

ORDINANCE NO. 2015-15

AN ORDINANCE AMENDING CHAPTER 10 ANIMALS, ARTICLE I IN GENERAL, SECTION 10-6 FARM ANIMALS TO ALLOW THE RAISING OF CHICKENS ON RESIDENTIAL PROPERTY.

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs; and

WHEREAS, IC 36-1-3-6(b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

WHEREAS, residents within the Town of Griffith have expressed a desire to raise chickens on their residential property; and

WHEREAS, chickens, and/or chicks (herein after chickens) like all other farm animals, can be noisy, messy, and interfere with the quality and enjoyment of life within the Town of Griffith; and

WHEREAS, the Town Council of the Town of Griffith, wishes to harmonize the interests of those residents desiring to raise chickens on their residential property and the interests of residents who do not wish to be disturbed in the quality and enjoyment of their life; and

WHEREAS, the Town Council of the Town of Griffith, having weighed and balanced the respective interests of its residents, has determined that chickens may be raised on residential property subject to several restrictions; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Griffith, Lake County, Indiana, that Chapter 10 Animals, Article I In General, Section 10-6 Farm Animals be amended to read as follows:

Sec. 10-6. – Farm Animals.

- (a) With the exception of chickens, no person shall own, possess, or have custody on his premises in a residential area any animal classified as a farm animal, such as, but not limited to, horses, pigs, goats, roosters, etc. A person may own, possess, or have custody of chickens on his premises in a residential area, for non-commercial purposes, subject to the following conditions:
 - (1) Not more than ten (10) chickens may be kept on the premises at any one time;
 - (2) Chickens are allowed in no area other than a fenced-in backyard that is a minimum of 85 ft. x. 85 ft. Any request for an exception to the minimum backyard requirement and location of the shelter and feeding stations must be made in writing to the Safety Committee and be accompanied by a signed letter of consent from each adjoining property owner;

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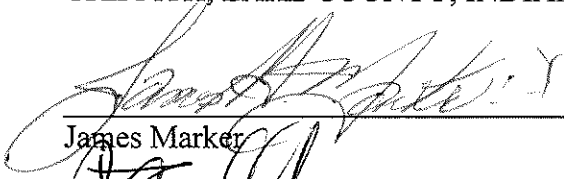
- (3) Shelter and feeding stations must be provided for the chickens or chicks in the resident's fenced-in backyard and be placed a minimum of 35 ft. from any neighboring dwelling; and
- (4) There must be no objection by all neighbors sharing a common property boundary line.
- (b) Except as provided in subsection (a), no person shall keep or permit to be kept in a residential area any farm animal as a pet.
- (c) This section shall not be construed as to prevent the operation of any farm or agricultural business properly operating within the zoning laws of the Town.
- (d) Owners of the chickens are subject to all noise and nuisance ordinances without exception.

NOW, THEREFORE, BE IT FURTHER ORDAINED, that any and all such Ordinances or parts of Ordinances of the Town of Griffith that are in conflict with the provisions of this Ordinance are hereby repealed and of no further force or effect.


NOW, THEREFORE, BE IT FURTHER ORDAINED, that this Ordinance shall be in full force and effect after its passage and posting in accordance with IC 36-5-2-10.

PASSED AND ADOPTED by the Town Council for the Town of Griffith, Lake County, Indiana this 2nd day of June, 2015.

COUNCIL MEMBERS OF THE TOWN OF
GRIFFITH, LAKE COUNTY, INDIANA



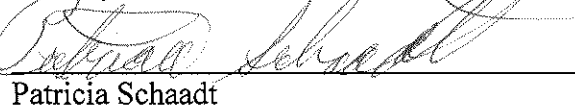
James Marker



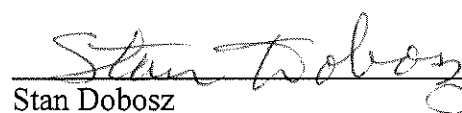
Larry Ballah



Rick Ryfa, President



Patricia Schaadt



Stan Dobosz

Attest:



George N. Jerome
Clerk-Treasurer