

**ORDINANCE CHAPTER 6, TITLED ANIMALS, ARTICLE I & II
TO PERMIT CHICKENS WITHIN THE TOWN OF TRAIL CREEK, INDIANA**

Whereas, the Town Council of the Town of Trail Creek, Indiana, believe it would be in the best interest of the citizens of the Town to allow the permitted maintaining of a limited member of chickens (hens) for residential use within the Town, and

Now, Therefore, be it hereby Ordered and Enacted by the Town Council of Trail Creek, Indiana that Chapter 6, Article I and II, titled animals, of the Town Code be amended to read the following:

Definition: **Urban Chicken:** Means a chicken living in the Town limits officially known as Gallus Domesticus which is a domestic bird. It does not include other fowl such as but not limited to roosters, peacocks, turkeys or waterfowl. Urban chickens are governed by Section 6, Article I & II of the Trail Creek Town Code as amended.

NOTWITHSTANDING the provisions of Chapter 6, Chickens shall be kept within the Town in strict compliance with the following guidelines and rules:

1. No Roosters (male chickens) shall be kept under the provisions of this section.
2. There shall be no more than 4 chickens permitted per residence.
3. Chickens are not permitted to free-range and must be kept completely & securely enclosed under the control of the owner and on the owner's property at all times.
4. Enclosure for Town chickens are required as follows:
 - a. A chicken coop and chicken pen shall be provided. During day lights hours, chickens may be located in the pen. During evening hours, chickens should have access to enclosed pen. The chicken coop shall be enclosed with solid material on all sides and have a solid roof and door(s). The coop shall be at least (18) inches high and provide at lease 2 square foot of floor area per chicken. Traditional building materials shall be used. Doors shall be constructed so that they close and lock. Vents shall be covered with wire and should be placed as necessary for adequate ventilation. The coop shall be impermeable to rodents, wild birds and predators, including dogs and cats. The pen shall provide at lease 2 square feet of area per chicken. The fence shall rise no more than six (6) feet above ground. The pen shall be covered with wire, aviary netting, or solid roofing.

5. Chickens shall be provided access to feed and clean water at all times.
6. All feed for said chickens shall be stored in containers so as to protect against intrusion of rodents or vermin.
7. The chicken coops shall be maintained in a sanitary condition and in compliance with all applicable health regulations of the state, county, and Town.
8. Chickens and chicken coops shall be confined to the rear yard of the property.
9. Any chickens kept in accordance with the premises of this section shall be for non-commercial, personal use only and may not be slaughtered on the property.
10. Any one desiring to raise urban chickens within the Town limits must file an application for an urban Chicken Permit with the Town Hall prior to obtaining the chickens. The application must include a diagram of location, size, and building material, design or picture of the enclosure. The fee for the permit is \$20.00 dollars annually.

In the event a permit is denied, the permit applicant may appeal to the Town Board of Zoning Appeals and pursuant to State Statute. Violation of ordinance standard shall result in permit revocation and civil penalties.

If the permit application is approved, the owner will receive a durable metal tag that must be affixed to the chicken coop in plain view.

11. Any violation of this section shall be subject to a fine of up to \$2,500.00 dollars per violation.
12. No chickens shall be permitted in multi-family dwellings.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TRAIL CREEK, INDIANA that Chapter 6, Article I and II, titled animals, of the Town Code be amended

This ordinance shall be in full force and effect from and after its passage by the Trail Creek Town Council and Legal Publication is required by law.

Introduced and Adopted by the Town Council of the Town of Trail Creek, LaPorte County, Indiana, this ____ day of _____, 2019.

AAYS

JENNIFER HEATH, Vice President

SCOTT SILCOX, Council Vice President

JEFF STUDTMAN, Council Member

DEBORAH NEUMAIER, Council Member

ATTEST:

**Joshleen Denham
Clerk – Treasurer**