

1                                   **PITTSFIELD CHARTER TOWNSHIP**  
2                                   **WASHTENAW COUNTY, MICHIGAN**  
3                                   **ORDINANCE No. 314**

4  
5                                   **KEEPING OF HENS**  
6                                   **FIRST READING**

7  
8                                   **AMENDING CHAPTER 4,**  
9                                   **ARTICLE III**

10  
11   AN ORDINANCE TO ADD KEEPING OF HENS REGULATIONS TO THE PITTSFIELD  
12   CHARTER TOWNSHIP CODE.

13  
14   **PITTSFIELD CHARTER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN, HEREBY**  
15   **ORDAINS:**

16  
17   That Article III of Chapter 4, Sections 4-39 through 4-49, is added to the Pittsfield Charter  
18   Township Code of Ordinances to read as follows:

19  
20                                   **ARTICLE III. KEEPING OF HENS**

21  
22   **Sec. 4-39. In general.**

23  
24   Hens may be kept in Pittsfield Charter Township in a manner consistent with this ordinance, the  
25   Pittsfield Charter Township Zoning Ordinance, and all other applicable laws.

26   **Sec. 4-40. Requirements.**

- 27       **a.** Except as otherwise allowed in the Pittsfield Charter Township Zoning  
28       Ordinance, hens may be kept only on property which is zoned residential or  
29       agricultural and the occupant or owner has received a compliance permit from  
30       the Zoning Administrator as set forth in section 4-41, Compliance Permits, below.  
31       **b.** A person keeping hens remains subject to all other provisions of the Pittsfield  
32       Township Code.  
33       **c.** Hens shall be kept in the rear yard only. For purposes of this ordinance, the rear  
34       yard is defined as the open, unoccupied space extending the full width of the lot  
35       and situated between the rear line of the lot and the rear line of the building..  
36       **d.** A variance from the requirement to keep hens in the rear yard only may be  
37       approved by the Pittsfield Township Zoning Administrator if the rear yard does  
38       not provide adequate space or topography for keeping hens, or if other  
39       circumstances render a different part of the yard more appropriate for keeping  
40       hens.  
41       **e.** Hens shall be kept within a fenced enclosure at all times. The total area of the  
42       enclosure shall not exceed 36 square feet. The enclosure shall not exceed five  
43       feet in height.  
44       **f.** Hens shall be provided with a covered enclosure.

- g. The use of corrugated metal/fiberglass, sheet metal, plastic tarps, scrap lumber or similar materials is prohibited
- h. A coop or enclosure shall be detached from the residential dwelling and shall not be located closer than 40 feet to the nearest point of any residential dwelling on another parcel.
- i. A coop or enclosure shall be at least 10-feet from any property line.
- j. A coop or enclosure shall be constructed and maintained with a rat wall or similar block foundation or may be raised a minimum height of one foot off the ground to prevent rats, mice, and other rodents or burrowing animals from harboring beneath or entering the coop or pen..
- k. 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, rodent-proof containers.

#### **Sec. 4-41. Compliance Permits.**

A compliance permit from the Zoning Administrator is required before keeping hens under this ordinance. Before issuing a compliance permit for a parcel of less than one acre, the Zoning Administrator shall ensure that:

- a. the owner of the parcel and all owners of parcels immediately adjoining the applicant consent to the keeping of hens on the parcel;
- b. the applicant has produced evidence that any homeowner or condominium association with jurisdiction over the parcel has authorized applicant to keep hens or that no permission is required;; and
- c. all other requirements of this article are met.

In the event a homeowner or condominium association provides the Zoning Administrator that the applicant's keeping of hens is a violation of valid restrictions, the compliance permit may be revoked.

Once issued, a compliance permit shall not be revoked or invalidated due to an owner of an adjacent parcel no longer consenting to the applicant's keeping of hens, but may be revoked for non-compliance with this Article.

A compliance permit may be revoked for failure to comply with the requirements of this ordinance.

#### **Sec. 4-42. Prohibitions.**

- a. No person shall keep any fowl except hens. For purposes of this ordinance, a hen is a female chicken.
- b. No person shall keep more than four (4) hens.
- c. No person shall keep a male chicken (rooster).
- d. Slaughtering of chickens on residential property is prohibited.

#### **Sec. 4-43. Private Restrictions on Property.**

87  
88 This ordinance does not supersede private restrictions such as deed restrictions, condominium  
89 master deeds and bylaws, or homeowners association (HOA) bylaws, which lawfully regulate  
90 the keeping of hens.

91  
92 **Sec. 4-44. Exception**

93  
94 The provisions of this article shall not apply to the keeping of hens authorized by or in  
95 compliance with the Pittsfield Charter Township Zoning Ordinance.

96  
97 **Sec. 4-45. Severability.**

98  
99 If any part of this ordinance is determined by a court of competent jurisdiction to be  
100 unconstitutional or otherwise invalid, whether facially or as applied, such judgment shall not  
101 affect, impair, or invalidate the remainder of this ordinance. It is the legislative intent of this body  
102 that the remainder of the ordinance would have been adopted had such invalid or  
103 unconstitutional provisions not have been included in this ordinance.

104  
105 **Sec. 4-46. Repeal.**

106  
107 All other ordinances inconsistent with the provisions of this ordinance are to the extent of such  
108 inconsistencies, hereby repealed.

