



CITY COUNCIL REGULAR MEETING AGENDA

Monday, December 09, 2024 at 7:00 PM

15 East Franklin Street Bellbrook, Ohio 45305
T (937) 848-4666 | www.cityofbellbrook.org

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF THE MINUTES**
 - A. Approval of the November 12, 2024 regular meeting minutes.
5. **MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST**
 - A. Wright State University School of Nursing Community Health Needs Assessment Report
6. **CITIZEN COMMENTS**
7. **CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS**
8. **PUBLIC HEARING OF PROPOSED ORDINANCES**
9. **EXECUTIVE SESSION**
 - A. Motion to enter executive session for a conference with an attorney for the City concerning disputes involving the City that are the subject of pending or imminent court action.
10. **INTRODUCTIONS OF ORDINANCES**
11. **ADOPTION OF RESOLUTIONS**
12. **OLD BUSINESS**
 - A. Animal Ordinance Review
13. **NEW BUSINESS**
 - A. 2025 Calendar of Public Meetings
Motion to approve 2025 Schedule of Public Meetings
 - B. Mayor Schweller to review and assign various standing committee and outside organization liaison appointments.
14. **CITY MANAGER'S REPORT**
15. **COMMITTEE REPORTS**
 - A. Safety Committee
 - B. Service Committee
 - C. Finance/Audit Committee
 - D. Community Affairs Committee
16. **CITY OFFICIAL COMMENTS**
17. **ADJOURNMENT**

File Attachments for Item:

A. Approval of the November 12, 2024 regular meeting minutes.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
November 12, 2024

Item A. Section 4, Item

1. CALL TO ORDER

Mayor Schweller called the Regular Meeting of the Bellbrook City Council to order at 7:00pm

2. PLEDGE OF ALLEGIANCE

Mayor Schweller led the Council in the Pledge of Allegiance.

3. ROLL CALL

PRESENT

Mr. Logan Ashley
Mrs. Katherine Cyphers
Mr. Forrest Greenwood
Mr. Brady Harding
Mr. Ernie Havens
Mr. T.J. Hoke
Mayor Mike Schweller

4. APPROVAL OF THE MINUTES

A. Approval of the October 28, 2024, Regular City Council Meeting minutes.
Mayor Schweller asked if anyone had comments or corrections to the minutes of the October 28, 2024, meeting. Hearing none, the minutes were declared to be approved.

5. MAYOR'S ANNOUNCEMENTS AND SPECIAL GUEST

6. CITIZEN COMMENTS

John Baldino 2242 Ferry Road spoke about parking issues on South Main Street.

Killeen DesCombes 7310 Wilmington Pike spoke about frustration with truck road changes increasing traffic on Wilmington Pike.

Dan Ernst spoke about his concerns about the truck route ordinance.

Dan Dirkson 21 S. Main Street spoke about the truck route ordinance.

Tim Taylor 22 N. East Street spoke about the truck route ordinance and noted he encouraged the voting members of Bellbrook to give Council a chance to represent their best interests.

Deborah Schramm spoke about the truck ordinance and noted she appreciated what Mr. Ernst proposed; however the majority of the trucks are not necessarily from Ernst.

David Buccalo 126 Lower Hillside Dr spoke about outside changes imposed upon the community brought by partisan politics of the Democrat and Republican parties. He also noted ethics violations are violations of the law and if an elected official has a conflict, it should be noted.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
November 12, 2024

Item A. Section 4, Item

Pete Fee 27 S. Main wanted to thank Council for allowing open discussion and statements about the truck ordinance.

7. CITIZENS REGISTERED TO SPEAK ON AGENDA ITEMS

8. PUBLIC HEARING OF PROPOSED ORDINANCES

9. INTRODUCTIONS OF ORDINANCES

- A. Ordinance 2024-O-14 AN ORDINANCE APPROVING THE APPROPRIATIONS FOR EXPENSES OF THE CITY OF BELLBROOK FOR THE PERIOD BEGINNING JANUARY 1, 2025, AND ENDING DECEMBER 31, 2025 (Cyphers)

Mrs. Cyphers read the Ordinance.

Mr. Schommer noted the Ordinance is the appropriations Ordinance for 2025. He noted the details will be added for the public hearing pending any additional discussion or additions by Council this evening.

Motion to introduce Ordinance 2024-O-14.

Motion made by Mrs. Cyphers, Seconded by Mr. Ashley.

Voting Yea: Mr. Ashley, Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens, Mr. Hoke, Mayor Schweller

10. ADOPTION OF RESOLUTIONS

- A. Resolution 2024-R-24 APPROVING INDIVIDUAL ASSESSMENT AMOUNTS AND DIRECTING THE CITY MANAGER TO CERTIFY THE AMOUNTS TO THE GREENE COUNTY AUDITOR TO ENTER THE DELINQUENT AMOUNTS ON THE TAX DUPLICATE FOR CERTAIN PROPERTIES (Havens)

Deputy Mayor Havens read the Resolution.

Mr. Schommer explained the Resolution provides for placement of abatement and delinquent service charges on the tax duplicate of the respective properties for collection of the costs and fees.

Motion to adopt Resolution 2024-R-24

Motion made by Mr. Havens, Seconded by Mr. Hoke.

Voting Yea: Mr. Ashley, Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens, Mr. Hoke, Mayor Schweller

- B. Resolution 2024-R-25 AUTHORIZING TRANSFERS WITHIN VARIOUS FUNDS OF THE CITY OF BELLBROOK (Greenwood)

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
November 12, 2024

Item A. Section 4, Item

Mr. Greenwood read the resolution.

Mr. Schommer explained the transfer is to cover year-end personnel and other expenses. He noted this is not an additional appropriation, but a transfer of already budgeted and appropriated funds to other funds to balance out closer actual expenses.

Motion to adopt Resolution 2024-R-25

Motion made by Mr. Greenwood, Seconded by Mr. Ashley.

Voting Yea: Mr. Ashley, Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens, Mr. Hoke, Mayor Schweller

11. OLD BUSINESS

A. Animal Ordinance Review

Miss Grant reviewed her staff report that compares several area animal ordinances providing details of common inclusions and pros/cons.

Council asked for additional information regarding complaints and statistics from neighboring communities.

B. Ordinance 2024-O-11 REPEALING IN ITS ENTIRETY AND ENACTING A NEW CHAPTER 440 "COMMERCIAL AND HEAVY VEHICLES" OF TITLE SIX "VEHICLES AND OPERATION" OF PART FOUR "TRAFFIC CODE" OF THE BELLBROOK MUNICIPAL CODE (Greenwood)

Mr. Greenwood read the title to the Ordinance.

Mr. Ashley made a motion to amend.

Deputy Havens asked for a point of order stating it cannot be amended without an amendment. Mr. Schommer clarified that a motion can be made to amend the Ordinance in the form of a motion.

Mr. Ashley continued the discussion explaining the basis of his proposed amendment. He noted it would include removing N. Main Street from the proposed Ordinance.

Mayor Schweller asked to clarify the motion will be to only prohibit south bound truck traffic. Mr. Ashley noted he wishes to have a phased in approach to better represent the Wilmington Pike residents and the rest of the community.

Motion to amend Mr. Ashley. No second
Motion did on the floor

Motion to adopt Ordinance 2024-O-11

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting

November 12, 2024

Item A. Section 4, Item

Motion made by Mr. Greenwood, Seconded by Mr. Havens.

Voting Yea: Mrs. Cyphers, Mr. Greenwood, Mr. Harding, Mr. Havens, Mr. Hoke, Mayor Schweller

Voting Nay: Mr. Ashley

12. NEW BUSINESS

- A. Resolution 2024-R-23 ADOPTING THE CITY OF BELLBROOK FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR 2025-2029

Mr. Schommer explained the Resolution will be introduced with a public hearing at next meeting and this introduction was for information only.

13. CITY MANAGER'S REPORT

Mr. Schommer spoke on finalizing our action plan for our age friendly community designation that the city received a grant in addition to our designation through AARP . He mentioned grants that were given for pedestrian improvements and making more walking ability downtown.

He also spoke of a Cannabis moratorium and the need to address it in upcoming meetings. Mr. Hoke mentioned how vague the wording was in the version of the law that passed and had there been any clarification of where tax money is going. Mr. Schommer said he would get more detail on it.

14. COMMITTEE REPORTS

- A. Safety Committee

Mr. Hoke mentioned this time of year where deer strikes are up and to take caution while driving.

- B. Service Committee

None

- C. Finance/Audit Committee

None

- D. Community Affairs Committee

Deputy Mayor Havens mentioned volunteers are needed for the Village Review Board, Board of Zoning Appeals, and Historic Society and urged residents to participate in their local government.

15. CITY OFFICIAL COMMENTS

Mr. Harding and thanked everyone that spoke and attended the meeting tonight.

RECORD OF PROCEEDINGS

Bellbrook City Council Meeting
November 12, 2024

Item A. Section 4, Item

Mr. Hoke also thanked everyone who attended and spoke.

Deputy Mayor Havens spoke to the residents on Wilmington Pk. that they are not being ignored and that they are high priority and Council is analyzing various ways to help the situation.

Mr. Schommer noted Wilmington Pk. and the concerns Council have talked about regarding traffic. He stated the City has reached out to the City's engineers about the City's portion onto Centerville Rd and is reviewing options to evaluate the traffic conditions.

Mayor Schweller thanked the audience and everyone that spoke. He also thanked our Veterans as Monday was Veterans Day. Also thanked Louie the camera man.

16. EXECUTIVE SESSION

17. ADJOURNMENT

Hearing no further business coming before the Council, Mayor Schweller declared the meeting adjourned at 8:18 pm

Michael Schweller, Mayor

Robert Schommer, Clerk of Council

File Attachments for Item:

A. Animal Ordinance Review

CHAPTER 618. ANIMALS¹

Secs. 618.01, 618.02. Reserved.

Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.01, 618.02 which pertained to: dogs and other animals running at large; nuisance, dangerous and vicious dogs; hearings; abandoning animals; respectively; and derived from the 1985 Codified Ordinances.

Sec. 618.03—618.06. Reserved.

Sec. 618.07. Barking or howling dogs.

- (a) No person shall keep or harbor any dog within the Municipality which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Municipality. Any person who allows any dog habitually to remain or be lodged or fed within any dwelling, building, yard or enclosure, which he or she occupies or owns, shall be considered to be harboring such dog.
- (b) No person shall be convicted under division (a) of this section unless the noises created by such dog are heard or detected by at least one or more residents in the vicinity or a City police officer.
- (c) Whoever violates this section is guilty of a minor misdemeanor.

