permit shall:

- a) furnish the Housing and Zoning Inspector a list of the species of animals to be kept and the maximum number of each species to be kept at any one time, and
- b) demonstrate that the animals will be treated humanely and will not be neglected or treated with cruelty, and
- c) demonstrate that the animals will be maintained in quarters constructed to prevent their escape, and
- d) demonstrate that reasonable precautions shall be taken to protect the public from the animals and the animals from the public, and
- e) demonstrate that he or she can comply with the ordinance and any regulations promulgated by the Animal Control Appeal Board, and
- f) in the case of ~~domestic animals~~ livestock⁴, demonstrate to the Housing and Zoning Inspector that the lot or parcel that animals will be kept on is three-quarters ($\frac{3}{4}$) of one (1) acre or larger. This requirement may be waived by the Animal Control Appeal Board if the applicant can demonstrate circumstances that allow for waiver pursuant to regulations promulgated by the Animal Control Appeal Board. Waivers will not be granted for animals that are loud or likely to be detrimental to the neighborhood.
- g) in the case of poultry, demonstrate the following to the Housing and Zoning Inspector⁵:
 - 1) A covered or fenced enclosure shall not be located closer than ten feet from a property line of an adjacent property nor shall it be located closer than 40 feet to any residential dwelling on an adjacent property.⁶
 - 2) Coop and pen must be kept in the backyard only.⁷
 - 3) Birds must be kept on poultry owner's property unless permission is granted by adjacent property owner(s).⁸
 - 4) All enclosures for the keeping of poultry shall be constructed to prevent rodents from being harbored underneath or within the walls of the enclosure.⁹
 - 5) Waste materials (feed, manure, and litter) must be bagged and disposed of in the trash. It is not acceptable to pile waste materials on the property.¹⁰
 - 6) Feed must be stored in a manner to prevent access to rodents and varmints.¹¹

Additional requirements for poultry on less than ¾ acre lots ¹²:

- 7) Only small birds, no larger than chickens and ducks, are allowed. ¹³
- 8) No roosters. ¹⁴
- 9) The birds are kept as a hobby or pets. ¹⁵
- 10) Birds can only free-roam under supervision. ¹⁶
- 11) No slaughtering birds on site. ¹⁷
- 12) No housing birds in residential dwellings. ¹⁸
- 13) Flock size must be between two and four birds, or six if miniature in size (bantams, quail, etc). ¹⁹

¹ The definition of “Domestic Animals” in the existing ordinance is wrong. Domestic Animals includes dogs and cats, which the ordinance addresses elsewhere, outside of the section of Domestic Animals.

² This is the Britannica definition

³ This is the Britannica definition

⁴ It is for the Council to consider if horses, cows, donkeys, and other livestock should still be allowed on ¾ acre. Some people in Troy supposedly have pet pigs and goats. There are no more horses in Troy, and presumably cows neither. Revising the terms for livestock is outside of the scope of this proposed revision and so it remains as it is.

⁵ A simple internet search shows that pet poultry is growing in popularity and benefits the community. Poultry are contained in enclosed pens. Livestock wander freely and graze. Control of these animals must be handled separately. Poultry needs to be addressed apart from livestock.

⁶ This is the crux of the proposed revision. Minimum limit of space between animals and neighbors should be defined by distance, not area. Of 34 cities in Michigan that allow pet poultry, Troy is unique, with the only exception being Rochester, that minimum area is used to restrict poultry. (Rochester’s Animal Ordinance is very similar to Troy’s. Perhaps they were developed together which explains why they share the same deficiencies). What protects neighbors’ interests better – the existing Troy restriction on area that allows someone to put a coop or pen on the property line or a revised code that ensures suitable distance buffer? Some of the 32 Michigan poultry ordinances allow 5 feet to property line and 25 feet to dwelling. The herein proposed 10 and 40, respectively, are conservative.

⁷ The existing code allows residents to have coops and pens in their front yard. Restricting this will prevent future disputes in Animal Control and Inspection. The good ordinances have this.

⁸ Prevention of wandering birds prevents neighbor complaints. The good ordinances have this.

⁹ The good ordinances cite prevention of rodents and varmints.

¹⁰ The good ordinances cite sanitary requirements.

¹¹ Same as #9.

¹² People have requested the Troy Animal Ordinance be changed before for chickens but have not done the research nor proposed a case until now. More than half of the applications for appeals are for chickens and most of those are denied. By providing better regulations on poultry including distance restrictions, which enhance the protection of the interests of neighbors, a beneficial opportunity opens up for those previously denied their enjoyment. As in all but one of the other 34 communities, backyard poultry is allowed on under ¼ acre.

¹³ The opportunity for poultry under ¼ acre must not be exploited. Turkeys, peacocks, ostriches, and exotic farm birds are outside the scope of this revision.

¹⁴ Another blatant example that the existing ordinance needs to change. Most cities prevent roosters for obvious reasons. This is a point that stands alone in weeding out poorly planned animal ordinances.

¹⁵ Small scale backyard poultry works in suburban communities because the birds are pets, like dogs and cats. Studies have shown that the noise level of a few birds is less than an average dog, and they are easier to care for.

¹⁶ This is called “limited free range” and is another point in well-considered animal ordinances.

¹⁷ Most poultry ordinances restrict slaughtering. Troy’s existing ordinance does not for any Domestic Animal.

¹⁸ Some people in Troy have appealed to have indoor chickens. Studies and consensus of hobbyists is that indoor keeping is disadvantageous for the birds.

¹⁹ Yet another paramount issue with no restriction in the existing Troy ordinance. A resident is allowed unlimited birds regardless of the lot size. By limiting the number of birds, and basing space restrictions on distance rather than area, neighbors of even ¼+ acre poultry owners are protected. The average allowance of birds of the 34 Michigan cities is five. Restricting to four is conservative and sufficient for hobbyists. Consensus of hobbyists is that less than a pair of birds is disadvantageous to the lone bird.

CITY OF TROY
MICHIGAN
PUBLIC NOTICE
ANIMAL CONTROL APPEAL BOARD

Notice is hereby given that the City of Troy Animal Control Appeal Board will hold Public Meetings at 7:00 p.m. in the Troy City Hall, 500 W. Big Beaver Road, Troy, Michigan, 48084, (248) 524-3364, on the following dates:

2021 ANIMAL CONTROL APPEAL BOARD MEETING DATES

January 27

March 24

May 26

July 28

September 22

November 24

This notice is hereby posted as required by Section 4 of the Open Meetings Act, (MCLA 15.261 et seq.).

Paul Evans, Zoning and Compliance Specialist

Posted January, 2021

NOTICE: *Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at 248-524-3316 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.*