

Please return Permit Application, Diagram, and \$55 Fee to:

City Clerk's Office
301 E. Huron St.
Ann Arbor, MI 48104



Application to keep up to 6 chickens.
5-year permit from date of issuance.

CITY OF ANN ARBOR PERMIT TO KEEP BACKYARD CHICKENS

DIAGRAM AND \$55 FEE REQUIRED. PLEASE ALLOW UP TO 10 DAYS FOR PROCESSING.

Applicant/Contact Name: _____

Primary or Secondary School Name (if applicable): _____

Phone Number: _____ **Email:** _____

Permit Address (where backyard chickens will be housed): _____

Single-family Dwelling **Two-family Dwelling** **Primary or Secondary School**

Number of Backyard Chickens to be kept at the Permit Address (6-Bird Maximum): _____

REQUIRED: Attach a diagram of the property that includes the following:

- Proposed location(s) of all enclosures that will be used to keep chickens/ducks
- Distances from the enclosure(s) to neighboring residential structures (neighbors' homes)
- Distances from the enclosure(s) to the property lines

NOTE: A covered enclosure or fenced enclosure shall not be located closer than ten (10) feet from a property line of an adjacent property nor shall it be located closer than forty (40) feet to any residential structure on an adjacent property. **Only** the forty (40) foot requirement can be waived with written statements of all occupants of the building (two-family dwelling) and all adjacent landowners.

Are you requesting a waiver of the 40-foot requirement? YES NO

If Yes: Complete the attached 40-foot Distance Waiver Consent form and instruct neighboring Property Owners and Occupants (if applicable) to sign their consent to this waiver.

If the requirements of Chapter 107 are not complied with, the City may revoke any permit granted and/or initiate prosecution for a civil infraction violation. A person who has been issued a permit shall submit it for examination upon demand by any police officer or code enforcement officer. Fenced enclosures are subject to all provisions of Chapter 104 (Fences). Notwithstanding the issuance of a permit by the City, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by-laws, and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

I understand the above restrictions on the permit and am submitting this application in compliance with Chapter 107 (Animals) of the Code of the City of Ann Arbor.

Applicant Signature

Date

Property Owner Consent to Permit (if not the Applicant/Occupant):

Property Owner (or School Principal)

Date

OFFICE USE ONLY

Approved by Clerk's Office: _____ Expiration Date: _____

Comments: _____

Copy: Applicant/City Clerk's Office (retains original)

9:42. Keeping of chickens or ducks.

- (1) Any person who keeps chickens or ducks in the city shall obtain a 6-bird permit from the city prior to acquiring the chickens or ducks. Written statements waiving the distance requirement in subsection (3) below are required for 6-bird permits and shall be submitted at the time of application and become a part of the permit if issued. Application shall be made to the City Clerk and the fee for the permit shall be as determined by Council resolution.

Six-bird permits expire and become invalid 5 years after the date of issuance. A person who wishes to continue keeping birds shall have obtained a new permit on or before the expiration date of the previous permit. Application for a new permit shall be pursuant to the procedures and requirements that are applicable at the time the person applies for a new permit.

Only as used in this section, the term "bird" means only chickens or ducks or a combination of both.

- (2) Notwithstanding the issuance of a permit by the city, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by-laws, and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of birds is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.
- (3) A person who keeps or houses birds on a property shall comply with all of the following requirements:
 - (a) Have been issued the permit required under subsection (1) of this section.
 - (b) Keep no more than 6 birds.
 - (c) The principal use of the person's property is for a single-family dwelling, 2-family dwelling, or a primary or secondary school.
 - (d) No person shall keep any rooster (male chicken). Both drakes (male ducks) and hen ducks (female ducks) may be kept.
 - (e) No person shall slaughter any chickens or ducks.
 - (f) The birds shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure, except as otherwise provided in this section. Fenced enclosures are subject to all provisions of Chapter 55 (Unified Development Code).
 - (g) A person shall not keep birds in any location on the property other than in the rear yard, as defined in Chapter 55, except as otherwise provided in this section. For properties where the principal use is a primary or secondary school, a person shall not keep birds in that property's front required setback area as defined under Chapter 55 of this Code.
 - (h) Notwithstanding other requirements of this section, the birds may be kept outside of the covered enclosure or fenced enclosure subject to the requirements they may only be in the rear yard or side yard, as defined in Chapter 55, and a person shall be present with the birds in the same location.
 - (i) No covered enclosure or fenced enclosure shall be located closer than 10 feet to any property line of an adjacent property.
 - (j) All enclosures for the keeping of birds shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure. A covered enclosure or fenced enclosure shall not be located closer than 40 feet to any residential structure on an adjacent property provided, however, this requirement can be waived as follows:
 - (i) If the principal use of applicant's property is for a single-family dwelling, or a primary or secondary school, to obtain such a waiver the applicant shall present at the time of applying for a

permit the written statements of all owners of adjacent property that there is no objection to the issuance of the permit.

- (ii) If the principal use of the applicant's property is for a 2-family dwelling, to obtain such a waiver the applicant shall present at the time of applying for a permit the written statements of the occupants of the other dwelling stating that there is no objection to the issuance of the permit.
- (k) All enclosures for the keeping of birds shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure.
- (l) All feed and other items associated with the keeping of birds that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.
- (m) If the above requirements are not complied with, the city may revoke any permit granted under this section and/or initiate prosecution for a civil infraction violation.

For purposes of this section, "adjacent property" means all parcels of property that the applicant's property comes into contact with at 1 or more points, except for parcels that are legally adjacent to but are in fact separated from the applicant's property by a street or private street.

- (4) A person who has been issued a permit shall submit it for examination upon demand by any police officer or code enforcement officer.
- (5) Permits that were issued under this section when only chickens were allowed and before the effective date of the amendment adding ducks to this section shall continue to allow only chickens until the permit expires. A person may keep ducks only by obtaining a new 6-bird permit on or after the effective date of the amendment to this section that added ducks to this section.

A violation of this section shall be a civil infraction, punishable by a fine of not more than \$500.00.

(Ord. No. 08-19, § 2, 6-2-08, eff. 8-7-08; Ord. No. 14-28, § 1, 2-2-15; Ord. No. 17-06, § 1, 5-15-17; Ord. No. 18-09, § 10, 7-16-18; Ord. No. 18-31, § 2, 11-8-18; Ord. No. 20-17, § 1, 5-18-20; Ord. No. 21-28, § 8, 9-20-21)