Secs. 618.08—618.11. Reserved.

Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.08, 618.09, 618.095, 618.10, 618.11 which pertained to: registration of dogs required; hindering capture of unregistered dog; dogs required to wear tags; unlawful tags; rabies quarantine; respectively; and derived from the 1985 Codified Ordinances and Ord. Ord. 80-15, passed 10-13-80.

Sec. 618.12. Hunting prohibited.

- (a) The hunting of animals or fowl within the Municipality is prohibited. No person shall hunt, kill or attempt to kill any animal or fowl by the use of firearms or any other means. However, nothing in this section shall be deemed to prohibit the killing of rats and other undesirable rodents authorized to be killed by the Chief of Police using means for such killing which are also authorized by the Chief.
- (b) Whoever violates this section is guilty of a minor misdemeanor.

Sec. 618.13. Nuisance conditions prohibited.

- (a) No person shall harbor, keep or maintain an animal in such a manner as to be injurious to the health, comfort or property of individuals or the public.

¹Cross reference(s)—Driving animals upon roadway, see Secs. 404.05; Animals in parks, see Secs. 1062.08, 1062.09.

- (b) No owner, keeper or harbinger of any dog or animal approved and/or licensed by the Ohio Department of Natural Resources shall fail at any time to do either of the following:
- (1) Keep the animal physically confined or restrained upon the premises of the owner, keeper or harbinger by a leash, tether, adequate fence, supervision or secure enclosure to prevent escape.
 - (2) Keep the animal under the reasonable control of some person.
- (c) Subject to division (a) of this section, and without in any way limiting the applicability thereof, any of the following acts committed in connection with the harboring, keeping or maintaining of an animal shall constitute maintenance of a public nuisance and is hereby prohibited:
- (1) Permitting offensive or obnoxious odors to be released and carried to the property of another; or
 - (2) Permitting loud, offensive and regularly repeated barking or howling by a dog.
- (d) Any violation of ORC Chapter 955 within six months of a previous violation thereof shall be a prima-facie violation of this section.
- (e) The Municipal Attorney may proceed by civil action in any court of record to obtain an abatement order under this section.
- (f) Whoever violates any of the provisions of this section is guilty of maintaining a public nuisance, a misdemeanor of the fourth degree. The penalty shall be as provided in ORC Chapter 2929. In addition to imposing the appropriate punishment the court shall order such nuisance to be abated.

(Ord. 78-16, passed 4-24-78; Ord. 99-10, passed 8-9-99; Ord. No. 2014-6 , § 1, 9-8-2014; Ord. No. 2017-3 , § 1, 3-27-2017)

Sec. 618.14. Impounding and redemption.

A police officer or Animal Warden contracted with or hired by the Municipality, or any other person appointed by the Manager, may pick up and impound any dog, licensed or unlicensed, or any other animal found running at large on any street or on any public or private property within the Municipality. Such officer, Animal Warden or other person shall have the right to go onto private property to capture the dog or other animal. The dog or other animal shall be released to the owner or to the person entitled to the possession of the same upon payment by the owner or such other person to the Municipality of a pick-up fee of ten dollars (\$10.00) for the first offense and twenty-five dollars (\$25.00) for each offense thereafter. If the dog has been placed in the County Dog Pound, the owner shall also be required to pay charges assessed by the County.

(Ord. 78-17, passed 4-24-78)

Sec. 618.15. Certain animals prohibited.

- (a) No person shall keep within the Municipality any horse, cow, pig, goat, or chicken on any parcel of property, except in agricultural zoning districts on parcels of five acres.
- (b) Whoever violates this section is guilty of a minor misdemeanor.

(Ord. 2007-4, passed 8-27-07; Ord. 2010-7, passed 9-13-10)

Sec. 618.16. Dead animals.

- (a) When any animal dies in the possession of any person in the Municipality, no such person shall fail to remove such animal or cause the same to be removed outside the limits of the Municipality or to be buried, so that the same does not corrupt the air or cause any injury to the health of any other person in the Municipality.
- (b) Whoever violates this section is guilty of a minor misdemeanor.

(Ord. 118, passed 2-19-36; Ord. 74-38, passed 11-11-74)

Secs. 618.17, 618.18. Reserved.

Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.17, 618.18 which pertained to: dogs with blind, deaf or hearing impaired, or mobility impaired person, or trainer with assistance dog; animal fights; respectively; and derived from the 1985 Codified Ordinances.

Sec. 618.19. Dangerous, wild and undomesticated animals or pets prohibited.

- (a) For the purposes of this section, a household pet is a dog, cat or other species of animal, fish, fowl, amphibian or reptile which is normally deemed to be tame and domesticated or which is commonly kept as a pet inside a residence.
- (b) A wild, dangerous or undomesticated animal is an animal that is not defined as a household pet and that would be ordinarily confined to a zoo, farm or the wilderness, or that otherwise causes fear to the general public.
- (c) No person shall harbor, maintain or control a wild, dangerous or undomesticated animal within the City.
- (d) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

(Ord. 2007-4, passed 8-27-07)

Sec. 618.20. Reserved.

Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed § 618.20, which pertained to dangerous and vicious dogs, and derived from the 1985 Codified Ordinances.

Sec. 618.21. Beekeeping.

The keeping of bees in residential areas is permitted under the following conditions:

- (a) Definitions.
 - (1) *Bee* means any stage of any species of the genus *Apis*.
 - (2) *Hive* means any modern frame hive, box hive, box, barrel, log gum, skep or any other natural or artificial receptacle, or any part thereof, that may be used as a domicile for bees.
 - (3) *Colony* means any hive and its equipment, including bees, combs and brood.
 - (4) *Equipment* means any used hives or parts thereof, used frames, used honey houses, used tools, used machines, or used devices employed in the handling or manipulation of bees, honey, or beeswax, or any used container for honey or beeswax.
 - (5) *Swarm* means a population of bees that is not permanently established.

- (6) *Beekeeper* means the person who takes care of and/or registers the apiary where the honey bee colonies are kept.
- (b) In order to have beekeeping privileges within the City, all beekeepers are required to maintain and register their hives as set forth in ORC Chapter 909 Apiaries.
- (c) All beekeepers are required to register with the City, setting forth the location of their hives and number of colonies of bees.
- (d) Any lot used for beekeeping must have a minimum size of 14,000 square feet. There shall be no more than two hives established on any lot used for beekeeping, except two additional temporary hives are allowed for hive separation or new swarm establishment purposes. Such temporary hives shall be removed from the property within two weeks.
- (e) Hives shall be placed in the rear yard of the property and in no case shall the hives be closer than 30 feet from a public or private street, sidewalk or roadway. In no case shall the hives be closer than 25 feet to an abutting property line.
- (f) A fresh water source shall be maintained within 15 feet of the hives.
- (g) The owner of the hive(s) must be a resident in a dwelling located on the same lot on which the hive(s) are registered. Hives are only permitted on lots with single family residential units located on them.
- (h) The maintenance of each colony shall meet the following conditions:
- (1) Colonies shall be maintained in readily movable frame hives.
 - (2) Each hive must conspicuously display the Apiary Identification Number assigned pursuant to ORC Chapter 909 on no less than the base and the box. The identification number shall be on a side that is visible without moving or lifting of said hive.
 - (3) Adequate space shall be maintained in the hive to prevent overcrowding and swarming.
 - (4) Colonies shall be re-queened following any swarming or aggressive behavior or seized and destroyed without remuneration.
- (i) A certificate or permit providing the privilege to keep bees within the City may be provided by the City to a beekeeper once it is established that the necessary requirements outlined in this section are satisfied.
- (j) (1) Beekeeping privileges may be revoked from any property by written notification to the property owner by the City. Revocation must be done with cause, however, the cause needs not to be the fault of the beekeeper, nor be a factor that is under the control of the beekeeper. The City may revoke beekeeping privileges for any condition or combination of circumstances that jeopardizes, endangers or otherwise constitutes an actual, potential or perceived menace to public health or safety. Once beekeeping privileges have been revoked on a particular property, such privilege may be reestablished only upon written request. Additionally, a permit or certificate may be revoked by the City due to a failure to satisfy any of the requirements of this section.
- (2) A perceived menace to public health may also include, but is not limited to:
- A. Written documentation over a medical doctor's signature certifying that the medical condition caused by bee stings to a resident of an abutting property would constitute a higher than normal health hazard will constitute sufficient cause to withdraw beekeeping privileges from any specific property.
 - B. Abnormally aggressive behavior by bees defending their hive beyond the property lines may constitute sufficient cause to withdraw beekeeping privileges from any specific property.

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- (k) The City may revoke a beekeeper's privilege to maintain hives within the City by revoking the beekeeper's permit or certificate. If such revocation occurs, the permit holder will be given an opportunity for a hearing before the City Council to determine whether cause exists for revoking the beekeeping privileges.

(Ord. 2010-7, passed 9-13-10)

RECORD OF ORDINANCES

Item A, Section 12, Item

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2010-2

Passed April 26, 2010

CITY OF BELLBROOK, OHIO
ORDINANCE NO. 2010-2

AN ORDINANCE AMENDING ARTICLE #3, DEFINITIONS, SECTION 3.02(62), KENNEL, OF THE BELLBROOK MUNICIPAL CODE TO REVISE THE DEFINITION OF "KENNEL."

WHEREAS, the Bellbrook Planning Board conducted a public hearing on March 15, 2010 and has recommended that an amendment be made to Article 3 of the Bellbrook Zoning Code.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:

Section 1: That the following amendment to Article 3 of the Bellbrook Zoning Code be approved with deletions shown by brackets and strikethrough and additions shown by italics and underlined:

ARTICLE 3 CONSTRUCTION OF LANGUAGE AND DEFINITIONS

62. Kennel:

(a) Any lot or premises used for the sale, training, boarding or breeding of dogs, cats or other animals;

(b) or any lot or premises upon which are kept more than [two (2)] four (4) animals which are over the age of four (4) months and which are either dogs or cats. [In addition, a kennel shall be deemed to exist on any residentially-zoned lot upon which ten (10) or more animals have been raised or kept for sale during any calendar year, regardless of the age of those animals. (NOTE:] Kennels are not included as permitted principal or accessory uses in any Residential Zoning Districts and so are not allowed in those districts.)

