



Village of Pewamo

Village of Pewamo is an equal opportunity provider and employer.

130 E. Main Street • P.O. Box 385 • Pewamo, MI 48873 • 989-593-2553 • Fax 989-593-2709

Village of Pewamo Permit to Keep Backyard Chickens

\$20.00 Fee Required

Please return Permit Application and \$20.00 Fee to:

Pewamo Village Clerk
PO Box 385
130 E Main St.
Pewamo, Mich. 48873

Applicant Name: _____
(Print or Type)

Phone Number: _____

Permit Address (where backyard chickens will be housed): _____

Single-Family Dwelling:

Two-Family Dwelling:

Number of backyard chickens to be kept at the permit address (4 maximum): _____

No permit shall be issued to a person, by the Village, and no chickens shall be allowed to be kept unless the owners of all residentially zoned adjacent properties (see b-8 (i) & (ii)) consent in writing to permit. **Please attach the Adjacent Neighbor Consent Form to this application and check the box that you understand and have complied with the terms of this ordinance requirements.**

If the requirements of Chapter 90 Section 90-06 are not complied with, the Village may revoke any permit granted and/or initiate prosecution for a civil infraction violation. A person who has been issued a permit shall submit it for examination upon demand by the zoning code enforcement officer. Fenced enclosures are subject to all provisions of Zoning Ordinance Chapter 153.080 section W (Fences). Notwithstanding the issuance of a permit by the Village, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by-laws, and convent deeds A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

I understand the above restrictions on the permit and am submitting this application in compliance with Chapter 90 Section 90-06 of the Code of the Village of Pewamo.

Applicant Signature _____ **Date** _____

For Office Use Only

Expiration Date _____

Approved by Village Clerk _____

Comments _____

Copy: Applicant & Zoning Officer/ Village Clerk retains original

**All permits Expire Three (3) years from Date of Issuance.
Permits are non-transferable and may not be sold or assigned.**

**Village of Pewamo Permit to keep Backyard Chickens
ADJACENT NEIGHBOR CONSENT FORM**

Applicant Name: _____

Permit Address (where backyard chickens will be housed): _____

No permit shall be issued to a person, by the Village, and no chickens shall be allowed to be kept unless the owners of all residentially zoned adjacent properties (see b-8 (i) & (ii) consent in writing to the permit. For purpose of this permit, adjacent property means all parcels of property that the applicant's property comes in contact with at one or more points, except for parcels that are legally adjacent to but in fact are separated from the applicant's property by a public or private street.

A covered enclosure or fenced enclosure shall not be located closer than ten (10) feet from the property line of an adjacent property nor shall it be located closer than forty (40) feet to any residential structure on an adjacent property. The forty (40) foot requirement, only, can be waived with written statements of all occupants of the building (single family), (two-family dwelling) and all adjacent landowners.

Please attach a drawing of the property, including the distances to neighboring structures and the proposed locations of the enclosures that will be used to keep backyard chickens.

Are you requesting a waiver of the forty (40) feet requirements? YES NO

If Yes: Distance to residential structure or adjacent property _____ **feet.**

Instruct Property Owners and Occupants (if applicable) to initial their consent to this waiver as well.

Please list all adjacent properties and obtain consent signatures.

Instructions to Adjacent Property Owners and to Occupants of Two-Family Dwellings:

- (1) Your neighbor is applying for a permit to keep backyard chickens. A maximum of four (4) chickens may be kept under this permit. If you are an adjacent property owner, your consent to this permit is required for issuance. If you neighbor occupies a two-family dwelling and you occupy one of the units in that dwelling, your consent to this permit is also required for issuance. Do not sign the form if you are **NOT** giving consent to the issuance of a permit.
- (2) If your neighbor has checked the box above, our permission is also required to allow enclosure for housing chickens to be kept closer than forty (40) feet to a residential structure. Do not write your initials below if you are **NOT** giving your consent to waive this distance requirement. (If you are an occupant for a two-family dwelling and have given your written consent to issuance of the permit you have automatically waived the forty (40) foot requirement).

By signing this form, you are providing written consent for the issuance of the permit. By initialing this form, you are additionally providing your written consent to waive the forty (40) foot distance requirement.

Street Address _____ Owner Name _____ Signature (consent to issue permit) Initial (consent to distance waiver) _____

For Two-Family Dwellings (all occupants must sign)

Street Address _____ Owner Name _____ Signature (consent to issue permit) _____

Chapter 90 Section 90.06 Keeping of Chickens

(1) Any person who keeps chickens in the Village of Pewamo shall obtain a permit from the Village prior to acquiring the chickens. No permit shall be issued to a person, by the Village, and no chickens shall be allowed to be kept unless the owners of all residentially zoned adjacent properties (as defined below in subsection 3) consent in writing to the permit and this consent is presented along with an application for a permit. Written statements waiving the distance requirement in subsection (3) below shall also be submitted at the time of application and become a part of the permit issued. Application shall be made to the Village Clerk and the fee for the permit shall be as determined by Council resolution.

Permits expire and become invalid three (3) years after the date of issuance. A person who wishes to continue keeping chickens shall have obtained a new permit on or before the expiration date of the previous permit. Application for a new permit shall be pursuant to the procedures and requirements that are applicable at the time the person applies for a new permit.

(2) Notwithstanding the issuance of a permit by the Village, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood associations by-laws, and convent deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

(3) A person who keeps or houses chickens on his or her property shall comply with at the following requirements:

- a. A permit must be obtained under subsection (c) of this section before acquiring hens (chickens)
- b. The principal use of the resident's property must be a single-family dwelling or two-family dwelling.
- c. No more than four (4) hens (chickens) may be kept on a single parcel.
- d. No roosters, ducks, or geese male or female will be allowed within the Village of Pewamo
- e. Hens (chickens) may be only kept in the backyard
- f. Hens (chickens) must be provided with a covered enclosure and will always be kept in the covered enclosure or in a fenced enclosure. Fenced enclosures are subject to Village Zoning Ordinance Chapter 153.080 section W.
- g. A covered or fenced enclosure must be a least ten (10) feet from any property line of an adjacent property.
- h. A covered or fences enclosure must be a least forty (40) feet from any residential structure or an adjacent property; however, this requirement may be waived as follows:
 - (i) If the principal use of resident's property is for a single-family dwelling, all adjacent landowners must verify in writing that there is no objection to the issuance of the permit.
 - (ii) If the principal use of the resident's property is for a two-family dwelling, all adjacent landowners and the occupants of the dwelling must verify in writing that there is no objection to the issuance of the permit.
- i. All enclosures for the keeping of hens (chickens) must be constructed or repaired to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure.
- j. All feed and other items associated with the keeping of hens (chickens) that are likely to attract rats, mice, or other rodents must be protected to prevent rats, mice, or other rodents from coming in contact with them.
- k. A person who has been issued a permit must submit it for examination on demand by the zoning code enforcement officer.
- l. If a resident granted a permit under this section fails to comply with the requirements listed the village may revoke the permit and may initiate prosecution for a civil infraction violation.
- m. For purpose of this section, adjacent property, means all parcels of property that the applicant's property comes in contact with at one ore more points but does not include parcels that are legally adjacent to but are, in fact, separated from the applicant's property by public or private street.
- n. For purpose of this section backyard, means the portion of a lot enclosed by the property's rear lot line and the side lot lines to the points intersect with an imaginary line established by the rear of the single-family or two-family structure and extending to the side lot lines.