

BY: MRS. BURNS

Amending Section 505.02 of Chapter 505 (Animals and Fowl) of the City of the Mansfield Codified Ordinances of 1997, adding Section 505.19 to Chapter 505.

**BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That Section 505.02 of the Mansfield Codified Ordinances of 1997, be, and the same is hereby, amended to read as follows:

505.02 RESTRICTING THE KEEPING OF CERTAIN ANIMALS.

(a) Fowl. No person shall keep, harbor or maintain chickens or other poultry, excluding homing pigeons, in the City, except that the keeping, harboring or maintaining of any such animals may be authorized by the Director of Code and Permits for the City by permit duly issued therefor, provided that such animals are located on lots or parcels of three acres or more. **Hen keeping may be authorized in accordance with 505.19.**

(b) Hoofed Animals. No person shall keep, harbor or maintain any horse, pony, cow, hog, calf, goat or other hoofed animal in the City, except that the keeping, harboring or maintaining of any such animals may be authorized by the Director of Codes and Permits for the City by permit duly issued therefor, provided that such animals are located on lots or parcels of three acres or more.
(Ord. 88-332. Passed 10-18-88.)

(c) Permits. Such permits may be issued by the Director on written application therefor in such form as the Director requires, and shall specify any restrictions, limitations, conditions or prohibitions which the Director deems reasonably necessary to protect any person or any neighboring use from unsanitary conditions, unreasonable noise or odors, or other annoyance, or to protect the public health or safety. All such animals kept in connection therewith shall be located no closer than fifty feet to any building used or designed for human habitation.

The Director shall investigate or cause to be investigated the keeping of any such fowl or hoofed animals and shall report the results of such investigation to the Planning Commission. The Commission may, at its discretion, conduct a public hearing on the manner and extent of keeping or maintaining such fowl or hoofed animals and, following such public hearing, may impose such limitations, restrictions, conditions or prohibitions on the keeping or maintaining of any such fowl or hoofed animals on the premises as, in its sound judgement, are reasonably necessary to protect any person or any neighboring use from unsanitary conditions, unreasonable noise or odors, or other annoyance, or to protect the public health or safety.
(Ord. 06-019. Passed 1-17-06.)

(d) Penalty. Any person, firm or corporation failing to comply with any provision of this section is guilty of a misdemeanor of the fourth degree.

Any person, firm or corporation failing to comply with any provision of this section, and having a prior conviction under this section, is guilty of a misdemeanor of the second degree. (Ord. 88-332. Passed 10-18-88.)

SECTION 2. That Chapter 505 of the of the Mansfield Codified Ordinances of 1997, be, and the same is hereby, amended to include an additio0nal section, Section 505.19, which shall read as follows:

ADDITION OF SECTION

505.19 Hen keeping

a. It is the intent of this Ordinance to permit limited backyard hen keeping on residential lots as an accessory use to one-family and two-family dwellings, while safeguarding public health, safety, property values, and neighborhood character.

b. For purposes of this Ordinance, the following definitions shall apply:

- (1) "Hen" A domesticated female chicken.
- (2) "Rooster" A male chicken (prohibited).
- (3) "Coop" A predator-proof, enclosed structure for the housing of hens.
- (4) "Run" An enclosed outdoor area attached to a coop.

c. Hen keeping shall be permitted on any lot developed with a one-family or two-family dwelling. Hen keeping shall be prohibited on lots containing multi-family dwellings, mixed-use structures, or commercial/industrial uses.

d. Registration Required: No hens shall be kept without prior registration with the Permitting and Development Division

(1) An initial application shall include the following

- A. Owner and property information;
- B. Number of hens (not to exceed six (6) per property);
- C. Site plan showing coop and run location meeting the setback requirements of Chapter 1175.02 Accessory Buildings and Uses of the Mansfield Codified Ordinances;
- D. Proof of successful completion of the Ohio State University Backyard Poultry Course or equivalent program approved by the City;
- E. Payment of a one-time initial registration fee of One Hundred Dollars (\$100.00).
- F. Rental properties require expressed written consent by the owner or authorized agent
- G. Any additional reasonable information needed to establish the ability and intent to conform to this code.

(2) Inspection. Initial registration requires an inspection of the property and the proposed coop/run to ensure compliance prior to approval. Failure to meet the requirements after two (2) inspections will result in a reinspection fee of Fifty Dollars (\$50.00).