(1) An excess number of dogs and/or cats on lots or premises that exist as of the effective date of this ordinance (May 26, 2010) may remain without penalty until the permitted number of dogs and/or cats is achieved on the premises. No additional dogs and/or cats may be added to any such lot or premises until the number of dogs and cats is reduced to three (3) or less.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period provided by law.

Passed this 26th of April, 2010.

Mary C. Graves
MARY C. GRAVES, MAYOR

ATTEST:
Jill D. Rosner
JILL D. ROSNER, Clerk of Council

APPROVED AS TO FORM:
Richard A. Freudenberger
Law Director



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PART SIX - GENERAL OFFENSES CODE CHAPTER 618. ANIMALS Bellbrook, Ohio, Code of Ordinances Created: 2021-07-26 19:25:41 [EST] (Supp. No. 5) Page 1 of 5 CHAPTER 618. ANIMALS1 Secs. 618.01, 618.02. Reserved. Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.01, 618.02 which pertained to: dogs and other animals running at large; nuisance, dangerous and vicious dogs; hearings; abandoning animals; respectively; and derived from the 1985 Codified Ordinances. Sec. 618.03—618.06. Reserved.

Sec. 618.07. ~~Barking or howling dogs~~ Nuisance Animal Noise.

(a) No person shall keep or harbor any ~~dog~~ animal within the Municipality which, by frequent and habitual barking, howling or yelping, creates unreasonably loud and disturbing noises of such a character, intensity and duration as to disturb the peace, quiet and good order of the Municipality. Any person who allows any ~~dog~~ animal habitually to remain or be lodged or fed within any dwelling, building, yard or enclosure, which he or she occupies or owns, shall be considered to be harboring such ~~dog~~ animal.

(b) No person shall be convicted under division (a) of this section unless the noises created by such ~~dog~~ animal are heard or detected by at least one or more residents in the vicinity or a City police officer.

(c) Whoever violates this section is guilty of a minor misdemeanor.

Secs. 618.08—618.11. Reserved. Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.08, 618.09, 618.095, 618.10, 618.11 which pertained to: registration of dogs required; hindering capture of unregistered dog; dogs required to wear tags; unlawful tags; rabies quarantine; respectively; and derived from the 1985 Codified Ordinances and Ord. Ord. 80-15, passed 10-13-80.

Sec. 618.12. Hunting and Slaughtering prohibited.

(a) The hunting of animals or fowl within the Municipality is prohibited. No person shall hunt, kill or attempt to kill any animal or fowl by the use of firearms or any other means.

(b) No person shall slaughter any animal, for any purpose whatsoever in a residential district, except for pet cemeteries and veterinarian purposes. Slaughter shall mean the killing of any animal, by any person, group, firm or corporation. However, nothing in this section shall be deemed to prohibit the killing of rats and other undesirable rodents

authorized to be killed by the Chief of Police using means for such killing which are also authorized by the Chief.

(c) Whoever violates this section is guilty of a minor misdemeanor.

Sec. 618.13. Nuisance conditions prohibited.

(a) No person shall harbor, keep or maintain an animal in such a manner as to be injurious to the health, comfort or property of individuals or the public. 1Cross reference(s)—Driving animals upon roadway, see Secs. 404.05; Animals in parks, see Secs. 1062.08, 1062.09. Created: 2021-07-26 19:25:41 [EST] (Supp. No. 5) Page 2 of 5

(b) No owner, keeper or harbinger of any **dog** **animal** or animal approved and/or licensed by the Ohio Department of Natural Resources shall fail at any time to do either of the following:

(1) Keep the animal physically confined or restrained upon the premises of the owner, keeper or harbinger by a leash, tether, adequate fence, supervision or secure enclosure to prevent escape.

(2) Keep the animal under the reasonable control of some person.

(c) Subject to division (a) of this section, and without in any way limiting the applicability thereof, any of the following acts committed in connection with the harboring, keeping or maintaining of an animal shall constitute maintenance of a public nuisance and is hereby prohibited:

(1) Permitting offensive or obnoxious odors to be released and carried to the property of another; or

(2) Permitting loud, offensive and regularly repeated barking or howling by an **animal** **dog**.

(d) Any violation of ORC Chapter 955 within six months of a previous violation thereof shall be a prima-facie violation of this section.

(e) The Municipal Attorney may proceed by civil action in any court of record to obtain an abatement order under this section.

(f) Whoever violates any of the provisions of this section is guilty of maintaining a public nuisance, a misdemeanor of the fourth degree. The penalty shall be as provided in ORC Chapter 2929. In addition to imposing the appropriate punishment the court shall order such nuisance to be abated. (Ord. 78-16, passed 4-24-78; Ord. 99-10, passed 8-9-99; Ord. No. 2014-6 , § 1, 9-8-2014; Ord. No. 2017-3 , § 1, 3- 27-2017)

Sec. 618.14. Impounding and redemption. A police officer or Animal Warden contracted with or hired by the Municipality, or any other person appointed by the Manager, may pick up and impound ~~any dog, licensed or unlicensed, or any other~~ animal found running at large on any street or on any public or private property within the Municipality. Such officer, Animal Warden or other person shall have the right to go onto private property to capture the dog or other animal. The ~~dog or other~~ animal shall be released to the owner or to the person entitled to the possession of the same upon payment by the owner or such other person to the Municipality of a pick-up fee of ten dollars (\$10.00) for the first offense and twenty-five dollars (\$25.00) for each offense thereafter. If the dog has been placed in the County Dog Pound, the owner shall also be required to pay charges assessed by the County. (Ord. 78-17, passed 4-24-78)

Sec. 618.15. Certain animals prohibited.

(a) No person shall keep within the Municipality any horse, cow, pig, goat, ~~or any other agricultural animal or livestock or chicken~~ on any parcel of property, except in agricultural zoning districts on parcels of five acres. **See Bedford vs Deal. No. 99071. Ohio State Court of Appeals and ORC 959.131(A)(1).**

(b) Whoever violates this section is guilty of a minor misdemeanor. (Ord. 2007-4, passed 8-27-07; Ord. 2010-7, passed 9-13-10) Created: 2021-07-26 19:25:41 [EST] (Supp. No. 5) Page 3 of 5

Sec. 618.16. Dead animals.

(a) When any animal dies in the possession of any person in the Municipality, no such person shall fail to remove such animal or cause the same to be removed outside the limits of the Municipality or to be buried, so that the same does not corrupt the air or cause any injury to the health of any other person in the Municipality.

(b) Whoever violates this section is guilty of a minor misdemeanor. (Ord. 118, passed 2-19-36; Ord. 74-38, passed 11-11-74)

Secs. 618.17, 618.18. Reserved. Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed §§ 618.17, 618.18 which pertained to: dogs with blind, deaf or hearing impaired, or mobility impaired person, or trainer with assistance dog; animal fights; respectively; and derived from the 1985 Codified Ordinances.

Sec. 618.19. Dangerous, wild and undomesticated animals or pets prohibited.

(a) For the purposes of this section, a household pet is a dog, cat or other species of animal, fish, fowl, amphibian or reptile which is normally deemed to be tame and domesticated or which is commonly kept as a pet inside a residence.

(b) A wild, dangerous or undomesticated animal is an animal that is not defined as a household pet and that would be ordinarily confined to a zoo, farm or the wilderness, or that otherwise causes fear to the general public.

(c) No person shall harbor, maintain or control a wild, dangerous or undomesticated animal within the City.

(d) Whoever violates this section is guilty of a misdemeanor of the fourth degree. (Ord. 2007-4, passed 8-27-07)

Sec. 618.20. Reserved. Editor's note(s)—Ord. No. 2016-6 , § 3, adopted July 11, 2016, repealed § 618.20, which pertained to dangerous and vicious dogs, and derived from the 1985 Codified Ordinances.

Sec. 618.21. Beekeeping. The keeping of bees in residential areas is permitted under the following conditions:

(a) Definitions.

(1) Bee means any stage of any species of the genus *Apis*.

(2) Hive means any modern frame hive, box hive, box, barrel, log gum, skep or any other natural or artificial receptacle, or any part thereof, that may be used as a domicile for bees.

(3) Colony means any hive and its equipment, including bees, combs and brood.

(4) Equipment means any used hives or parts thereof, used frames, used honey houses, used tools, used machines, or used devices employed in the handling or manipulation of bees, honey, or beeswax, or any used container for honey or beeswax.

(5) Swarm means a population of bees that is not permanently established.

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(6) Beekeeper means the person who takes care of and/or registers the apiary where the honey bee colonies are kept.

(b) In order to have beekeeping privileges within the City, all beekeepers are required to maintain and register their hives as set forth in ORC Chapter 909 Apiaries.

(c) All beekeepers are required to register with the City, setting forth the location of their hives and number of colonies of bees.

(d) Any lot used for beekeeping must have a minimum size of 14,000 square feet. There shall be no more than two hives established on any lot used for beekeeping, except two additional temporary hives are allowed for hive separation or new swarm establishment purposes. Such temporary hives shall be removed from the property within two weeks.

(e) Hives shall be placed in the rear yard of the property and in no case shall the hives be closer than 30 feet from a public or private street, sidewalk or roadway. In no case shall the hives be closer than 25 feet to an abutting property line.

(f) A fresh water source shall be maintained within 15 feet of the hives.

(g) The owner of the hive(s) must be a resident in a dwelling located on the same lot on which the hive(s) are registered. Hives are only permitted on lots with single family residential units located on them.

(h) The maintenance of each colony shall meet the following conditions:

(1) Colonies shall be maintained in readily movable frame hives.

(2) Each hive must conspicuously display the Apiary Identification Number assigned pursuant to ORC Chapter 909 on no less than the base and the box. The identification number shall be on a side that is visible without moving or lifting of said hive.

(3) Adequate space shall be maintained in the hive to prevent overcrowding and swarming.

(4) Colonies shall be re-queened following any swarming or aggressive behavior or seized and destroyed without remuneration. (i) A certificate or permit providing the privilege to keep bees within the City may be provided by the City to a beekeeper once it is established that the necessary requirements outlined in this section are satisfied.