109  
110 **Sec. 4-47. Savings Clause.**

111  
112 The balance of the Code of Ordinances, Pittsfield Charter Township, Michigan, except as herein  
113 or previously amended, shall remain in full force and effect. The repeal provided herein shall not  
114 abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or  
115 any pending fee, assessments, litigation, or prosecution of any right established, occurring prior  
116 to the effective date hereof.

117  
118 **Sec. 4-48. Penalty.**

119  
120 Violation of this article shall be a municipal civil infraction subject to the penalties established by  
121 section 2-236 et seq., municipal civil infractions of the Pittsfield Charter Township Code. Each  
122 day a violation exists shall be deemed a separate offense. The imposition of any penalty shall  
123 not exempt the offender from compliance with the requirements herein.

124  
125 **Sec. 4-49. Publication and Effective Date.**

126  
127 The Township Clerk shall cause this ordinance, or a summary of this ordinance, to be published  
128 by printing the same in a newspaper of general circulation in Pittsfield Charter Township. This  
129 ordinance shall become effective after publication at the expiration of 30 days after adoption.

2020 Resident Feedback			
HOA/Neighborhood	Support/Oppose	Comments/Feedback	Date Received
Arbor Ridge	Oppose	Arbor Ridge Condominium Corporation’s (ARCC) Board of Directors (BoD), acting as the Architectural Control Committee, has reviewed the <i>Draft Township Keeping of Hens Ordinance</i> . The BoD unanimously <b><i>opposes</i></b> adoption of the draft ordinance. Opposition resulted from the following reasons: 1) The BoD does not support allowing keeping of hens on any parcel smaller than 1 acre in any case, whereas the Draft Township Keeping of Hens Ordinance permits conditional keeping of hens on parcel sizes smaller than 1 acre, 2)The BoD feels that the minimum distance of 40ft to the nearest point of any residential dwelling on another parcel, and the minimum distance from any property line of 10ft, as specified in Section 4-40, lines h. and i., are much too small, and 3) While the BoD can attempt to control our Association through our Bylaws, we have no control over neighboring subdivisions or properties, all of which have similar parcel sizes. In addition, although Section 4-42, lines b. and c. of the Draft Township Keeping of Hens Ordinance prohibits keeping of more than 4 hens and prohibits keeping of roosters, the BoD suspects that parcel owners or occupants might violate these setions sufficiently often to result in enforcement difficulty. We have heard that roosters are kept to prevent hens from fighting, and people purchase extra hens to hedge against loss.	12.18.2020
Ashford Village	Oppose	Here at Ashford Village in our by-laws we have restrictions on sheds, fences, and livestock. This would prohibit the raising of chickens in our community. We will continue to enforce our restriction as to our by-laws. My question is how will Pittsfield continue to support the HOA'S enforcement of the bylaws if Pittsfield allows chickens?	12.22.20
Crystal Creek	Oppose	I would not like to support this ordinance at all.	12.13.2020
Harwood Farms		Harwood Farms has received the proposed Ordinance regarding the Keeping of Hens. While the Harwood Farms board is very supportive of the sustainability initiatives that Pittsfield has acted on, we are not supportive of backyard hens within in our development. We have a few neighbors that have had negative experiences with hens at other homes as well as a board member that grew up on a chicken farm. The board has taken a unanimous position that we will not allow backyard hens for the following reasons: 1. Disease 2. logistical issues regarding proper cleaning of structures and dumping manure 3. smell 4. noise. Our homes are in relative close proximity to one another which would only further exacerbate the above issues. Because of this stance, we are exploring amending our bylaws to reflect our decision. Is there a certain process we need to go through at Pittsfield Township for this amendment?	12.16.2020
Hidden Creek	Oppose	1. Regarding the Home Owners Association of Hidden Creek, we have taken a vote of the HCPOA Board and have ruled not to allow this or any changes to this currently (which continue to support our current bylaws which do not allow this). 2. Regarding the draft ordinance also as it relates to our thoughts to allow Pittsfield Township locations that are not currently zoned as farm or Agricultural we are also a no vote.	12.30.2020
Hills of Lake Forest	Oppose	I have consulted the elected Board of Directors as well as our deed restrictions and bylaws. We are a sub of 34 homes. I will put our collective comments below: 1) There are no properties in the Hills of Lake Forest subdivision that are 1 acre. Our lots are approximately 1/3 of an acre. 2) Our bylaws and deed restrictions do not allow for homeowners to have sheds, or other outbuildings on their properties, either the front yard or the backyard. We would need to change our bylaws and restrictions to allow fo this. 3) This board feels it would be problematic to depend on neighbor to neighbor "permission" to allow such a structure and hens on properties if in fact the bylaws of our sub were to be changed. In conclusion, our properties are not even close to one acre in size and we have limitations on any structures on properties.	12.15.2020

