

ORDINANCE #3, 2014

**ORDINANCE OF THE COMMON COUNCIL FOR
THE CITY OF ATTICA, INDIANA**

**AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 7, SECTION 6-69
ENTITLED CATTLE, POULTRY, SWINE, SHEEP, GOATS, HORSES AND PONIES**

WHEREAS, the Common Council for the City of Attica finds it reasonable to amend Section 6-69 of the City Ordinance in order to allow the keeping and raising of live chickens and rabbits as an accessory, non-commercial use in an R-1 (single-family residential dwellings); and

WHEREAS, the Common Council further finds that imposing certain restrictions on such an accessory use would protect the public health, safety, welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL FOR THE CITY OF ATTICA, INDIANA as follows:

Section 1, Chapter 6, Article 7, Section 6-69 is hereby amended to read as follows, to-wit:

The keeping of any swine, sheep, goats, cattle, horses, ponies, or fowl (except as set forth herein) within the City is declared a nuisance.

It shall be lawful for any person to keep domesticated chickens or rabbits within the corporate limits of the city under the following terms and conditions:

- a. No more than six (6) hens or six (6) rabbits of any sex shall be allowed for each single-family dwelling.

No chickens or rabbits shall be allowed in multi-family complexes, including duplexes.

- b. No roosters shall be allowed.

- c. There shall be no outside slaughtering of birds or rabbits.

- d. All chickens and rabbits must be kept at all times in a secure enclosure.

- e. Enclosures must be situated at least 25 feet from the nearest neighbor's primary residence (dwelling).

- f. Enclosures must be kept in a neat and sanitary condition at all times, and must be cleaned on a regular basis so as to prevent offensive odors. All enclosures shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure.

- g. All feed and other items associated with the keeping of chickens or rabbits that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected

so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.

h. Between sunrise and sunset, chickens may roam freely in the fenced rear yard of a single lot.

i. Persons wishing to keep chickens or rabbits within the city must obtain a permit from the Office of the City Clerk and must pay a \$5.00 annual fee.

Section 2. Any owner of the property violating any of the provisions of this Ordinance shall be fined pursuant to the provisions of Section 1-17 of the Attica City Code. In addition, the City may seek to enjoin the owner from the violation of the provisions of this Ordinance and in a Court of competent jurisdiction.