(j)

(1) Beekeeping privileges may be revoked from any property by written notification to the property owner by the City. Revocation must be done with cause, however, the cause needs not to be the fault of the beekeeper, nor be a

factor that is under the control of the beekeeper. The City may revoke beekeeping privileges for any condition or combination of circumstances that jeopardizes, endangers or otherwise constitutes an actual, potential or perceived menace to public health or safety. Once beekeeping privileges have been revoked on a particular property, such privilege may be reestablished only upon written request. Additionally, a permit or certificate may be revoked by the City due to a failure to satisfy any of the requirements of this section.

(2) A perceived menace to public health may also include, but is not limited to: A. Written documentation over a medical doctor's signature certifying that the medical condition caused by bee stings to a resident of an abutting property would constitute a higher than normal health hazard will constitute sufficient cause to withdraw beekeeping privileges from any specific property. B. Abnormally aggressive behavior by bees defending their hive beyond the property lines may constitute sufficient cause to withdraw beekeeping privileges from any specific property. Created: 2021-07-26 19:25:41 [EST] (Supp. No. 5) Page 5 of 5 (k) The City may revoke a beekeeper's privilege to maintain hives within the City by revoking the beekeeper's permit or certificate. If such revocation occurs, the permit holder will be given an opportunity for a hearing before the City Council to determine whether cause exists for revoking the beekeeping privileges. (Ord. 2010-7, passed 9-13-10)

Sec. 618.22. – Backyard Chickens and Rabbits

The keeping of chickens and rabbits in a residential area is permitted under the following conditions:

TYPE AND NUMBER OF ANIMALS

(a) Limitations

- (1) No person shall own, keep, harbor, or permit more than six (6) live chickens, rabbits, or combination of the two on each parcel of land under five (5) acres with a single-family dwelling.
- (2) Roosters are prohibited.
- (3) These restrictions do not apply to parcels of land of 5 acres or greater.

SHELTER

(a) Structure

- (1) All chickens and rabbits shall be kept in a sheltering structure or fenced outdoor area at all times. They shall not be allowed to roam "at large" in the city.
- (2) Chickens and rabbits shall be provided with a covered, predator-proof sheltering structure, which shall be kept in sound and usable conditions. Sheltering structures shall be thoroughly ventilated, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the animals.
- (3) Chicken coops, runs, and rabbit hutches shall be regularly cleaned to control dust, odor, and waste. See **Sec. 618.13**.
- (4) If the total area of sheltering structure does not exceed 65 square feet or if the sheltering structure does not otherwise meet the definition of a building, the structure shall not be considered an accessory building.
- (5) There shall be no more than one (1) sheltering structure 65 square feet or smaller in size.

(b) Yards and Location on Lot

- (1) Any sheltering structure and outdoor areas used for keeping chickens or rabbits shall comply with the following yard and setback requirements:
- (2) Be located on a property containing a single-family dwelling structure.
- (3) Be in the rear yard.
- (4) Be located at least 25 feet from any residential structure on an adjacent property.
- (5) Control of chickens and rabbits will comply with **Sec. 618.13**.

MANURE

(a) Manure from chickens and rabbits must be disposed of in one of the following manners:

- (1) Manure may be bagged, placed in a waterproof container, and disposed of with household trash.
- (2) Composted and applied onsite. Manure applied directly onsite must be done in such a way as to prevent nuisance and polluted stormwater runoff.

(3) Must comply with Sec. 618.13.

ANIMAL PRODUCTS AND PROCESSING

(a) The sale of animal products including but not limited to meat, eggs, and fur shall be prohibited unless in conformance with all local and state law.

ZONING PERMIT

(a) Certificate of Zoning Compliance Required

(1) Information required

(a) Applicants seeking to engage in keeping chickens or rabbits must apply for and receive a certificate of zoning compliance. If the applicant is someone other than the property owner, the application must include a notarized statement of support, signed by the property owner.

(b) Application for Certificates,

(1) The following information must be included on the site plan or in accompanying documentation:

(a) A description of the type and number of animals to be kept

(b) Coop or shelter type

(c) Location of coop or shelter with all setbacks from property lines

Indicated. If using a portable coop or shelter, indicate the yard area in which the coop or shelter will be kept.

(d) Location and manner of containment of outdoor areas with all setbacks from property lines indicated. If using a portable containment system, indicate the yard area in which the system will be kept.

(e) Any other relevant information related to keeping the animals, if requested.

(c) Rights and responsibilities

(1) The person or persons that keep the chickens or rabbits shall be the person or persons who own or otherwise have the present right of possession of the parcel upon which coops or shelters are situated.

(2) Notwithstanding compliance with the various requirements of this ordinance, chickens and rabbits shall not be kept in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others.

(3) It is the responsibility of the person keeping chickens and/or rabbits to be aware of and abide by all applicable local, state, or federal requirements including but not limited to the Ohio Department of Agriculture's Ohio Livestock Care Standards and private deed or covenant restrictions.

DRAFT

Bellbrook

Section of 618	Description
.01 & .02	Reserved
.03 - .06	Reserved
0.07	Barking or howling dogs
.08 - .11	Reserved
0.12	Hunting prohibited
0.13	Nuisance conditions prohibited
0.14	Impounding and redemption
0.15	Certain animals prohibited
0.16	Dead animals
.17 & .18	Reserved
0.19	Dangerous, wild and undomesticated animals or pets prohibited
0.20	Reserved
0.21	Beekeeping

Section	Description (Reserved removed)
0.07	Barking or howling dogs
0.12	Hunting prohibited
0.13	Nuisance conditions prohibited
0.14	Impounding and redemption
0.15	Certain animals prohibited
0.16	Dead animals
0.19	Dangerous, wild and undomesticated animals or pets prohibited
0.21	Beekeeping

Neighboring Jurisdictions Code Reference	
Centerville	Beavercreek
Oakwood	Xenia
Springboro	Kettering
Fairborn	

Centerville

Section of 618	Description
0.01	Dogs and other animals running at large
0.02	Abandoning animals
0.03	Killing or injuring animals
0.04	Poisoning animals
0.05	Cruelty to animals; cruelty to companion animals
0.06	Coloring rabbits and baby poultry; sale or display of poultry
0.07	Barking or howling dogs
0.08	Registration of dogs required
0.09	Hindering capture of unregistered dogs
0.095	Dogs required to wear tags
0.10	Unlawful tags
0.11	Rabies; restrictions; vaccination
0.12	Hunting (repealed)
0.13	Nuisance conditions prohibited
0.14	Reporting escapes (repealed)
0.15	Keeping or maintaining wild animals
0.16	Restrictions on dog ownership for certain convicted felons
0.17	Outdoor feeding prohibited
0.18	Sexual conduct with an animal

Bellbrook

Description (Reserved removed)
Barking or howling dogs
Hunting prohibited
Nuisance conditions prohibited
Impounding and redemption
Certain animals prohibited
Dead animals
Dangerous, wild and undomesticated animals or pets prohibited
Beekeeping

Code Differences
Abandoning animals
Killing or injuring animals
Poisoning animals
Cruelty to animals; cruelty to companion animals
Coloring rabbits and baby poultry; sale or display of poultry
Registration of dogs required
Hindering capture of unregistered dogs
Dogs required to wear tags
Unlawful tags
Rabies; restrictions; vaccination
Hunting (repealed)
Reporting escapes (repealed)
Restrictions on dog ownership for certain convicted felons
Outdoor feeding prohibited
Sexual conduct with an animal

Oakwood

Section of 505	Description
0.01	Dogs at large
0.02	Keeping of poultry and fowl
0.03	Poultry and fowl at large
0.04	Abandoning animals
0.05	Killing or injuring animals
0.06	Poisoning animals, endanger children by poison
0.07	Cruelty to animals generally
0.071	Cruelty to companion animals
0.08	Nuisance conditions prohibited
0.09	Barking or howling dogs
0.10	Hunting prohibited
0.11	Animal bites; quarantine and reporting
0.12	Dog owner, keeper liable for damage to public property
0.121	Nuisance, dangerous and vicious dogs
0.13	Bird sanctuary created
0.14	Coloring rabbits or baby poultry
0.15	Trapping of fur-bearing animals

Bellbrook

Description (Reserved removed)
Barking or howling dogs
Hunting prohibited
Nuisance conditions prohibited
Impounding and redemption
Certain animals prohibited
Dead animals
Dangerous, wild and undomesticated animals or pets prohibited
Beekeeping

Code Differences
Poultry and fowl at large
Abandoning animals
Killing or injuring animals
Poisoning animals, endanger children by poison
Cruelty to animals generally
Cruelty to companion animals
Animal bites; quarantine and reporting
Dog owner, keeper liable for damage to public property
Nuisance, dangerous and vicious dogs
Bird sanctuary created
Coloring rabbits or baby poultry
Trapping of fur-bearing animals

Springboro

Section of 618	Description
0.01	Dogs and other animals running at large
0.02	Abandoning animals
0.03	Killing or injuring animals
0.04	Poisoning animals
0.05	Cruelty to animals generally
0.051	Cruelty to companion animals
0.06	Coloring rabbits and baby poultry; sale or display of poultry
0.07	Barking or howling dogs
0.08	Registration of dogs required
0.09	Hindering capture of unlicensed dogs
0.10	Unlawful tags
0.11	Rabies quarantine
0.12	Hunting prohibited
0.13	Nuisance conditions prohibited
0.14	Impounding and disposition; records
0.15	Proximity of animals to human habitations
0.16	Wild birds
0.17	Report of escape of exotic or dangerous animal
0.18	Assaulting police dog or horse or an assistance dog

DANGEROUS ANIMALS (part of Section 618)

Section of 618	Description
0.51	Definitions
0.52	Prohibition
0.53	Exceptions; permit and registration requirements
0.54	Exemptions
0.55	Notice of keeping dangerous animals
0.56	Seizure and impounding of dangerous animals
0.57	Permit required
0.58	Issuance of permit
0.59	Application for permit
0.60	Permit fee
0.61	Temporary permit; powers of Animal Control Officer
0.62	Term and renewal of permits
0.63	Inspection for renewal
0.64	Revocation of permits
0.65	Commercial establishments
0.66	Appeals; fees
0.67	Appeals; administrative hearing
0.68	Subpoena power
0.69	Appeal to Common Pleas Court

Bellbrook

Description (Reserved removed)
Barking or howling dogs
Hunting prohibited
Nuisance conditions prohibited
Impounding and redemption
Certain animals prohibited
Dead animals
Dangerous, wild and undomesticated animals or pets prohibited
Beekeeping