Kirtland Hills	Oppose	<p>The Kirtland Hills HOA has 60 members, and we received 16 responses when we asked about the proposed chicken ordinance. There were four in support, and twelve against.</p> <p><b>The four yes votes and the commentary:</b></p> <p>*[We] agree with the Hen Ordinance, and support the keeping of hens, given the outlined contingencies and permits, though we do not ourselves plan on keeping any.</p> <p>*It is our experience, as we have relatives that keep hens, that hens do not produce an abundance of noise or smell that would impede a neighbors use of their own land. Roosters are noisier and often a major problem.</p> <p>*So long as residents keeping hens follow ordinances in regards to safely and securely storing feed to prevent an explosion of vermin in the area, we support this measure.</p> <p>*I think residents should be allowed to raise chickens if they choose. I think the HOA has entirely too much say in what someone does in their own yard or with their own house. The idea of an HOA is a good one in theory, but the overreach feels alarming to me sometimes. If the Township says yes to chickens, I feel like our HOA should allow them.</p> <p>I also think that our HOA in particular, with its hatred of fences between backyards, creates a psychological feeling of power and control over what neighbors do. If you can see everything in your neighbor's yard - the tent, the firepit, the dog, the compost tumbler, the worm bin - you have a sense of investment in what goes on in someone else's yard that is completely unwarranted.</p> <p>*I vote yes for chickens. I also vote yes for fences if it would make allowing chickens easier to say yes to.</p> <p>*We have no problem with the township allowing chickens. As long as the guidelines are followed we would have no opposition to it.</p> <p>Sustainability is important and this is one small way people can choose to work toward that goal.</p> <p>*I don't have a problem with backyard chickens.</p> <p><b>The twelve no votes and the commentary:</b></p> <p>*Even though letting residents to have a chicken coop or allowing to have a backyard hens is a great idea, given the Kirtland Hill neighborhood is a high density residential area with lot sizes much smaller than 1/2 acre, I am opposing to this proposal (which is a moot point given the language of the proposal but nevertheless...)</p> <p>*We are not in favor of allowing chickens in our Kirtland Hills Subdivision.</p> <p>*We absolutely do not want chickens in the area covered by our HOA. While we appreciate that someone might want to raise chickens, one reason this home was bought here with an HOA in place is that something like roosters crowing at 5 AM would be avoided. There are other places where one can live if raising chickens is what they choose to do.</p> <p>*We are very much opposed to this proposed ordinance and/or any HOA rule that would allow chickens in Kirtland Hill’s home owner’s backyards.</p>	12.24.2020
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Kirtland Hills Cont...	Oppose	<p>Continued from above...</p> <p>*Absolutely not! Our yards are too small and we do not have enough foliage. I live in the “fishbowl” and I cannot imagine looking out at chicken coops. In addition, I see how many people do not take care of their yards and snow-covered sidewalks, I imagine their chicken coops would also lack the needed attention. With all this said, I would not cause problems if this was passed in the interest of being a good neighbor. However, I would not give my immediate neighbors approval to have one due to the location of my property.</p> <p>*Lot [XX] is opposed to the proposed ordinance as written.</p> <p>I would like to propose to the township a re-wording regarding regarding property size. The proposed ordinance allows backyard hens to be kept on property smaller than one acre, with no smallest size specified. With lots in new development as small as one quarter acre, having a residence and a fenced area and a shelter would be quite overcrowding of the property.</p> <p>I propose this wording:</p> <p>1. The property is zoned residential or agricultural and meets one of the following criteria:</p> <p>i.Is one or more acres.</p> <p>ii.Is less than one acre but one-half acre or more, with permission from owner(s) of adjoining parcel(s) in addition to evidence that any homeowner or condominium association with jurisdiction over the parcel has authorized the keeping of hens.</p> <p>*I'd like to vote against backyard chickens practice proposal.</p> <p>*This is a horrible idea. Chickens/Roosters crow day &amp; night. Our in-laws had a neighbor with chickens and morning and night they make so much noise.</p> <p>*We are not in favor of residential chickens. Smell and noise. Especially in neighborhoods like ours with small lots. Even if the neighbors on both sides sign off on chickens, the neighbors one house beyond would still hear and smell the chickens. Additionally, the dogs in the neighborhood would bark even more.</p> <p>*We are not in favor of this ordinance. Besides the obvious concerns for noise, we are very concerned about attracting predatory wildlife (rats, coyotes) in leisure spaces that are usually occupied by playing children. I think the first priority should be the safety. I wouldn't have a problem with this if we had large lots that were spaced out. But I think most of our lots are less than 1 acre.</p> <p>*My husband and I would oppose backyard raising of hens in Pittsfield Township neighborhoods.</p> <p>We understand that people who want to do this may have the best intentions regarding compliance with written ordinances...in the beginning. But, we also know that over time people tend to become more lax. Who would enforce the requirements of keeping the yard clean of chicken excrement and the coop clean and in good condition? Additional fencing for enclosing backyards would not be desirable. Keeping hens in residential areas will likely attract other undesirable animals to the area, such as coyotes, foxes, and rodents.</p> <p>*I would vote no. Due to the noise and potential odors.</p>	
Mallard Cove	Oppose	<p>Mallard Cove Subdivision Covenants/By-Laws state the raising/keeping of animals, livestock, poultry and like animals is prohibited, except for dogs, cats, and pets of like character which may be permitted as long as they shall be leashed or fenced in when outside and do not constitute a neighborhood nuisance. We had an issue in the past with one of the home owners who decided to raise chickens along with a rooster and not abide with the Mallard Cove poultry restrictions and violated Township Ordinances. This took some time to resolve.</p> <p>We are not in favor of the draft Ordinance. The proposed changes to the ordinance may cause issues with enforcement.</p>	12.31.2020

