

Section 20.13 Keeping of Animals as an Accessory Residential Use

A. Definitions: For the purpose of this Section, the following phrases shall have the following definitions:

1. "Household pets" shall be defined to include dogs, cats, fish, birds, hamsters and other types of commonly domesticated animals maintained in a residence.
2. "Large livestock" shall be defined as horses, ponies, cattle, ostrich and other livestock that can be reasonably expected to grow to a weight greater than (300) pounds upon maturity.
3. "Medium livestock" shall be defined as sheep, goats, swine, and other livestock that can be reasonably expected to grow to a weight of between forty (40) and three hundred (300) pounds upon maturity.
4. "Small livestock" shall be defined as rabbits, chickens, fowl, bees and other livestock that can be reasonably expected to grow to a weight of less than forty (40) pounds upon maturity, but excluding roosters.
5. "Vicious animal" shall be defined as any animal that attacks, bites, or injures human beings or domesticated animals without adequate provocation, or which because of temperament, conditioning, or training, has a known propensity to attack, bite, or injure human beings or domesticated animals.
6. "Wild animal" shall be defined as any animal that is not considered widely and commonly domesticated by humans within the State of Michigan including, but not limited to, opossum, raccoon, bear, deer, moose, elk, wolf, coyote, elephants, and wild cats such as tiger, lion, and ocelot.

B. Keeping of Wild and Vicious Animals: No wild or vicious animal shall be kept permanently or temporarily on any lot in any District.

C. Keeping of Household Pets: The keeping of household pets as an accessory use in association with any residentially-used and occupied lot is permitted provided such activities do not constitute a kennel as defined in this Ordinance, unless approval for such kennel has been granted pursuant to this Ordinance. The keeping of household pets shall comply with the following:

1. Front Yard Limitations: No outdoor pen or enclosure for such pets shall be located in a front yard.
2. Noise: Pets shall be managed so as to prohibit nuisance conditions associated with excessive noise including excessive dog barking.
3. Waste: The retention or storage of animal waste shall be managed so as not to create a nuisance due to odors, flies, fleas or other nuisance-generating conditions. The retention or storage of animal waste shall not occur within fifty (50) feet of a lot line.
4. Containment: Pets shall be contained within the dwelling or otherwise on the lot. Unrestricted or otherwise free-roaming pets are prohibited.

D. Keeping of Livestock: The keeping of livestock as an accessory use to the principal residential use of a lot shall be permitted according to the requirements of this subsection (D). This subsection (D) shall apply only to the keeping of livestock as accessory to the principal residential use of a lot, including private stables, and shall not apply to a farm.

1. Small Livestock:

- a. The keeping of small livestock is permitted in Agricultural and Residential Districts only.
- b. The keeping of small livestock shall occur only on lots of one (1) acre or greater except that the minimum lot size for the keeping of bees shall be ten thousand (10,000) sq. ft. and the minimum lot size for the keeping of chickens shall be five thousand (5,000) sq. ft.
- c. Any building or structure housing small livestock shall be set back no less than fifty (50) feet from a lot line except as follows:
 - 1) In the case of the keeping of bees, no bee hives shall be located within twenty (20) feet of a lot line and within fifty (50) feet of an existing dwelling on another lot.
 - 2) Chicken containment areas in an R-1 or R-2 District shall be setback from all lot lines a minimum distance equal to the required setback for the dwelling according to the District in which it is located.
- d. At no time shall the density of such livestock exceed one (1) animal per five-thousand (5,000) sq. ft. for a lot in the AG and RR Districts and one (1) animal per ten-thousand (10,000) sq. ft. for a lot in the R-1, R-2 and R-3 Districts. This subsection (d) shall not apply to beekeeping.
- e. The keeping of chickens shall also comply with the following restrictions:
 - 1) No rooster may be maintained on a lot except between the hours of 11:00 a.m. and 4:00 p.m.
 - 2) In the case of a lot less than ten thousand (10,000) sq. ft. in area, within an R-1 or R-2 District, chickens shall be maintained within a roofed containment area.
 - 3) In no case shall more than six (6) chickens, in excess of ten (10) days old or three-quarter (3/4) pounds in weight, be located on a lot.

2. Medium Livestock:

- a. The keeping of medium livestock is permitted in the AG and RR Districts only.
- b. The keeping of medium livestock shall occur only on lots of five (5) acres or greater but in no case shall such livestock be kept within a platted subdivision or site condominium.
- c. At no time shall the density of medium livestock exceed one (1) animal per one-quarter (1/4) acre for a lot in the AG District and one (1) animal per one-half (1/2) acre for a lot in the RR District.
- d. Any building or structure housing medium livestock shall be set back no less than fifty (50) feet from a lot line.

3. Large Livestock:

- a. The keeping of large livestock is permitted in the AG and RR Districts only.
- b. The keeping of large livestock shall occur only on lots of ten (10) acres or greater comprising a lot in the AG District and one (1) animal per five (5) acres for a lot in the RR District, but in no case shall such livestock be kept within a platted subdivision or site condominium unless approved as an equine community.

- c. At no time shall the density of such livestock exceed one (1) animal for the first two (2) acres for a lot in the AG District and one (1) animal for the first five (5) acres for a lot in the RR District, and one (1) animal per each additional acre for the lot in such Districts.
 - d. Any building or structure housing large livestock shall be set back no less than fifty (50) feet from a lot line and one-hundred (100) feet from an existing dwelling on another lot.
4. Regulations Applicable to All Livestock Maintained as a Residential Accessory Use:
- a. Livestock shall be managed by the occupants of the premises, and shall be maintained in a healthy condition.
 - b. Newly born horses, cows, donkeys, mules and other animals that exceed forty pounds (40 lbs.) in weight at birth may be maintained on said lot for up to six (6) months irrespective of whether such maintenance would increase the permitted number of animals beyond the animal density limitations of this Section. Newly born animals that do not exceed forty pounds (40 lbs.) in weight at birth may be maintained on said lot for no more than sixty (60) days if such maintenance would increase the permitted number of animals beyond the animal density limitations of this Section.
 - c. All livestock, excluding bees, shall be completely enclosed by measures of adequate design and construction to contain the livestock.
 - d. The retention or storage of animal waste shall be managed so as not to create a nuisance, and in no case shall the storage of animal waste occur within one hundred (100) feet of a lot line.
 - e. The facility shall be constructed and maintained so that dust and drainage from a stable or other animal containment area shall not create a nuisance or hazard to nearby property or uses.