Code Differences

Abandoning animals
Killing or injuring animals
Poisoning animals
Cruelty to animals generally
Cruelty to companion animals
Coloring rabbits and baby poultry; sale or display of poultry
Registration of dogs required
Hindering capture of unlicensed dogs
Unlawful tags
Rabies quarantine
Proximity of animals to human habitations
Wild birds
Report of escape of exotic or dangerous animal
Assaulting police dog or horse or an assistance dog
Definitions
Exceptions; permit and registration requirements
Exemptions
Notice of keeping dangerous animals
Seizure and impounding of dangerous animals
Permit required
Issuance of permit
Application for permit
Permit fee
Temporary permit; powers of Animal Control Officer
Term and renewal of permits
Inspection for renewal
Revocation of permits
Commercial establishments
Appeals; fees
Appeals; administrative hearing
Subpoena power

0.70	Severability
0.71	Violations and penalties
0.72	Costs to be paid by responsible persons

Appeal to Common Pleas Court
Severability
Violations and penalties
Costs to be paid by responsible persons

Fairborn

Section of 505	Description
0.01	Dogs and other animals running at large
0.02	Impounding and disposition; records
0.03	Annual registration of dogs; tags required
0.04	Abandoning animals
0.05	Killing or injuring animals
0.06	Poisoning animals
0.07	Cruelty to animals generally
0.071	Cruelty to companion animals
0.08	Nuisance conditions prohibited
0.09	Barking or howling dogs
0.11	Hunting prohibited
0.12	Coloring rabbits or baby poultry; sale or display of poultry
0.13	Report of escape of exotic or dangerous animal
0.14	Dangerous and vicious dogs
0.15	Animal defecation
0.16	Kennel location
0.17	Keeping wild or exotic animals
0.99	Penalty
1128.06	Keeping of animals

Bellbrook

Description (Reserved removed)
Barking or howling dogs
Hunting prohibited
Nuisance conditions prohibited
Impounding and redemption
Certain animals prohibited
Dead animals
Dangerous, wild and undomesticated animals or pets prohibited
Beekeeping

Code Differences
Annual registration of dogs; tags required
Abandoning animals
Killing or injuring animals
Poisoning animals
Cruelty to animals generally
Cruelty to companion animals
Coloring rabbits or baby poultry; sale or display of poultry
Report of escape of exotic or dangerous animal
Dangerous and vicious dogs
Animal defecation
Kennel location
Penalty

Beavercreek

Section of 91	Description
0.01	Cruelty to animals; cruelty to companion animals
0.02	Animals at large
0.03	Offensive odors and substances
0.04	Poisonous substances
0.05	Harboring of bees; bee removal
0.06	Birds
0.07	Hunting and trapping prohibited
0.08	Prohibiting animal nuisances

DOG CONTROL (part of Section 91)

Section of 91	Description
0.20	Dogs running at large
0.21	Barking or howling dogs
0.22	Vicious dogs
0.23	Unsanitary conditions, odors and nuisance prohibited
0.24	Dog kennel requirements and restrictions
0.25	Rabies control

Bellbrook

Description (Reserved removed)
Barking or howling dogs
Hunting prohibited
Nuisance conditions prohibited
Impounding and redemption
Certain animals prohibited
Dead animals
Dangerous, wild and undomesticated animals or pets prohibited
Beekeeping

Code Differences

Cruelty to animals; cruelty to companion animals
Animals at large
Offensive odors and substances
Poisonous substances
Birds
Vicious dogs
Unsanitary conditions, odors and nuisance prohibited
Dog kennel requirements and restrictions
Rabies control

Xenia

Section of 618	Description
0.01	Reserved
0.02	Running at Large; Dangerous and Vicious Dogs
0.10	Animal Bites; Reports and Quarantine
0.11	Hunting Prohibited
0.12	Nuisance Conditions Prohibited
0.15	Wild, Untamed, Dangerous or Vicious Animals
0.16	Health Risk Animals
0.17	Marketing Wild or Exotic Animals
0.18	Livestock Prohibited
0.19	Owner Liable for Damages to Public Property

Bellbrook

Description (Reserved removed)
Barking or howling dogs
Hunting prohibited
Nuisance conditions prohibited
Impounding and redemption
Certain animals prohibited
Dead animals
Dangerous, wild and undomesticated animals or pets prohibited
Beekeeping

Code Differences
Animal Bites; Reports and Quarantine
Health Risk Animals
Marketing Wild or Exotic Animals
Owner Liable for Damages to Public Property

Kettering

Section of 618	Description
0.01	Definitions
0.02	Control of Dogs
0.03	Animals Running at Large
0.04	Abandoning Animals
0.05	Killing or Injuring Animals
0.06	Poisoning Animals
0.07	Cruelty to Animals
0.08	Coloring Rabbits and Baby Poultry; Sale or Display of Poultry
0.09	Nuisance Conditions Prohibited
0.10	Registration of Dogs; Tags to be Worn
0.11	Hindering Capture of Unlicensed Dogs
0.12	Rabies Immunization and Quarantine
0.13	Hunting and Trapping
0.14	Wild or Exotic Animals
0.15	Disposition of Animals; Animal Control Officer
0.16	Management of Cat Population

Bellbrook

Description (Reserved removed)
Barking or howling dogs
Hunting prohibited
Nuisance conditions prohibited
Impounding and redemption
Certain animals prohibited
Dead animals
Dangerous, wild and undomesticated animals or pets prohibited
Beekeeping

Code Differences

Definitions
Control of Dogs
Abandoning Animals
Killing or Injuring Animals
Poisoning Animals
Cruelty to Animals
Coloring Rabbits and Baby Poultry; Sale or Display of Poultry
Registration of Dogs; Tags to be Worn
Hindering Capture of Unlicensed Dogs
Rabies Immunization and Quarantine
Disposition of Animals; Animal Control Officer
Management of Cat Population

Code Section Type (based on Bellbrook's sections)	Municipalities that address the section	Municipalities that do not address/partially address the section	Comparison
Barking or howling dogs	Centerville, Oakwood, Springboro, Fairborn, Beaver creek, Xenia and Kettering via Nuisance Conditions section		Appears in line with the comparison municipalities
Hunting prohibited	Oakwood, Springboro, Fairborn, Beaver creek (and trapping), Xenia, Kettering	Centerville repealed	Appears in line with the comparison municipalities
Nuisance conditions prohibited	Centerville, Oakwood, Springboro, Fairborn, Beaver creek (Prohibiting animal nuisances), Xenia, Kettering		Appears in line with the comparison municipalities
Impounding and redemption	Springboro, Fairborn	Beaver creek and Centerville partially address elsewhere Oakwood addresses elsewhere Kettering addresses elsewhere Xenia does not address	Appears in line with the comparison municipalities
Certain animals prohibited	All address in some form throughout their codified ordinances		Appears limited based on how the comparison municipalities address this section type
Dead animals		Centerville, Oakwood, Springboro, Fairborn, Beaver creek, Xenia, Kettering do not address	Appears comprehensive based on how the comparison municipalities address this section type
Dangerous, wild and undomesticated animals or pets prohibited	Xenia, Fairborn, Kettering, Springboro, Centerville	Beaver creek and Oakwood partially address	Appears in line with the comparison municipalities
Beekeeping		Beaver creek partially addresses Centerville, Oakwood, Springboro, Fairborn, Xenia, Kettering do not address	Appears comprehensive based on how the comparison municipalities address this section type

Notes

Other municipalities appear to have more expansive dog regulations, especially relating to dog bites, dangerous dogs, and tags/registration. They also have sections that address animal cruelty and treatment (e.g., abandoning or poisoning animals). Some also have more expansive definitions contained within their animal code.

Backyard Poultry

Municipality	Allowed? Yes/No
Bellbrook	No
Centerville	Yes, with restrictions
Oakwood	No
Springboro	Yes, with restrictions
Fairborn	No
Beavercreek	No
Xenia	Yes, with restrictions
Kettering	No

Common restrictions

- No roosters
- All animals and appurtenances therein kept in the backyard of the property
- No free-range/at-large animals (must have a fence or other enclosure)
- Accessory structures pertaining to the animals' enclosure/habitat are a certain distance from adjacent properties

Centerville

- Allows a combined total of six chickens or rabbits kept for residents living in agricultural zones or low-density residential zones
- Permits chickens and rabbits to be kept for food production
- Permit \$10
- Must have fence or contain chickens in a run
- No roosters; must be removed within five months of hatching
- Direction for size of coop construction and kept clean
- Permits slaughtering of animals for food; remains must be discarded properly

Springboro

No person shall keep a pig, horse, cow, goat, three or more dogs at least three months of age or any other animal, fowl or poultry in pen, yard, lot or other enclosure situated within 100 feet of an inhabited dwelling house, other than the house of the owner of such animal, fowl or poultry.

Xenia

Property owners are permitted to raise and keep livestock on all properties of five acres or more. For properties that are less than five acres, the keeping of six chickens, rabbits, or other small livestock as approved by the City Planner, is permitted provided that:

- The principal use of the lot is a single-family dwelling
- No person shall keep any rooster
- The livestock shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times
- No enclosure shall be located closer than 25 feet to any residential structure on an adjacent lot

Definition Updates

- Livestock under ORC Section 5739.01 (MM) Sales tax definitions.
 - "Livestock" means farm animals commonly raised for food, food production, or other agricultural purposes, including, but not limited to, cattle, sheep, goats, swine, poultry, and captive deer. "Livestock" does not include invertebrates, amphibians, reptiles, domestic pets, animals for use in laboratories or for exhibition, or other animals not commonly raised for food or food production.
- Livestock Structure under ORC ORC Section 5739.01 (NN) Sales tax definitions.
 - "Livestock structure" means a building or structure used exclusively for the housing, raising, feeding, or sheltering of livestock, and includes feed storage or handling structures and structures for livestock waste handling.

Source(s): <https://codes.ohio.gov/ohio-revised-code/section-5739.01>

Franklin County Ohio – 115 – Regulation of Agriculture

SECTION 115 – REGULATION OF AGRICULTURE

115.08 - REGULATION OF CHICKENS, DUCKS AND RABBITS

115.082– Purpose and Intent

- a) Pursuant to Ohio Revised Code Section 303.21, SECTION 115.08 – REGULATION OF CHICKENS, DUCKS AND RABBITS applies to lots that meet all of the following:
 - 1) Lot meets the criteria outlined in SECTION 110.011(b).
 - 2) Lot is located in a residential zoning district as identified in SECTION 2.00 –THE RESIDENTIAL DISTRICTS and SECTION 3.00 – THE PLANNED RESIDENTIAL DISTRICTS.
 - 3) Lot is used primarily for one- or two-family dwelling purposes.