Maple Creek	Oppose	<p>Our priority is that lawful local HOA by-laws be respected by the township in line with local pre-established homeowner wishes. In summary we are opposed to this ordinance, however, we request revisions as attached. Attachment: Please be aware as the President of the Maple Creek Homeowners Association I and our board were personally placed in a conflict situation, over hens, this summer due to a misunderstanding between a homeowner, the Township, and our HOA. This necessitated a formal complaint, a contentious HOA Annual meeting, and Township enforcement oversight. A well drafted ordinance will avoid recurrence of this situation, and in that light, our comments follow. General Comments: 1) It is beyond our collective understanding to see any connection between the COVID19 pandemic and backyard Hens. 2) Please observe the authority of local HOA by laws as taking precedent in land use conflicts. 3) Maple Creek Homeowners are, in the majority, fully opposed to any land use permitted within Agricultural Zoning(AG) in Single Family Residential or PUD zoned residential zoned parcels. Superseding established Master Plan zoning and the permitting process with non-conforming uses is not in line with established Michigan law, MTA land use guidelines, or our own HOA By-laws. See Chapter 6-9.D. and Section 4 of Zoning Ordinance. 4) Our HOA and others have specific language regarding, generally, erection of fences, auxiliary buildings, sheds, detached buildings, and garages, livestock, trailers (both travel and commercial), for the purpose of preserving the architectural intent and standard of our community including land use guidelines. Please do not adopt ordinances that ignore the pre-established will of the individual HOAs and design in adversarial neighbor to neighbor situations. Emphasis added. Reference Chapter 4: Animals. In the proposed ordinance for individuals not familiar with Twp. Ordinances. Ordinance Revision Requests: 1) Section 4-40 Part a. Remove the word “residential” 2) Section 4-40 Part c. Add the words, rear line of the building “not including sub-division common area or easements”. 3) Section 4-40 Part d. Remove the language in section d. in its entirety. 4) Section 4-40 Part e. Revise building to height of 4 feet (from 5) to match the Zoning Ordinance already in place, Accessory Buildings General Requirements. 8.03.A.4 5) Section 4-40 Part h - k. This language supersedes language currently in Chapter 6. Remove this language and retain language already drafted and currently in Pittsfield Township under Chapter 6 and the Zoning Ordinance. (Generally Section 8 and others) 6) Section 4-40 Part h. Revise to 50 feet from 40 feet. 7)Section 4-40 Part i. Revise to 25 feet from 10 feet. 8) Section 4-40 Part j. To preserve ordinance integrity and compliance, avoid use of slang terms that have widely misunderstood meanings and definitions to the lay public. Coop, Pen, Rat Wall, Block Foundation, are such examples. Please employ clearly defined terms and definitions. Accessory Building, Structure, Material Standards...w/dimensioned drawings were required. 9)Section 4-41. Compliance Permits. Revise to read “for a parcel of one acre or more” 10) Section 4-41. Part a. Add the clarification, keeping of hens on the parcel “in writing”; 11) Section 4-41. Part b. Add the clarification, required “in writing”, and... 12) Section 4-41 line 71. Revise word “may” to “shall” to comply to language later in the proposed ordinance, specifically, Section 4-43 Private Restrictions on Property, to preserve the rights of HOAs and HOA by-laws 13) Section 4-41 line 73-75. Remove these lines in cases of adjacent parcel ownership changes. Or, change the words “shall not” to “may”. In summary. Our HOA (Maple Creek Homeowners Association) has placed significant effort in keeping the integrity of our community in line with established majority wishes. Please respect this fact and that this is not an easy task to manage. Back yard poultry is not the only option. If residents have a compelling need to have their own chickens, alternatives exist, such as to rent space from folks in AG zoned areas, or coop sharing, as examples. There are other options. Many thanks for providing local HOAs a needed voice in the governing process. Please let me know when the BOT meeting is scheduled to review this proposal along with other HOAs I am in communication with.</p>	12.30.2020
Oak Meadows Condos		<p>As a Homeowners Association (HOA), the Oak Meadows Bylaws contain a number of prohibitions relating to animals, for instance: • “No animals may be kept or bred for any commercial purpose....”</p> <ul style="list-style-type: none"> <li>•“No pet may be permitted to be housed outside of a unit in a pen or otherwise....”</li> <li>•“No savage or dangerous animal of any type shall be kept....”</li> </ul> <p>Although our Bylaws don’t specifically mention hens or other types of animals, we are currently in the process of updating our regulations and we plan to strengthen them to ensure that no animal can be kept for domestic-use purposes, such as to provide food (e.g., eggs) for human consumption by the owner of the condominium.Since we create our own rules, we didn’t feel it was appropriate to take an official HOA position on the “keeping of hens” ordinance since it would not impact our HOA. However, we did conduct a straw poll of all those in attendance at the meeting. We asked the attendees to vote on this ordinance as if they if they lived in their own homes; and not in an HOA. The results of the straw poll vote resulted in a near unanimous rejection of the proposed ordinance: Against the ordinance -14. For the ordinance -1</p>	12.22.20
Regents Park Condos	Oppose	While we support the (i) portion of the zoning requirement that “property must be one (1) or more acres”, <b>we do not support (ii)</b> “that properties be granted permission to raise hens if granted permission from owner(s) of adjoining parcel(s) in addition to evidence that any homeowner or condominium association with jurisdiction over the parcel has authorized the keeping of hens”. In other words, we agree that in this portion of the zoning requirement, the property must be a minimum of one (1) acre in size, with no other exceptions to this section.	12.13.2020
Silo Ridge	Oppose		1.2021
Stonebridge	Oppose	<p>SCA, Stonebridge Community Association, offers the following comments regarding the "Keeping of Hens" ordinance. Sec. 4-40. Requirements. Item h. A coop or enclosure shall be detached from the residential dwelling and shall not be located closer than 100 feet to the nearest point of any residential dwelling on another parcel.Item i. A coop or enclosure shall be at least 40 feet from any property line.</p> <p>For item h. the increased distance is to avoid odor problems on neighboring properties. For item i. the increased distance is to reduce the visibility of the chicken coop on neighboring properties. The increased distance requirements should be doable on properties of 1 acre or greater. Stonebridge prohibits the keeping of hens as described in the ordinance, but neighboring properties to our south may qualify.</p>	12.23.2020

