

Village of Magnetic Springs, Ohio

Resolution No. 2025-CLP

A Resolution Permitting the Limited Keeping of Chickens Within the Village and Prohibiting Other Agricultural Animals

WHEREAS, the Village Council recognizes the desire of residents to maintain a small number of chickens for personal egg production; and

WHEREAS, the Village Council seeks to balance the interests of residents with the need to preserve peace, health, and safety within the Village;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MAGNETIC SPRINGS, OHIO, THAT:

SECTION 1 – PERMISSIBLE USE AND DEFINITIONS

(A) The keeping of chickens shall be permitted within the Village of Magnetic Springs under the following conditions:

- Residents may keep no more than **six (6) hens per acre** of property they own, rounded down to the nearest whole acre.
- The keeping of chickens shall require a permit issued annually upon application to the Village Zoning Officer or, in their absence, the Village Council. Permit applications shall include a site plan, coop dimensions, and proof of ownership. Permits may be revoked under Section 3(E).
- All chicken-keeping permits shall expire on December 31st of each year and must be renewed annually prior to the expiration date. Failure to renew shall constitute a violation subject to Section 3(B).
- Chickens shall not be kept on properties not occupied by the legal property owner. Rental properties are prohibited from housing chickens, regardless of the owner's consent.
- **Roosters are strictly prohibited.**
- All coops and enclosures must comply with existing zoning setback and accessory structure regulations and may not be located closer than 25 feet to any neighboring residence, measured from the nearest exterior point of the structure.
 - "Coop" and "Cage" mean a structure, not necessarily attached to the ground, with a top and sides, and designed to provide shelter and protection for small animals or birds.
 - "Enclosure" means a set of walls or fences designed to confine animals or birds to a large enough space to permit the chickens to roam relatively freely in an open yard area.
 - All chickens shall be provided with a covered, predator-proof coop, cage, or other enclosure that is thoroughly ventilated, designed to be easily accessed, maintained, and cleaned, and of sufficient size to permit free movement of the chickens, exclusive of areas used for storage of materials or vehicles.
 - The total area of all coops, cages, or other enclosures on a lot shall not be greater than fifty (50) square feet for every six (6) chickens kept on a lot or parcel.

- “Securely Confined” means a coop, cage, or enclosure that:
 - Is completely enclosed on all sides, including a roof or overhead barrier to prevent escape.
 - Is constructed of durable, weather-resistant materials, such as hardware cloth or welded wire, capable of containing chickens and excluding predators.
 - Prevents chickens from roaming freely outside the designated area.
- The keeping of chickens must not create a **nuisance, disturb the peace**, or result in **unsanitary conditions, offensive odors**, or **noise disturbances**. As used in this section, the following definitions will be used:
 - A “nuisance” shall be defined as:
 - Conditions dangerous to human life or detrimental to the health of persons on or near the premises where the conditions exist and where the conditions are perilous by active and negligent operation thereof.
 - Unsanitary conditions or anything offensive to the senses or dangerous to health, as determined by the Village Council.
 - Fire Hazards.
 - “Disturbing the Peace” shall be defined as:
 - Any activity or condition resulting from the keeping of chickens that unreasonably interferes with the comfort, health, safety, or quiet enjoyment of neighboring properties.
 - Escaped chickens regularly entering adjacent properties.
 - “Unsanitary Conditions” shall be defined as:
 - Accumulation of chicken feces beyond what can be reasonably managed through regular cleaning.
 - Presence of standing water, mold, or strong, persistent odors resulting from animal waste.
 - Failure to remove soiled bedding, uneaten feed, or carcasses promptly and hygienically.
 - Conditions that attract pests such as flies, rodents, or scavenger animals.
 - “Offensive Odor” shall be defined as:
 - Any persistent smell emanating from the area where chickens are kept—such as the coop, run, feed storage, or waste disposal site—that is noticeably foul, pungent, or noxious to a reasonable person and interferes with the comfort, use, or enjoyment of adjacent properties. This includes, but is not limited to:
 - The strong smell of accumulated manure or soiled bedding.
 - The odor of decomposing organic matter, such as uneaten feed or carcasses.
 - Ammonia buildup from urine-saturated litter.
 - “Noise Disturbances” shall be defined as:
 - Persistent or excessive noise caused by chickens, such as prolonged squawking or clucking, especially during early morning or late evening hours, that interferes with the peaceful enjoyment of neighboring properties.