- b) The purpose of this section is to establish certain requirements for the keeping of chickens, ducks and rabbits on lots smaller than 5 acres, which are intended to prevent nuisances to occupants of nearby properties and prevent unsanitary or unsafe conditions.

- c) The following findings are hereby made in relation to chickens, ducks and rabbits:
 - 1) Keeping chickens, ducks and rabbits provides access to fresh, healthful food products.
 - 2) Keeping chickens, ducks and rabbits is a productive and sustainable use of land.
 - 3) Chickens, ducks and rabbits can be kept on lots smaller than 5 acres without causing a nuisance if appropriate practices and limits are observed.

115.084 - Establishment and Applicability – No person shall engage in the keeping of chickens, ducks or rabbits without a certificate of zoning compliance that specifically identifies such use in compliance with the requirements of SECTION 115.08 – REGULATION OF CHICKENS, DUCKS AND RABBITS.

115.086- Types and Number of Animals

- a) **Prohibited poultry** – No person shall keep any roosters, geese, peafowl, or turkeys on lots smaller than 5 acres.

- b) **Allowed densities for keeping any combination of chickens, ducks, and rabbits** – When both poultry and rabbits are kept on a parcel smaller than 5 acres, the method for determining the allowed numbers of animals shall be as follows: each one (1) chicken, duck or rabbit shall count as one (1) point. It shall be unlawful to keep more animals than the point system below allows:
 - 1) Smaller than 0.5 acres – 4 points maximum
 - 2) 0.5 acres to less than 1.0 acres – 8 points maximum
 - 3) 1.0 acres to less than 2.5 acres – 16 points maximum
 - 4) 2.5 acres to 5.0 acres – 24 points maximum

115.088 - Development Standards

- a) **Yards and Location on Lot** – Any sheltering structure and outdoor areas used for keeping chickens, ducks or rabbits shall comply with the following yard and setback requirements:
 - 1) Be located on a property containing a principal structure.
 - 2) Be located in a side or rear yard.

- 3) Be located at least 10 feet from any property line.
- b) **Sheltering Structures and Outdoor Areas** – All chickens, ducks and rabbits shall be kept in a sheltering structure or fenced outdoor area at all times.
- 1) All chickens, ducks and rabbits shall be provided with a covered, predator-proof sheltering structure, which shall be kept in sound and usable conditions. Sheltering structures shall be thoroughly ventilated, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the animals.
 - 2) If the total area of sheltering structure does not exceed 65 square feet or if the sheltering structure does not otherwise meet the definition of a building, the structure shall not be considered an accessory building.
 - 3) There shall be no more than one (1) sheltering structure 65 square feet or smaller in size.
 - 4) If the sheltering structure exceeds 65 square feet and meets the definition of a building such structure shall be considered an accessory building and must comply with the requirements of SECTION 512 – ACCESSORY BUILDINGS and the setback requirements of Section 115.088(a).
 - 5) Any outdoor areas accessible to chickens, ducks, or rabbits shall be adequately fenced or otherwise bounded to contain the animals on the property.
- c) **Screening** – Properties smaller than 1 acre must screen sheltering structures and outdoor areas used by chickens, ducks, or rabbits, from adjacent properties and from the public right-of-way. Fences used for screening shall be 6 feet in height, 100% opaque, and made of wood or other similar opaque fencing material that complies with SECTION 501.024 – Fence Materials.
- d) **Feed Storage** – All feed shall be stored in rodent-proof containers.
- e) **Manure** – Manure from chickens, ducks and rabbits must be disposed of in one of the following manners:
- 1) Household trash collection
 - a. Manure must be bagged, placed in a waterproof container and disposed of with household trash.
 - 2) Composted and applied onsite
 - a. Manure must be kept in a rodent-proof container designed to limit odors.
 - b. Containers must be located in a side or rear yard a minimum of 10 feet from property lines.
 - c. Finished compost may be applied onsite.
 - 3) Directly applied onsite
 - a. Manure applied directly onsite must be done in such a way as to prevent nuisance and polluted stormwater runoff.

115.0810 – Animal Products and Processing

- a) **Sale of Animal Products** – The sale of animal products including but not limited to meat, eggs, and fur shall be prohibited unless in conformance with Section 110.011(b).
- b) **Slaughtering and Butchering** - Chickens, ducks and rabbits may be slaughtered and butchered onsite only inside an accessory structure or otherwise out of public view. All waste must be bagged and disposed of with household trash to prevent nuisance and health hazards.

115.0812 – Certificate of Zoning Compliance Required

- a) **Information required** –Applicants seeking to engage in keeping chickens, ducks or rabbits must apply for and receive a certificate of zoning compliance. If the applicant is someone other than the property owner, the application must include a notarized statement of support, signed by the property owner. In addition to the requirements of SECTION 705.022 – Application for Certificates, the following information must be included on the site plan or in accompanying documentation:
- 1) A description of the type and number of animals to be kept
 - 2) Coop or shelter type
 - 3) Location of coop or shelter with all setbacks from property lines indicated. If using a portable coop or shelter, indicate the yard area in which the coop or shelter will be kept.
 - 4) Location and manner of containment of outdoor areas with all setbacks from property lines indicated. If using a portable containment system, indicate the yard area in which the system will be kept.
 - 5) Feed storage container location and type
 - 6) Location, method, and schedule of manure storage and disposal
 - 7) Any other relevant information related to keeping the animals, if requested by the Administrative Officer
- b) **Operation** – The person or persons that keep the chickens, ducks or rabbits shall be the person or persons who own or otherwise have the present right of possession of the parcel upon which coops or shelters are situated.
- c) **Conditions** - Notwithstanding compliance with the various requirements of this section, chickens, ducks and rabbits shall not be kept in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public property or property of others. Chickens, ducks and rabbits shall be kept only in conditions that limit odors and noise and the attraction of insects and rodents so as not to cause a nuisance to occupants of nearby buildings or properties and not to cause health hazards. It is the responsibility of the person keeping chickens, ducks or rabbits to be aware of and abide by all applicable local, state or federal requirements including but not limited to the Ohio Department of Agriculture's Ohio Livestock Care Standards and private deed or covenant restrictions.

SECTION 720 – DEFINITIONS

Sheltering Structure - a structure, not necessarily attached to the ground, with a top and sides that provides shelter and protection for small animals or birds.

Adult Rabbit – any of several soft-furred, long-eared, mammals of the family Leporidae having a divided upper lip and long hind legs. “Adult” refers to the capability to produce offspring.

Rodent-proof container – a container which, by design, will prevent rodents or other animals from accessing its contents.

Predator-proof sheltering structure – a structure, not necessarily attached to the ground, with a top and sides that provides shelter and protection for small animals or birds and which, by design, will prevent predator or other animals from gaining access.

Brewster Ohio - 90.141 - Chickens and Rabbits

§ 90.141 CHICKENS AND RABBITS.

Item A. Section 12, Item

(A) The owning, keeping, harboring, or permitting of certain farm animals and an excess chickens and rabbits within the village shall be prohibited.

(B) Definitions:

OWN, KEEP, HARBOR OR PERMIT. Includes having legal title, custody or control over a prohibited farm animal.

PERSON. Includes a natural person, association, partnership, organization or corporation or other similar legal entity.

(C) In addition to other animals prohibited by other sections of this chapter the following farm animals shall be prohibited: cows, sheep, ducks, geese, llamas, goats, donkeys, horses, hogs, swine, and buffaloes. Also prohibited are an excessive number of chickens and rabbits as limited by the following section.

(D) No person shall own, keep, harbor, or permit more than six live chickens and live rabbits within the village and no roosters shall be allowed.

(1) A person is allowed to keep, harbor or permit six or less live chickens or rabbits if the animals are:

(a) At all times when outdoors kept securely enclosed in a yard or pen that is cleaned to prevent the accumulation of animal waste;

(b) At all times when outdoors kept at least 50 feet away from any neighboring residence;

(c) At all times when outdoors kept at least 20 feet away from any property line; and

(d) Strictly for personal or household use, rather than for any commercial use.

(e) Any structures or fencing associated with the keeping of the above animals may not be situated in a front or side yard in a residential area.

(2) All feed must be stored in a rodent proof container and animals must not be fed in a manner likely to attract rodents, such as dispersing the feed on the ground.

(3) No person shall slaughter any animals within the village.

(E) No person shall keep any chicken or rabbit without first having obtained a permit from the Village Administrator. This permit may be revoked at any time by the Village Administrator.

(1) The permitting process will be as follows:

(a) Any person desiring to have chickens or rabbits shall contact the Village Administrator prior to obtaining any chicken or rabbit. Persons that currently have chickens or rabbits shall contact the Village Administrator and will be given six months to abide by the restrictions placed on the ownership of six chickens or rabbits.

(b) Regulations shall be developed by the Village Administrator to administer this section. The regulations and amendments thereto established under this section shall be reduced to writing, filed with the Clerk of Council and maintained in the office of the Village Administrator. The Village Administrator may grant an exemption pursuant to the exemption provisions contained in § 90.14(E) of the codified ordinances of the village.

(c) No permit shall be granted unless all the regulations established by Village Administrator and the conditions of this section are complied with by the applicant.

(2) The permit application shall be accompanied by the payment of a fee of \$25 to cover the processing of the application.

(F) *Penalty.*

(1) Whoever violates this section is guilty of a minor misdemeanor. Every day a violation occurs shall be a separate offense. In the event a person is convicted more than one time in a two-year period the degree of offense for the second conviction shall be a misdemeanor of the fourth degree.

(2) A violation of this section is deemed to constitute a nuisance and shall be subject to abatement procedures under the Ohio Revised Code and/or pursuant to the ordinances of the village.