Timber View	Support with Noted Objections	I am responding to the letter from Mandy Grewal regarding the draft ordinance regarding the keeping of hens in the township. Our subdivision Timberview Acres has voted in support of the ordinance. I did receive a couple of objections to the draft ordinance and I promised I would convey those objections to you. These objections are copied from emails I received and are in italics below: I did receive a couple of objections to the draft ordinance and I promised I would convey those objections to you. These objections are copied from emails I received and are in italics below: <b>Response 1:</b> <i>I recognize that we are in the agricultural zone, but we are residential not farms. I support rules on a per household basis for residential properties in the agricultural zone. I suggest:</i> • <i>Requiring restraint - cages, enclosures, etc;</i> • <i>Upper limit of 12 chickens per household, with a limit of one rooster among them;</i> • <i>Upper limit of 6 ducks/geese per household We have had significant poultry on both our south and north property edges. Our experience may be particularly useful: Chickens that are free ranged require neighboring property owners to practice maintenance of borders by fencing and/or aggressive patrol. Hens do learn borders, but require action to teach them borders and then maintain it. Chasing on foot (with a staff) and with mowing equipment works. Roosters require another order of magnitude of patrol and being prepared for their aggressiveness. Roosters are not nice animals. Ducks are a larger nuisance. They do not learn borders, are stinky and noisy. I repeat, they trespass, they stink, and they are noisy. This said, I have no idea how many chickens our neighbors immediately to the north have. They are contained, and we have zero contact with those animals. Perhaps their control and population size is to be used as a model. On surveys: I found the results of the 2020 survey online, looks like it got a little over 700 responses out of some 40,000 residents. 2% is puny. I never even heard of it, which makes me wonder if it was selectively sent out. As a person with statistical training and experience, I can safely give the professional opinion that the 2020 survey is thus inherently flawed for both size and bias on this basis alone. I am willing to participate as part of an independent citizen review of future survey structure and distribution. I shall follow up with the Council.</i> <b>Response 2:</b> <i>There is wording in the C&amp;Rs for the North that prohibit the keeping of chickens for the platted lots. I do not know if the Township’s passing of an ordinance would supersede our C&amp;Rs. Personally, I would not like to see my neighbors raising chickens, especially roosters that crow at the break of dawn. We are zoned residential, not agricultural. My vote is NO to having chickens in our area.</i>	12.30.2020
University Palisades	Oppose, Need more Time	We are wondering if we could have some extra time to discuss this and get feedback from our homeowners? As you know, it's a busy month, and we do not have another Board meeting until January. Our Covenants prohibit raising any livestock, and it is extremely difficult to change our Covenants. We could simply decide not to enforce this section, but we should at least give sufficient warning to homeowners in case they have concerns.	12.18.2020
Warner Creek	Oppose	fences and sheds are not allowed in their neighborhood due to their bylaws.	12.18.2020
Individual/Personal Feedback			
Devin Fredrickson 2880 Deake Ave Ann Arbor, MI 48108	Support	am in support of allowing residences to have hens within the township limits. As long as they are taken care of and roosters are banned. Please help move Pittsfield in line with AA & Ypsi on this issue	12.22.20
Jim Wood - Hidden Creek Sub	Support	I am in favor of it.	12.18.20
Jeffrey Scott Parks 2850 Foster Ave Ann Arbor, MI 48108	Oppose	I would prefer that my neighbors do not keep hens in their yards. I am concerned about the noise, smell, and mess. Therefore, I would vote no on the hen ordinance to allow neighbors to keep hens.	12.22.20
Deborah Nystrom Washtenaw Hts and Oak Neighborhood	Support	I am in support of my neighbors having chickens. As long as early efforts are monitored for compliance so we start strong, I am good with the ordinance as stated, requiring permission from neighbors. I am with the Washtenaw Heights and Oak___ neighborhoods by Carpenter School. It would be good to offer online and workshop resources to neighbors who want to pursue this so chickens are treated well, especially by those who are new to this. As a FB administrator, I would also hope that there are people who get together to support each on Facebook, as well as offer fresh eggs at the Pittsfield Township market in due course. If there are a few people 3-4 who are willing to start a FB group, I'm glad to offer my 2 cents on setting it up and moderating it. I'm glad to do a Zoom chat with them.	12.29.2020
Lind Babcock Seminole Rd./Oak Park	Oppose	I don’t really like the idea of backyard hens. I understand why some people want them, but our lots are too narrow. I don’t want cackling making my dog bark or the smell of chicken poop. I’d prefer that to keep hens, the owner must have 1 acre of land, regardless of approval of any neighbors. The “approval of neighbors” option could cause some awkwardness / discomfort in the neighborhood. (Pressure / resentment of different opinions.)	12.30.2020
Nikki Harris - Foster Ave	Support, see notes	I live on Foster Ave. and would love to have a few hens. My only issue with the proposed ordinance is the “anointing neighbors allowing”. My anointing neighbors are not kind and would not allow us to have hens. I’m pretty sure it passed now in the fort of Ann Arbor that you do NOT need neighbor’s permission and I would like to see that for Pittsfield Township. Otherwise, I’d never be allowed to have hens. Thank you for considering.	01.02.2021

