

ORDINANCE NO. 2023-19

AN ORDINANCE TO AMEND SECTION 1113.21 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF HIRAM REGARDING CHICKENS.

WHEREAS, The Village Council has determined that there is need for legislation to address the circumstances under which chickens may be conditionally permitted within the Village of Hiram; and

WHEREAS, as required by Hiram Village Zoning Code the Village Council has passed a resolution to consider the amendment of the Zoning Code on November 14, 2023; and

WHEREAS, the Zoning Inspector has determined that the proposed changes comply with the requirements for amendment of the Zoning Code; and

WHEREAS, as required by the Hiram Village Zoning Code the Village Council held a public hearing on December 19, 2023 and has taken the public comments and suggestions into advisement; and

WHEREAS, the Hiram Village Council has considered enactment of Hiram Codified Ordinance 1113.21 and has decided to make changes to the code as the result of the consideration.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Hiram, Portage County, Ohio a majority or more of the members thereto concurring that:

SECTION 1: The Village of Hiram Codified Ordinances are amended by the enactment of the changes to 1113.21 as is set forth in the attached Exhibit "A".

SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that the deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Revised Code of the State of Ohio.

SECTION 3: This Ordinance shall take effect at the earliest time allowed by law.

First Reading: October 10, 2023.

Second Reading: November 14, 2023.

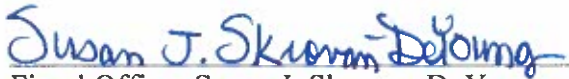
TABLED on third reading: December 12, 2023.

PASSED IN COUNCIL on March 12, 2024.



Mayor Anne Hayman

ATTEST:


Fiscal Officer Susan J. Skrovan-DeYoung

Approved as to Form:


Village Solicitor Jennifer Kangas Berendt

I Susan DEYoung, Fiscal Officer of the
Village of Hiram, Ohio, hereby certify that
the foregoing ~~Resolution or Ordinance~~
No. 2023-19 has been duly posted in the
required 5 places.
3/13/2024 Susan J. Skrovan-DeYoung
Date Fiscal Officer, Village of Hiram

Exhibit A

1113.21 AGRICULTURAL USES.

The following regulations apply to agricultural uses:

- (a) Dogs, cats, household birds, guinea pigs, chickens and other species of animals commonly considered a household pet, may be permitted in any residential district, provided they are not raised, bred, or boarded for business purposes;
- (b) Outdoor pens or shelters for above animals shall conform to setback requirements of district in which it is located;
- (c) The maximum pen or shelter area shall not exceed one (1) percent of the minimum lot size requirement of the district;
- (d) Maximum height of pens or shelters shall be six (6) feet;
- (e) Animals other than those in subsection (a) hereof may only be kept on a lot over five (5) acres in size. Such animals may not be kept or sheltered, fed, watered, any closer than fifty (50) feet from any lot line, and 100 feet from any inhabited dwelling; and
- (f) Structures used for farm markets (roadside stands) to sell products and produce produced on the farm owned by the market operator are permitted in those districts indicated in this Zoning Code, provided:
 - (1) Such structure complies with side yard setback requirements of that district;
 - (2) Such farm market shall be located at least thirty (30) feet from the road right-of-way;
 - (3) Adequate ingress and egress and parking facilities are provided to allow cars to get off of the street and be able to turn around without blocking oncoming traffic;
 - (4) The height of farm market structures shall not exceed fifteen (15) feet;
 - (5) There shall only be one (1) farm market structure permitted per farm owner;
 - (6) Construction materials of the farm market shall be of materials that would blend with the principal building;
 - (7) Signs shall conform to the sign regulations of Chapter 1141; and
 - (8) The floor area of a farm market sales structure shall not exceed twenty-five (25) percent of the principal building floor area if on the same lot or seven hundred fifty (750) square feet, whichever is less.
- (g) Chickens are permitted in Residential Districts and are subject to compliance with the following regulations:
 - (1) No more than six backyard chickens are permitted per property.
 - (2) Roosters are prohibited.
 - (3) Chickens are only permitted in back yards and may only roam freely within the backyard of the home during daylight, further conditioned upon the yard being properly fenced and enclosed as approved by the Planning Commission.
 - (4) Chickens shall be provided a designated chicken coop, which shall meet the following requirements:
 - i. The coop shall have a minimum fifteen feet setback from the rear property line, and ten feet setback from the side property line.
 - ii. Coops shall be predator and rodent resistant with a solid covered roof.
 - iii. Water shall be provided onsite and accessible to chickens at all times.
 - (5) Chicken, chicken coops, and chicken runs shall be maintained and shall be regularly cleaned to control dust, odor, and waste so as to not create a nuisance, constitute a safety hazard, health problem, or disturbance to surrounding properties.

- (6) Chicken feed shall be stored in reasonable, airtight, predator proof container.
- (7) Chicken waste shall only be stored in a reasonable, airtight, predator proof container or buried in order for it to be used as compost.