(Ord. 65-2017, passed 10-16-2017)

Item A. Section 12, Item

Backyard Poultry Health Concerns

- The Centers for Disease Control and Prevention acknowledges that raising poultry (birds like chickens, ducks, geese, guinea fowl, and turkeys) has become more popular in urban and suburban areas
- Owners should keep in mind that, like all animals, backyard poultry bird species can carry germs that can cause diseases harmful to humans, especially young children, older adults, and individuals with weakened immune systems
 - Diseases that backyard poultry can spread include avian influenza (Bird flu), Campylobacter infection, E. coli infection, Histoplasmosis, and Salmonella infection
 - Diseases can spread to people through contact with the birds, their droppings, or their environment
- While people interested in keeping backyard poultry should research best practices to keep their animals and themselves healthy, some tips include:
 - Wash hands after interaction with poultry, including handling eggs, food/water containers, and other equipment used for poultry
 - Provide routine veterinary care for poultry
 - Monitor the health of the animals for any sign of distress or illness
 - Avoid close contact (such as hugging or kissing)
 - Keep poultry and equipment outside
 - Implement proper biosecurity measures
 - Always properly prepare and cook poultry products
 - Keep coops, shelters, and habitats clean
 - Prevent poultry bites and scratches
 - While they do not have teeth, bills and beaks can cause injury
 - Consult professionals and industry experts for further information and advice

Source: <https://www.cdc.gov/healthy-pets/about/backyard-poultry.html>

Links

- <https://www.daytondailynews.com/news/beavercreek-residents-want-city-to-allow-backyard-chickens/5SUUD6VPPFCRRPESV7DCHXZG4E/>
- <https://www.ketteringoh.org/question/can-chickens-kettering/#/city/answers/city-ordinances/can-chickens-kettering>
- <https://www.deseret.com/2010/4/23/20110450/centerville-allows-chickens-rabbits-in-certain-zones/#:~:text=CENTERVILLE%20%E2%80%94%20The%20Centerville%20City%20Council,allowed%20to%20have%20the%20animals.>
- https://www.fairbornoh.gov/government/development_services/property_maintenance_division/property_maintenance_definitions.php#:~:text=Animals%20and%20Pets,on%20any%20non%2Dagricultural%20lot.
- <https://oakwoodohio.gov/question/what-are-the-citys-rules-about-pets/#/city/answers/city-ordinances/can-you-have-chickens-in-oakwood>
- <https://www.ketteringoh.org/search-site/?term=chicken#/city/answers/animals/can-chickens-kettering>

Springboro

- Population: approximately 19,400
- Permits are not required (permitted since 1977, Code Sec. 94.46)
- Animal pen, yard, or enclosure cannot be within 100 feet and an inhabited dwelling
 - “No person shall keep a pig, horse, cow, goat, three or more dogs at least three months of age or any other animal, fowl or poultry in a pen, yard, lot or other enclosure situated within 100 feet of an inhabited dwelling house, other than the house of the owner of such animal, fowl or poultry.”
- Occasionally receive calls inquiring about the requirements/regulations
- 1-2 complaints per year
 - Complaint-driven enforcement
- If a violation occurs, the individual is given time to become compliant
 - If further action is needed, charges can be filed in court
 - This occurs infrequently

Xenia

- Population: approximately 25,700
- Properties less than five acres may keep six chickens, rabbits, or other small livestock
 - Requirements:
 - The principal use of the lot is a single-family dwelling
 - No roosters
 - The livestock shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times
 - No enclosure shall be located closer than 25 feet to any residential structure on an adjacent lot
- Permits are not required, but the City requests to be notified when a resident acquires small livestock animals
 - Low frequency of reporting when such animals are acquired
 - Occasionally receive calls inquiring about requirements/regulations
- 20-40 complaints per year
 - Typically, due to roosters (not permitted)
 - Infrequently due to odor concerns
- When a violation occurs, they seek voluntary compliance (which is usually effective)
 - If further action is needed, an official violation notice is issued
 - If further action is still needed, they can order a \$150.00 payment or file charges in court

Centerville

- Population: approximately 25,700
- No chickens allowed anywhere except agriculturally zoned parcels
- Estimated at a dozen complaints per year
- If a violation occurs, the individual is given time to become compliant
 - If further action is needed, charges can be filed in court
 - This occurs infrequently



CHILDREN "LOVE" CHICKENS...

Item A. Section 12, Item



CHILDREN "LOVE" CHICKENS...

Item A. Section 12, Item



EVERYONE SHOULD HAVE ONE!

Salmonella Outbreak Linked to Backyard Poultry -May 2024

INVESTIGATION NOTICE

Investigation start date: April 16, 2024

Investigation status: Closed

Recall issued: No

These outbreak investigations are over. Any backyard poultry can carry *Salmonella* germs that can make you sick. Always take steps to stay healthy around your flock.

FAST FACTS

- Cases: 470
- Hospitalizations: 125
- Deaths: 1
- States: 48

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November 10, 2022

CDC and public health officials in many states investigated 13 multistate outbreaks of *Salmonella* infections with seven serotypes: Enteritidis, Hadar, I 4,[5],12:i:-, Indiana, Infantis, Typhimurium, and Mbandaka.

Epidemiologic, laboratory, and traceback data showed that contact with backyard poultry made people sick.

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As of November 10, this outbreak investigation is over.

Epidemiologic Data

A total of 1,230 people infected with one of the outbreak strains were reported from 49 states, the District of Columbia, and Puerto Rico (see [map](#)). Illnesses started on dates ranging from February 12, 2022, to October 18, 2022 (see [timeline](#)).

Sick people ranged in age from less than 1 to 102 years, with a median age of 36 years, and 253 (21%) were children under 5 years. Of the 1,202 people with sex information available, 661 (55%) were female. Of the 726 people with health outcome information available, 230 (32%) were hospitalized. Two deaths were reported, one from Tennessee and one from Wyoming.

The true number of sick people in these outbreaks was likely much higher than the number reported, and the outbreaks may not have been limited to the states with known illnesses. This is because many people recover without medical care and are not tested for *Salmonella*.



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Backyard poultry and *Salmonella*

Backyard poultry, such as chickens and ducks, can carry *Salmonella* germs even if they look healthy and clean. These germs can easily spread to anything in the areas where the poultry live and roam.

You can get sick from touching your backyard poultry or anything in their environment and then touching your mouth or food and swallowing *Salmonella* germs.

What you should do

- **Wash your hands**

- Always wash your hands with soap and water immediately after touching backyard poultry, their eggs, or anything in the area where they live and roam.
- Use hand sanitizer if soap and water are not readily available. Consider keeping hand sanitizer at your coop.

- **Be safe around backyard flocks**

- Don't kiss or snuggle backyard poultry, and don't eat or drink around them. This can spread *Salmonella* germs to your mouth and make you sick.
- Keep your backyard poultry and the supplies you use to care for them (like feed containers and shoes you wear in the coop) outside of the house. You should also clean the supplies outside the house.

- **Supervise kids around flocks**

- Always supervise children around backyard poultry and make sure they [wash their hands properly](#) afterward.
- Don't let children younger than 5 years touch chicks, ducklings, or other backyard poultry. Young children are more likely to get sick from germs like *Salmonella*.



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Do Backyard Chickens Pose Any Health Risks to Humans?

Casey Barton Behravesh, MS, DVM, DrPH, DACVPM
Centers for Disease Control and Prevention
Atlanta, Georgia

Owners of backyard chickens and other poultry (eg, ducks, geese, turkeys) should be made aware of the risks these pets pose to humans and take basic biosecurity steps to protect against zoonotic disease transmission. Backyard poultry can appear healthy and clean but can carry *Salmonella* spp or *Campylobacter* spp.¹⁻³ Eggs and habitats can also become contaminated.¹⁻³

Prevention

Veterinarians should advise owners of backyard chickens and/or other poultry about zoonotic risks and how to reduce the risk for disease transmission:

- ▶ Hands should always be washed thoroughly with soap immediately after touching poultry or anything in their habitat.
 - Adults should supervise handwashing by young children.
 - Hand sanitizer should be used if soap and/or water are unavailable.
- ▶ Poultry should not be allowed to enter homes, especially areas where food or drinks are prepared, served, or stored.
- ▶ Children younger than 5 years, those with weakened immune systems, pregnant women, and adults 65 years or older should not handle or touch chicks, ducklings, or other live poultry.

- ▶ Food or drink should not be consumed in areas where poultry live or roam.
- ▶ Birds and other poultry should never be kissed or snuggled, and touching of the face or mouth after handling birds should be avoided until hands can be washed.
- ▶ Equipment or materials used to raise or care for live poultry (eg, cages, feed or water containers) should be cleaned outside the home. ■



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I am looking for...

Keeping Backyard Poultry

An increasing number of people around the country are choosing to keep poultry, such as chickens or ducks, as part of a greener, healthier lifestyle. While you enjoy the benefits of backyard chickens and other poultry, it is important to consider the risk of illnesses, especially in children, that can result from handling live poultry or anything in the area where they are kept. It is common for chickens, ducks, and other poultry to carry [*Salmonella*](#) and [*Campylobacter*](#). These are bacteria that can live naturally in the intestines of poultry and many other animals and can be passed in their droppings or feces. Even organically fed poultry can become infected with *Salmonella* and *Campylobacter*. While these organisms rarely make the birds sick, they can cause serious illness when passed to people.

How do people get sick from live poultry?

Live poultry may have *Salmonella* or *Campylobacter* germs in their droppings and on their bodies (feathers, feet, and beaks) even when they appear healthy and clean. The germs can spread to cages, coops, bedding, plants, and soil in the area where the birds live, and to the hands, shoes, and clothing of those who care for them. People become infected with *Salmonella* or *Campylobacter* when they put their hands or other things that have been in contact with the birds or their environment in or around their mouth. Young children are especially at risk for illness because they are more likely than others to put their fingers or other items into their mouths and because their immune systems are still developing. It is important to wash your hands immediately after touching poultry or anything in the area where they live, as the germs on your hands can easily spread to other people or things.

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What are some ways to reduce the risk of illness from live poultry?