### 2014 Resident Feedback

HOA/Neighborhood	Comments/Feedback	Date Received
Arbor Creek	"We discussed this at our November and December meetings, and we unanimously agree that we are against residents keeping hens in their backyards. Our by-laws prohibit any fences in our association. Also, we would be concerned that larger predators would be attracted to the neighborhood, such as foxes, etc."	12/17/2014
Arbor Woods III	"Personally, I think it's a great idea and could easily support the keeping of hens in our subdivision. However I could not find any support among the rest of the board members. Furthermore, our current HOA bylaws only allow dogs and cats as pets, so it is generally inferred that hens are prohibited. Even if the board was supportive of a change in bylaws to allow hens in the subdivision, we would have to legally change the bylaws, which requires a 2/3 majority vote among the homeowners. It is unlikely we would get such a majority. Furthermore, due to what I would call general apathy among the homeowners, it is a logistical nightmare to collect the votes. So even if the township ordinance were adopted, it seems very unlikely that hens would ever be permitted by our HOA. The only way I could see this happening is if the township ordinance were adopted, and that prompted a grassroots movement in our HOA to change the bylaws. Since the number of people interested would be a small minority, I don't see that as very likely."	12/11/2014
Ashford Village	"The Ashford Village HOA strictly restricts home owners from keeping hens as outlined in the "DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR ASHFORD VILLAGE " which relates, "No farm animals, livestock or wild animals shall be kept, bred or harbored on any Lot, nor shall any animals be kept or bred for commercial purposes". The Township proposal supports the HOA restrictions but limits the assistance of enforcement support from Pittsfield township. Our concern is that we believe that assistance may be needed by Pittsfield Township to help with the enforcement in helping to keep this restrictions enforced. It places undue burden on the HOA for enforcement in light of Pittsfield passing the ordinance . AHOA has a system and procedure in place to address the violations which includes warnings and assessment fines. There could be a time when our system may not be enough for the home owner to comply with the restriction and remove the chickens. I think that there should be some language added that would outline a recourse and support from Pittsfield in assistance in enforcing the deed restrictions of the many Pittsfield home owners associations. Also, it would be of great benefit to all citizens to help educate them about this particular restriction in the ordinance through repetitive and clear communications."	12/12/2014
Bridgefield Estates	"I am not sure how many of our neighborhood homes would qualify to have hens since you need a fenced yard. Either way, I know we wouldn't mind if someone wanted to raise hens in their backyard. " "The X's actually had a try at quail. They had a hut for them but the raccoons got to them. I have thought it would be fun to raise chickens for the fresh eggs but it is tough to keep them safe and contained. I think that the township should not prevent someone from raising chickens as long as it doesn't impact others adversely. Obviously if we do have someone interested, we would need to determine what we would want as an association."	12/6/2014
Crystal Creek	"The Crystal Creek Board meet at the end of last month to discuss the proposed ordinance. We came to a consensus that the ordinance would be okay for the Township. It should be noted that our CC&Rs (our regulations) prohibit farm animals, livestock or wild animals from be kept, bred or harbored on any Lot. So while we would not have a problem with the Township adopting such an ordinance, our CC&Rs would still prohibit homeowners in Crystal Creek from owning hens; without a change in CC&Rs. Such a change would require a 2/3 vote of the membership, which we don't expect to have happen. "	12/15/2014
Hawthorne Ridge	"I got a copy of a proposal for allowing chickens to be kept on property in back yards, through Pittsfield township. I would like to convey my objection to this proposal. I do not want to see this happen and allowed through my sub-division (Hawthorne Ridge). Please let me know what can be done to assure that this proposal is not approved." - Email sent from Rick Williams	11/21/2014