- A violation shall be issued if two or more substantiated complaints for any combination of the above conditions are received within a 30-day period and verified by the Zoning Officer or a Council Member based on objective inspection.
- Chickens must be cared for in a manner that complies with all **Union County Health Department** regulations and **Ohio Revised Code** provisions related to animal health and safety.
- **Properties under one (1) acre in size must obtain a conditional use permit** from the **Board of Zoning Appeals (BZA)** before keeping chickens. If a BZA is not established, the conditional use permit must be approved by the **Village Council**.

SECTION 2 – PROHIBITED ANIMALS

(A) Ownership or harboring of the following agricultural animals within Village limits shall remain strictly **prohibited**:

- | | | |
|------------|-----------|-------------|
| • Roosters | • Horses | • Ducks |
| • Cows | • Donkeys | • Geese |
| • Goats | • Llamas | • Peafowl |
| • Sheep | • Alpacas | • Emus |
| • Pigs | • Turkeys | • Ostriches |

(B) Temporary presence of prohibited animals for less than 24 hours (e.g., for parades or educational events) may be permitted with prior written approval from the Village Council

SECTION 3 – ENFORCEMENT, PENALTIES, AND COLLECTION

(A) Enforcement Authority

This ordinance shall be enforced by the Village Zoning Officer, the Union County Health Department, or any member of the Village Council. These officials are authorized to issue notices of violation, conduct inspections, and pursue compliance through the procedures outlined herein.

(B) Penalties for Violations

1. Any person or property owner found to violate this ordinance shall be subject to:
 - First offense – written warning
 - Additional offenses - civil fine of \$100 per day, per violation, for each day the violation continues beyond the date of the second notice.
2. A written notice of violation shall be issued, detailing the nature of the violation, corrective actions required, and the applicable fine.
3. Fines must be paid to the Village of Magnetic Springs within 30 days of the issuance of the violation notice, unless an appeal is timely filed.

(C) Appeal Process

Any person receiving a notice of violation may submit a written appeal to the Village Council (or Board of Zoning Appeals, if established) within 10 business days of receipt. The filing of an

appeal shall temporarily stay the enforcement of fines until a determination is made at the next Village Council meeting.

(D) Nonpayment and Lien Process

1. If a fine is not paid within 60 days and no appeal has been sustained, the Village may:
 - a. Certify that the unpaid amount to the Union County Auditor will be placed as a lien on the property taxes in accordance with applicable sections of the Ohio Revised Code.
 - b. Initiate a civil action in Union County Municipal Court to recover the unpaid fines, including costs, fees, and interest as permitted by law.

(E) Permit Revocation

The Village may revoke or decline to renew a chicken-keeping permit if the holder has unpaid fines, fails to correct violations within the allowed time, or receives two or more violation notices within a twelve-month period.

(F) Additional Remedies Reserved


The Village reserves the right to pursue any additional state or local law remedies to abate nuisances, protect public health, or enforce zoning and sanitation standards.

(G) Right of Inspection

The Village Zoning Officer, a Council Member, or a designated official may conduct inspections, with reasonable notice, of any property for which a chicken-keeping permit has been issued to ensure compliance with this ordinance.

Section 4. This Resolution shall take effect immediately upon passage and shall be made available on the Village's website and at the Community Center.

Passed this 17th day of July, 2025



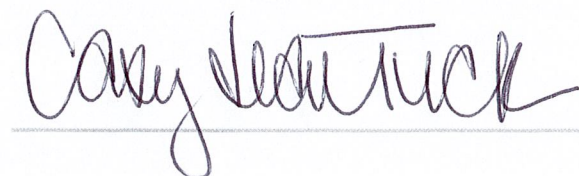
Mayor, Village of Magnetic Springs

Chad Wilson



President of Council

Marynelle Liston



Clerk of Council

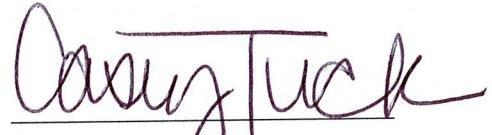
Casey Tuck

CERTIFICATE OF PUBLICATION

Pursuant to the provisions of the ORC, Section 731.25, I Casey Tuck, Fiscal Officer of the Village of Magnetic Springs, published by posting the same on this 17th day of July, 2025, at each of the following public places in the Village of Magnetic Springs, as follows:

Community Center
Post Office

and the Magnetic Springs Municipal Building on this 17th day of July, 2025.


Casey Tuck, Fiscal Officer