(3) Renewals. Registrations shall be renewed annually on or before January 31 of each year at a fee of Twenty-Five Dollars (\$25.00). Renewals submitted on or after February 1 are subject to a late

penalty of Twenty-Five Dollars (\$25.00). Renewals may be processed up to 60 days in advance of the renewal year.

(4) Additional Inspections may be requested by the City at any time during the registration period.

e. The following standards must be maintained:

(1) Number of Hens. No more than six (6) hens shall be kept per property. Roosters are prohibited.

(2) Hen keeping shall not create a health or safety hazard for hens, property owners, neighbors or the public.

(3) Hens shall be banded with the issuing permit number. Bands shall be on hens at all times with the number visible.

(4) Coop Requirements.

(A) Coops shall be elevated at least twelve inches (12") above grade.

(B) Each hen shall be provided a minimum of 2.5 square feet of interior coop space.

(C) All coops shall meet the accessory structure standards of Chapter 1175.02 of the Mansfield Codified Ordinances.

(D) Hens must be confined to a coop or shelter from dusk to dawn each day.

(E) Coops exceeding 200 sq ft will require a permit through the Permitting and Development division, and will be required to meet the standards Ohio Building Code for foundations based on size.

(F) Coops must be placed in accordance with ORD 1167 set-back requirements for the zoning district, and requirements in 1175.02, 1175.06, and 1175.07.

(5) Run Requirements.

(A) Each hen shall be provided a minimum of 8 square feet of outdoor run space.

(B) Runs shall be fully enclosed with fencing adequate to prevent escape.

(C) Free-ranging of hens outside of a coop or run is prohibited.

(D) Chicken wire fencing will be exempt from fence permit requirements in ORD 1175.05

(6) Sanitation and Feed.

(A) Coops and runs shall be maintained in a clean, dry, and odor-free condition, in a manner that does not create a nuisance.

(B) Waste shall be managed to prevent dust, runoff, vermin and odor.

(C) Feed shall be stored in rodent- and predator-proof containers.

f. Violations of this ordinance shall be subject to enforcement by the Permitting and Development Division.

(1) Violation notices shall be:

(a) be issued in writing

- (b) include a description of the property and registrant information
- (c) include a statement of the violation and description
- (d) include required corrective action with a reasonable correction period
- (e) include a statement on the right to appeal

g. Revocation of registration may occur when:

(1) Violations for nuisance which are not remedied in a reasonable amount of time, as determined by the Director or their designee

(2) Conviction of animal cruelty, whether or not hens were involved in the conviction.

(3) Failing to maintain hens in an appropriate enclosed space

(4) Any violation which threatens the safety of animals, neighbors, residents, or the general public

h. Any denial, suspension, violation, penalty, or revocation of registration under this Ordinance may be appealed in accordance with 1335.07, and 1335.08

i. Penalties:

(1) Each day of any violation of any of the provisions of this section shall be punishable as a separate offense

(2) Civil penalties issued by the Permitting and Development division may be charged up to \$25 per day, per violation until remedied. If after 30 days of penalty issuance the person to whom the demand for payment is directed fails, neglects, or refuses to make such payment the Division may cause the same to be certified to the County Auditor pursuant to, and in accordance with the provisions of Ohio R.C. 715.26.1, 3737.02 or 3737.45, as the case may be, for entry upon the tax duplicate pertaining to the premises.

(3) Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree for a first offense, and a misdemeanor of a second degree for a subsequent violation.

(4) Penalties are not exclusive and one or more penalties may be initiated per violation.

k. If any provision of this Ordinance is held invalid, the remaining provisions shall not be affected and shall remain in full force and effect.

l. This Ordinance shall take effect on April 1, 2026. Renewals will be processed in accordance with 505.19 (d) (3).

SECTION 3. That this Resolution shall take effect and be in full force from and after the earliest time allowed by law after its passage and approval by the Mayor.

Caucus	<u>18 November 2025</u>
1 st Reading	<u>02 December 2025</u>
2 nd Reading	<u>16 December 2025</u>
PASSED	<u>16 December 2025</u>

SIGNED /s/ Phillip E. Scott
President of Council

ATTEST /s/ Delaine Weiner
Clerk of Council

APPROVED /s/ Jodie Perry
Mayor

APPROVED AS TO FORM: Roeliff E. Harper
Law Director
City of Mansfield, Ohio