Heritage Falls	"HFCA "feedback" included: 1- A chicken enclosure would be permitted within 40 feet of an affected one or two family residence. This is fine for the one wanting to have the hens. However, an adjoining residence or residences should expect to have the chicken enclosure no closer than 40 feet from any lot line. 2-Written permission needs to be secured from all owners of any adjoining one or two family residence not just an occupant who could be a lessee or not an owner of record. At HFCA, each building has two living units with separate co-owners for each unit-- most units have two co-owners of record. 3-- There is no provision for written permission to be rescinded. An appeal to the Pittsfield Township Zoning Administrator needs to be allowed by the current owner(s) of record especially if the chicken enclosure is not cleaned or properly maintained."	12/22/2014
Hidden Creek	"I asked the members of the board to give me their feedback on the ordinance Proposal regarding Chickens being allowed to be raised in the Township.. Five of the seven members of the board responded. Their answers were "No" "After looking at the Hidden Creek Owners Association by -laws, it says that the bylaws that eliminate the right of a property owner to keep hens, will remain enforceable. The interpretation and the enforcement of these private restrictions is the sole responsibility of the private parties involved. So, if hens are illegal, the township would be responsible for enforcing their laws. If hens are legalized, it would be up to us to enforce our own restrictions. This may be a point that we want to address with the Pittsfield Township officials. We don't want to limit other people's rights, but we don't want to have to police our own neighborhood either if the need arose." Additionally, if the ordinance is passed, I myself, would not want to see the police burdened with a scout car run to take care of frivolous complaints. We have enough problems with neighbors letting their dogs and cats run loose with out adding chicken chasing to the mix."	12/8/2014
Lake Forest Lots	"The collective board's reaction to the ordinance was universally negative. Casual polling confirms our association membership as a whole is against the proposal. Some of the supporting rationale against extending hen keeping into residential zoning can be summarized as follows: <ul style="list-style-type: none"> <li>• Our homeowner's sought out and bought into Lake Forest as a residential/suburban community; not into an agricultural/rural environment</li> <li>• If they wanted to live on or by a farm they'd have bought farm property elsewhere</li> <li>• We are well situated for easy access to farm-fresh eggs and produce locally already</li> <li>• Our Lake Forest Deed Restrictions and Protective Covenants prohibit the raising of hens under broader restrictions. Without Pittsfield Township Ordinance support our covenants become difficult to defend."</li> </ul>	11/12/2014
Lohr Lake Village	"The Lohr Lake Village Association bylaws already prohibit this type of activity so we would not be in favor of this proposal."	1/26/2015
Mallard Cove	"The Mallard Cove Subdivision's "Declaration of Covenants and Restrictions" and "By-Laws" prohibit the raising or keeping of animals, livestock, and poultry. Dogs, cats, and pets of like character may be permitted as long as they shall be leashed or fenced when outside and do not constitute a neighborhood nuisance."	12/14/2014
Meadowview	"Our Board discussed the letter and proposal you sent. These are the conclusions of the Meadowview Area Owners Association Board from our meeting on November 12, 2014. Proposal Sec. 4-42 makes the restriction to this permission if a homeowners association prohibits the keeping of hens. Indeed, our Bylaws and Covenants restrict ownership of any animals except for household pets. Therefore, without revising our bylaws (which would require a large majority of owners to approve), this ordinance--if passed by the Township--would still not affect our owners. The Board did agree that we would notify the neighbors through our regular newsletter of the Ordinance before the Township, at the same time reminding them of the restrictions in place by our neighborhood bylaws."	11/26/2014

Oak Meadows	"On Tuesday, November 11, the Oak Meadows Association held its Annual Meeting for the co-owners, at which there were 58 co-owners in attendance. At that meeting, the Board asked for a straw vote on Oak Meadow's support for the Keeping of Hens proposed ordinance. There was no support for the ordinance. In fact, there was unanimous support <i>against</i> the passing of the ordinance."	11/17/2014
Regents Park	"This proposal was discussed at some length at our most recent HOA meeting, held this weekend. Following this discussion, it was the unanimous decision of all attending the meeting, that this proposed ordinance not be passed. It was also the unanimous consensus, that the keeping of hens, as well as all other farm animals be restricted to those properties zoned agricultural and farming, but not residential. While all indicated that we appreciate and enjoy the somewhat rural nature of Pittsfield Township, we also would prefer to maintain the residential areas as they now exist. Furthermore, we feel that there is an adequate amount of currently zoned farmland/agricultural to support those interested in keeping of farm animals."	11/12/2014
Rolling Hills	"We discussed it at our last HOA board meeting. Pursuant to our by-laws homeowners would not be allowed to have hens."	12/5/2014
Silo Ridge	"Previously, I had sent around a neighborhood-wide email on this subject and I was surprised at how positive the response was. I got five or six people totally in favor, so the idea is selling well here in Silo Ridge. Two others even wanted the required lot size reduced to less than an acre so they could set up a henhouse in their backyards. Only one person was against it entirely, even quoting a line from our by-laws showing that "livestock" were not permitted in our neighborhood. The person was a little perturbed when I subsequently sent him the legal definition of "livestock" and it specifically stated that the term didn't include "fowl". I have to admit, I'm surprised. I never thought the idea would get such positive feedback. Of course, Silo Ridge is not on the same level as Centennial Farms, Brookview Highlands and Stonebridge."	10/31/2014
Stonebridge	"The Stonebridge Community Association Board has reviewed the ordinance and offers the following comments: 1. We recommend increasing the distance from surrounding residences to 100 ft. The potential for poorly maintained and thus odorous chicken coops is quite high. 2. The other provisions of the ordinance are generally acceptable, regarding the gender, the number and the housing of the hens. 3. The Stonebridge By-Laws specifically prohibit poultry. Fences are allowed only under very special circumstances."	11/20/2014
Stonebridge: Links	Jim Paille emailed the following responses from Links Board members: "I am definitely not in favor of allowing hens on residential property." "I don't think the proposed ordinance will impact us directly because we are site condos with HOA restrictions, but certain lots do have single family homeowners that back-up to our property along Maple Road. As a result, I would not be in favor of such an ordinance. Pittsfield Township should restrict hens to properties that are zoned agricultural."	11/3/2014
Stoneridge: Fairway Woods	"Our position is one of "no objection" but not endorsement. Our review comments also suggested that "Chicken Coops and enclosures shall be at least "60 ft" away (not 40 ft) from any residential structure not on the subject property, etc. This is for health reasons. "	12/16/2014

