

ORDINANCE NO. 1624

AN ORDINANCE TO AMEND THE ORDINANCE CODE OF THE CITY OF HOLLAND, BEING ORDINANCE NO. 1624 OF THE CITY OF HOLLAND, BY ADDING SECTIONS 4-3(d) and (e) OF CHAPTER 4 OF SAID CODE.

THE CITY OF HOLLAND ORDAINS:

That the Ordinance Code of the City of Holland, Michigan, is hereby amended by amending Sections 4-3 to read as follows:

Section 4-3. - Keeping or housing—Generally.

No person shall keep or house any animal or honey bees within the city except dogs, cats, canaries or other animals or birds which are commonly kept and housed inside dwellings as domestic, household pets, except that:

(a) No person shall keep or house more than two (2) dogs per residential dwelling unit which have attained four (4) months of age.

(b) A person shall be permitted to keep or house cows, horses, mules or fowl if such animals shall be kept or housed not less than one hundred twenty-five (125) feet from any dwelling of any person other than the one upon whose premises they are kept or housed and such animals or fowl are kept or housed on premises used or occupied as one parcel of land regularly devoted to, or zoned for, agricultural purposes and consisting of not less than four (4) acres.

(c) Other than in the AG Agriculture District, no person shall keep honeybees unless they obtain a honeybee permit and comply with the following conditions:

1. The maximum number of hives permitted per property shall be as follows:
 - a. Two (2) hives for properties with a lot that is not greater than 11,000 square feet in area.
 - b. Four (4) hives for properties with a lot area of greater than 11,000 square feet and not greater than 22,000 square feet in area.
 - c. Five (5) hives for properties with a lot area of greater than 22,000 square feet and not greater than 43,450 square feet in area.
 - d. Eight (8) hives for properties with a lot area of greater than 43,450 square feet (1 acre) in area.
 - e. One additional hive is allowed for each additional acre of land.
2. Each hive shall have a maximum size of 20 cubic feet.
3. A flyway barrier at least six (6) feet in height shall shield any part of a property line that is within twenty-five (25) feet of a hive. The flyway barrier shall consist of a wall, fence, dense vegetation or a combination thereof and it shall be positioned to transect

both legs of a triangle extending from an apex at the hive to each end point of the property line to be shielded.

4. A constant supply of water shall be provided for all hives.

5. All hives shall be located at least twenty-five (25) feet from any dwelling on a neighboring property, at least five (5) feet from any property line, and where public sidewalk is present at least 10 feet distant from it.

6. The applicant shall pay the fee required by the fee resolution periodically adopted by the City Council.

7. Applications for original and renewal honeybee permits shall be submitted to, and permits shall be issued by, the Department of Community and Neighborhood Services. Permits shall be issued within one week if the applicant demonstrates that it meets all conditions of this section.

8. An initial honeybee permit shall be valid for 3 years from the date of issuance. A renewal honeybee permit shall be valid for 2 years from the date of issuance.

9. Applications for a honeybee permit, renewals, suspensions and revocations shall be handled in the manner provided in Chapter 17 for licenses.

(d) A person shall be permitted to keep and house one domesticated pet chicken (hens only), duck, goose, or similar fowl in a pen or confinement coop which is at least 25 feet from any neighboring dwelling unit. Further, a maximum of ten (10) chicks under the age of five (5) weeks are permitted.

(e) Other than in the AG Agriculture District, no person shall keep chickens unless they obtain a permit and comply with the following conditions:

1. The keeping of chickens shall be done on a non-commercial basis while limiting and mitigating any potential adverse impacts on surrounding properties. The keeping of chickens shall be exclusively used by the people occupying the property as a locally grown food source for the consumption of eggs or meat.

2. A maximum of four (4) chickens may be kept per parcel if the parcel is ½ acre in size or less, five (5) chickens if the parcel is ½ to 1 acre in size; and six (6) chickens if the parcel is over 1 acre in size. Roosters are prohibited.

3. The outdoor slaughtering of chickens is prohibited.

4. Chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or an adjoining fenced enclosure at all times. Chickens may be allowed to

room outside of the covered or fenced enclosure if within a fully fenced side and/or rear yard and if supervised by a person in the immediate vicinity of the chickens.

5. All covered enclosures or fenced enclosures shall be located in the rear yard, shall be no closer than 5 feet to any property line of an adjacent property, and shall be located no closer than 25 feet to any residential structure on an adjacent property.

6. The total square footage of any covered enclosure and fenced enclosure shall not exceed 80 square feet and shall be a maximum of eight feet in height.

7. All covered enclosures shall be constructed in such a way as to prevent rats, mice, or other rodents from being harbored underneath or within the walls of the enclosure. The enclosure shall be constructed in a workmanlike manner. The coop and pen must be completely enclosed with a top and/or cover.

8. All feed and other items associated with the keeping of chickens likely to attract rats, mice, or other rodents or vermin shall be secured and protected in sealed containers.

9. Egg laying chickens shall be kept in compliance with the Michigan Department of Agriculture Generally Accepted Agricultural and Management Practices for the Care of Farm Animals, as amended, except as otherwise provided in this section.

10. Applications for original and renewal permits shall be submitted to, and permits shall be issued by, the Department of Community and Neighborhood Services. Permits shall be issued within one week if the applicant demonstrates that it meets all conditions of this section.

11. The applicant shall pay the fee required by the fee resolution periodically adopted by the City Council.

12. An initial permit shall be valid for 3 years from the date of issuance. A renewal permit shall be valid for 2 years from the date of issuance.

13. Applications for a permit, renewals, suspensions and revocations shall be handled in the manner provided in Chapter 17 for licenses.

All other provisions of Chapter 39 shall remain in full force and effect.

ORDINANCE ADOPTION DATE: April 2, 2014

ORDINANCE EFFECTIVE DATE: April 23, 2014