

ORDINANCE # 2025-0210

ORDINANCE REPEALING ARTICLE V, SECTION 514(1) OF THE VILLAGE OF BAILEY LAKES ZONING ORDINANCE PERMITTING THE OWNING AND RAISING OF POULTRY AND FOWL WITHIN THE VILLAGE OF BAILEY LAKES ON LOTS AT LEAST ONE-QUARTER ACRE IN SIZE AND REMOVING THE PROVISIONS FROM THE VILLAGE OF BAILEY LAKES ZONING ORDINANCE AND PERMITTING THE OWNING AND RAISING OF POULTRY AND FOWL WITHIN THE VILLAGE OF BAILEY LAKES

WHEREAS, in recent years there has been a significant trend around the nation and the region to promote urban farming and self-sufficiency, including the raising of domesticated chickens and fowl on residential properties; and

WHEREAS, chickens are permitted in a large number of surrounding communities in Ashland County under certain conditions; and

WHEREAS, Article V, Section 514(1) of the current Zoning Ordinance of the Village of Bailey Lakes requires a lot or parcel size of at least three acres before a resident can own or raise chickens or other poultry within the Village; and

WHEREAS, Council desires to reduce the lot size on which residents can raise chicken and fowl in the Village and establish additional requirements to do so; and

WHEREAS, Council also desires to remove this provision from the Village of Bailey Lakes Zoning Ordinance and make it a free-standing Village Ordinance; and

WHEREAS, because this Ordinance amends the Village of Bailey Lakes Zoning Ordinance, prior to its adoption, a public hearing will be held pursuant to R.C. 713.12.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Bailey Lakes, Ohio, that Article V, Section 514(1) of the Village of Bailey Lakes Zoning Ordinance, Restricting the Keeping of Certain Animals, adopted June 11, 2012, is hereby repealed in its entirety and replaced with the following:

SECTION 1. Article V, Section 514(1) of the Village of Bailey Lakes Zoning Ordinance is hereby repealed in its entirety.

SECTION 2. Restricting the Keeping of Certain Animals

- (a) Poultry and Fowl. Notwithstanding any provision in Village Ordinance or Resolutions to the contrary, persons may own, harbor or keep not more than ten (10) birds classified as poultry, fowl, game fowl or waterfowl, including, but not limited to chickens, ducks, geese, turkeys, pheasants, hens, quail, partridges, or pigeons (collectively, "Chickens") on a parcel of property of at least one quarter (1/4) acre

located in the Village of Bailey Lakes. Two or more lots of record, or platted lots, when contiguous and owned by the same person may be treated as a single parcel for the purpose of this Resolution.

(b) Chickens may only be kept, raised, or used in a manner related to a personal or household use, such as for personal consumption, education such as 4H or FFA, or to maintain such animals as pets.

(c) No person shall own, harbor or keep a rooster or other crowing bird on any parcel of property located in a zoned R Residential District in the Village of Bailey Lakes.

(d) No person shall own, harbor or keep large birds such as ostriches, emus or peacocks on any parcel of property located in a R District in the Village of Bailey Lakes.

SECTION 3. (a) Any person owning, harboring or keeping ten or less Chickens as defined in Section 1 above shall provide for a “run” of at least 10 square feet per bird, at least one (1) nest for every three (3) birds and a predator-proof proper enclosure, hutch or coop for the housing of the Chickens which shall be at least one (1) square foot in size per bird.

(b) The enclosure described at Section 2(a) above shall be considered an accessory building/structure defined at Section 502 of the Village of Bailey Lakes Zoning Ordinance and shall comply with all requirements for accessory buildings as set forth in the Zoning Ordinance, except that the structure shall not be nearer than ten (10) feet to any lot line or to another accessory building or to a main building.

SECTION 4. (a) No person shall keep a Chicken on property within the Village without a permit.

SECTION 5. No person owning, harboring or keeping Chickens within the Village of Bailey Lakes shall permit such activity to become a nuisance, including, but not limited to, allowing noxious odors or any noise of a loud or persistent and habitual nature.

SECTION 6. Hoofed Animals. No person shall keep, harbor or maintain any horse, pony, cow, hog, calf, goat or other hoofed animal in the Village, except that the keeping, harboring or maintaining of any such animals may be authorized by the Village Zoning Inspector by permit duly issued therefor, provided that such animals are located on lots or parcels of two acres or more

SECTION 7. Whoever violates or fails to comply with any provision of this Section is guilty of a fourth-degree misdemeanor.

SECTION 8. All formal actions of the Council of the Village of Bailey Lakes concerning and relating to the adoption of this Resolution were taken in open meetings in compliance with all requirements of Section 121.22 of the Ohio Revised Code.

SECTION 9. This Ordinance shall take effect and be in force at the earliest date allowed by law.

First Reading: February 10, 2025

Second Reading: February 24, 2025

Third Reading: March 10, 2025

ROLL CALL:

 Ariel Isaacs

Yes Justin A. Isaacs

Yes Tom Dilgard

Yes Dottie Scott

Yes Krissy Kauf

Yes Tina Killion

Passed: March 24, 2025

Approved: _____

~~John R. Benschoff~~ Ariel Isaacs, Mayor

Attest: _____

Leighanna Cawrse, Fiscal Officer

APPROVED AS TO FORM:

Joseph T. Olecki, Village Solicitor