Timberview	<p>"Timberview is unique in that we are comprised of two different entities. There are 21 properties in the North platted subdivision and they are controlled by the Covenants and Restrictions as filed with the County. Even with the confusing and ambiguous wording of our C &amp; R document, under those legal guidelines we are not permitted to have 'livestock' on our properties and the proposed 'KEEPING OF HENS' ordinance, if approved, would not be allowed at those properties. There are approximately 22 properties in the South part of the Subdivision and they are not controlled by the content of our C &amp; Rs. Our combined properties make up the Timberview Subdivision Property Owners Association and the Board covering that combined entity has very limited duties and a very limited scope of responsibility. The responsibilities for the North are for road maintenance, common properties issues and the creation of subcommittees such as the Architectural Approval Committee only apply to the North.</p> <p>By vote of the two entities in the early 2000's, North and South were combined for the purpose of road maintenance only. Therefore, our Board has not got either the ability or the right to render a comment for or against the proposed ordinance for all of the residents. Without doing a house to house South property survey we could not give you any meaningful feedback. I am not aware of any controlling documents for those non-platted South properties.</p> <p>As a personal note, I am always in favor for limiting government controls and giving the people the widest latitude in how they run their affairs as long as that effort does damage other peoples' rights. When we lived in Canton, our neighbor raised both ducks and hens and there was never an issue."</p>	11/18/2014
University Palasades	<p>"In general, the board is not in favor of livestock ownership in our neighborhood. We are pleased that the attributes of the Ordinance state that private restrictions, including homeowners association bylaws, shall remain enforceable. Therefore, we are very comfortable with most of the ordinance. However, the Board is deeply concerned about the last sentence in section 4-42, namely, "The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved." We have had in our subdivision homeowners that failed to follow the bylaws that they had committed to and constructed a chicken coop and began to raise chickens. Ed Swope, Pittsfield Township Public Safety Code Enforcement Officer, was pivotal in explaining to the homeowner the issues of raising livestock in our subdivision. Without the support of Pittsfield Township Public Safety, we would not have been able to resolve this issue. Our interpretation of this Ordinance is that Pittsfield Township Public Safety would not be able to be involved in this kind of situation should it happen again. Therefore, we would like this sentence struck from the Ordinance."</p>	11/30/2014
Warner Creek	<p>"The consensus at this time is that Warner Creek Homeowners Association does not want to voice an opinion for or against the township's proposal for backyard hens. As of now our bylaws prohibit poultry on residential properties in Warner Creek. If and when Pittsfield Township passes a new ordinance, the WCHA Board will take this issue up with its general membership."</p>	11/20/2014

Individual/Personal Feedback	<p>I think that seeking community comment on the Hens ordinance is a good idea. I have some comments on the details.</p> <p>4-39 should have the specification that hens are chickens, and that chickens are the only fowl addressed.</p> <p>4-40 b is not clear about the applicability to condominiums which might have one- or two-family building units.</p> <p>4-40 d is not clear regarding structures that might be set on the property at an angle, or properties on corners.</p> <p>4-40 i should not be restricted to rodents: possums, skunks, racoons, etc might nest under a coop.</p> <p>4-40 j should not be restricted to rodents: other animals, and flocks of birds could be attracted to feed.</p> <p>4-41 d should clarify whether slaughter is allowed if done by a third-party.</p> <p>4-42 should mention HOA Rules and Regulations as well as Bylaws.</p> <p>It might be worth some consideration of responsibility and liability for creating an attractive nuisance, e.g. regarding pet dogs and cats in the neighborhood of the hens.</p> <p>Thanks for the opportunity to comment .... William Price</p>	11/3/2014
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## **Neighboring Jurisdictions' Allowance of Backyard Hens**

### **City of Ann Arbor – Yes**

- Require permit
- Private restrictions take precedence over permit (HOA)
- Limit 6
- No roosters
- No slaughtering
- Require covered/fenced enclosure located in rear of yard
- 10' from property line

### **Ann Arbor Township – Yes**

- Require .5 acres or more
- Limit 4
- Fenced enclosure at 50' from any dwelling
- 10' from property line
- Feed must be stored in containers to keep pests out

### **Superior Township – Yes (No in Urban Area)**

- Require 1 acre or more
- Fenced enclosure
- 5' from property line

### **Scio Township – Yes**

- Require 2.5 acres or more

### **City of Saline – Yes**

- Single/Double family dwelling
- Fenced enclosures
- No roosters
- Private restrictions take precedence (HOA's)

### **City of Ypsilanti – Yes**

- Need annual permit
- Limit 4
- Single/double family dwelling
- No roosters
- No slaughtering
- Require covered, fenced enclosure
- Must be 20' from neighboring structure

### **Ypsilanti Township – Yes**

- Single/double family dwelling
- No roosters
- Hen house/fenced enclosure located in rear of yard
- 25' from property line
- No slaughtering