- Wash your hands thoroughly with soap and water immediately after touching poultry or anything in the area where they are kept. Avoid touching your mouth before washing your hands. Use hand sanitizer if soap and water are not readily available, but still wash your hands with soap and water at the earliest available opportunity.
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- Do not let children younger than 5 years of age handle or touch chicks, ducklings, or other poultry.
- Do not eat or drink in the area where the birds live.
- Thoroughly cook eggs, as bacteria can pass from healthy looking hens into the interior of normal looking eggs.
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EVIDENCE BRIEF

Reducing Health Risks Associated with Backyard Chickens

Main Findings

Owners Have Limited Awareness of the Human Risk of Infectious Disease Transmission from Backyard Chickens

In general, studies have found limited awareness of the association between infectious disease risk and live poultry contact, as well as a lack of biosecurity measures among flock owners.⁸⁻¹⁴ New backyard chicken owners in Ontario may not be aware of these risks as information on enteric illnesses are not typically provided at point of selling in Ontario.⁶ This search identified a number of US and international based studies; the following highlights provide details:

- US based studies have found:
 - Inconsistent or minimal biosecurity practices. For example, a cross-sectional study of Colorado backyard chicken owners (n=317) found minimal biosecurity measures and high human contact with flocks. About 79% of individuals surveyed did not change into separate clothes before contact with chickens and about 95% did not report disinfecting or scrubbing their flock shoes before and/or after contact.¹ Another survey of 41 backyard flock owners in Maryland concluded that biosecurity practices were highly variable among flock owners.⁷
 - Variable awareness of the connection between salmonellosis and poultry,^{9,13,15} with one study finding that those who completed the survey in English (versus Spanish), sold or gave away eggs, and/or kept chickens for educational purposes for their children were more aware of the association between salmonellosis and poultry.⁹
 - One study showed a discordance between biosecurity measures stated to be used by backyard chicken owners versus what they actually practiced.¹³

Table 1. Outbreaks of Salmonellosis Associated with Backyard Chickens, 1990 – 2023*

Location	Year	Outbreaks (n)	Cases (n)	Details	Reference
US	1996 – 2012	45	>1581	Resulted in 221 hospitalizations, and five deaths.	Behravesh et al., 2014 ¹⁶
US	1990 – 2014	45	2057	Literature review of publicly available data sources for human infectious disease outbreaks associated with backyard chicken exposure. Authors recommended manure management, proper slaughter and disposal, veterinary care, permitting and consumer education to reduce the infectious disease risk associated with backyard poultry ownership.	Tobin et al., 2015 ¹⁸
US	1990 – 2014	53	2630	Surveillance in the US, the Centers for Disease Control and Prevention’s (CDC) National Outbreak Reporting System. Keeping poultry inside households and kissing birds were some high risk practices reported.	Basler et al., 2016 ⁸
US	2017	10	1120	In 2017, there were 10 separate multistate outbreaks. These outbreaks included cases from 28 states and the District of Columbia. They resulted in 249 hospitalizations and one death.	US, CDC ¹⁹
US	2022	13	1230	In 2022, there were 13 separate multistate outbreaks. These outbreaks reported cases from 49 states, the District of Columbia, and Puerto Rico. Of 737 people interviewed, 59% had contact with backyard poultry prior to illness. Of 726 people with health outcome data available, there were 230 hospitalizations. Two deaths were	US, CDC ²⁰

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In general, studies have found limited awareness of the association between infectious disease risk and live poultry contact, as well as a lack of biosecurity measures among flock owners.⁸⁻¹⁴ New backyard chicken owners in Ontario may not be aware of these risks as information on enteric illnesses are not typically provided at point of selling in Ontario.⁶ This search identified a number of US and international based studies; the following highlights provide details:

- US based studies have found:
 - Inconsistent or minimal biosecurity practices. For example, a cross-sectional study of Colorado backyard chicken owners (n=317) found minimal biosecurity measures and high human contact with flocks. About 79% of individuals surveyed did not change into separate clothes before contact with chickens and about 95% did not report disinfecting or scrubbing their flock shoes before and/or after contact.¹ Another survey of 41 backyard flock owners in Maryland concluded that biosecurity practices were highly variable among flock owners.⁷
 - Variable awareness of the connection between salmonellosis and poultry,^{9,13,15} with one study finding that those who completed the survey in English (versus Spanish), sold or gave away eggs, and/or kept chickens for educational purposes for their children were more aware of the association between salmonellosis and poultry.⁹
 - One study showed a discordance between biosecurity measures stated to be used by backyard chicken owners versus what they actually practiced.¹³

Table 1. Outbreaks of Salmonellosis Associated with Backyard Chickens, 1990 – 2023*

Item A. Section 12, Item

Location	Year	Outbreaks (n)	Cases (n)	Details	Reference
US	1996 – 2012	45	>1581	Resulted in 221 hospitalizations, and five deaths.	Behravesh et al., 2014 ¹⁶
US	1990 – 2014	45	2057	Literature review of publicly available data sources for human infectious disease outbreaks associated with backyard chicken exposure. Authors recommended manure management, proper slaughter and disposal, veterinary care, permitting and consumer education to reduce the infectious disease risk associated with backyard poultry ownership.	Tobin et al., 2015 ¹⁸
US	1990 – 2014	53	2630	Surveillance in the US, the Centers for Disease Control and Prevention’s (CDC) National Outbreak Reporting System. Keeping poultry inside households and kissing birds were some high risk practices reported.	Basler et al., 2016 ⁸
US	2017	10	1120	In 2017, there were 10 separate multistate outbreaks. These outbreaks included cases from 28 states and the District of Columbia. They resulted in 249 hospitalizations and one death.	US, CDC ¹⁹
US	2022	13	1230	In 2022, there were 13 separate multistate outbreaks. These outbreaks reported cases from 49 states, the District of Columbia, and Puerto Rico. Of 737 people interviewed, 59% had contact with backyard poultry prior to illness. Of 726 people with health outcome data available, there were 230 hospitalizations. Two deaths were reported (where data were available).	US, CDC ²⁰

Clinical Infectious Diseases

JOURNAL ARTICLE

Backyard Poultry Flocks and Salmonellosis: A Recurring, Yet Preventable Public Health Challenge FREE

Casey Barton Behravesh, Denise Brinson, Brett A. Hopkins, Thomas M. Gomez

Clinical Infectious Diseases, Volume 58, Issue 10, 15 May 2014, Pages 1432–1438, <https://doi.org/10.1093/cid/ciu067>

Published: 05 February 2014 **Article history** ▼

Nontyphoidal *Salmonella* bacteria cause an estimated 1.2 million illnesses, 19 000 hospitalizations, and 370 deaths in the United States annually [1]. Although the majority of infections are foodborne, zoonotic *Salmonella* infections are an important public health problem. *Salmonella* is found in the intestinal tract of many animals including reptiles, amphibians, and live poultry (eg, chicks, chickens, ducklings, ducks, geese, turkeys) [2–14]. An estimated 11% of *Salmonella* infections are attributed to animal exposure annually, making it important for healthcare providers to be aware of this zoonosis [15].

Both direct and indirect contact with infected animals can lead to human salmonellosis [4, 6, 7, 16]. Indirect transmission can occur through contact with anything in areas where animals live and roam or consumption of food/drink prepared in contaminated environments [4, 7, 9, 17]. Live poultry infected with *Salmonella* typically appear healthy, but can intermittently shed bacteria.

Clinical Infectious Diseases

THE MAIL-ORDER HATCHERY INDUSTRY IN THE UNITED STATES

Approximately 20 mail-order hatcheries provide the majority of live poultry sold to the public in the United States—an estimated 50 million live poultry are sold annually, generating \$50–\$70 million in sales [5]. These 20 core hatcheries that produce hatchlings may supply birds to many other “hatcheries” that are resellers but do not actually hatch poultry. Hatchlings are distributed nationally to agricultural feed stores and other retail outlets or directly to homes, and are typically purchased for <\$5.00.

Previously, the sale of live poultry to agricultural feed stores or directly to consumers via mail order has been largely seasonal, with a peak occurring during the Easter holiday. In the past few years, purchases of live poultry for backyard flocks raised for eggs or meat have resulted in increased adult cases and a lessened seasonal sales trend, and have contributed to record sales by mail-order hatcheries. Within 24 hours after hatching, baby poultry are shipped across the country in cardboard boxes containing up to 100 birds through the US Postal Service, which ships day-old poultry if it can be delivered to the addressee within 72 hours of hatching [31]. National distribution of birds through the mail-order system is possible, offering potential for widespread dispersal of *Salmonella* contamination from a single hatchery to travel across state boundaries, to be distributed through other mail-order hatcheries, or to be spread through poultry sold in feed stores.

AGRICULTURAL FEED STORES

Item A, Section 12, Item

In recent outbreaks, birds are often purchased from agricultural feed stores, also known as farm stores; thus, it is critical for these venues to play a key role in prevention and control of salmonellosis. Many mail-order hatcheries have requirements to order a minimum number of hatchlings, often 25–35 birds per shipment. This makes it harder for customers to purchase birds directly from these hatcheries, as backyard flocks typically have fewer birds. Some feed stores offer “chick days” and sell chicks, ducklings, and other baby poultry to customers at select times (eg, spring, fall) based on their geographic location.

Feed store surveys were conducted in New Mexico and Pennsylvania to determine whether staff were aware that contact with poultry can cause human *Salmonella* infections and whether these stores provided information to customers about *Salmonella* prevention when selling poultry [5, 8]. Surprisingly, although a relatively high percentage of staff reported knowledge of risks, few provided customer education (Table 1).

Table 1. Summary of 2 Surveys of Agricultural Feed Store Staff on Knowledge of Zoonotic Salmonellosis Transmitted by Live Poultry

Open in new tab

Knowledge Assessed	New Mexico (2006) ^a	Pennsylvania (2009) ^b
Awareness that poultry can cause <i>Salmonella</i> infection in people	85% (46/54)	76% (38/50)
Warn customers that poultry can cause <i>Salmonella</i> in people	56% (26/54)	28% (14/50)

Clinical Infectious Diseases

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(a) No person shall harbor, keep or maintain an animal in such a manner as to be injurious to the health, comfort or property of individuals or the public.



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Sec. 618.22. – Backyard Chickens and Rabbits

SHELTER

(a) Structure

(1) All chickens and rabbits shall be kept in a sheltering structure or fenced outdoor area at all times. They shall not be allowed to roam “at large” in the city.



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Overview:

Back yard chickens have been identified as a risk to the general health of those raising them, but that is a decision citizens should be able to make for themselves. The bigger issue of concern for Council is the health threat this potentially poses to the neighboring citizens as well.



Item A. Section 12, Item



In my opinion, the City of Bellbrook should not take on the responsibility of putting the general public at risk for the health and safety concerns to accommodate a small portion of the population.

Recommendations:

Item A. Section 12, Item

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- The Issue for allowing “Backyard Chickens should be brought up on a city wide ballot for a consensus vote

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 - There should be an application for a “Chicken Permit” for all people wanting to raise chickens

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 - There should be an application for a “Chicken Permit” for all people wanting to raise chickens
 - Neighbors adjacent to anyone raising chickens should be notified and made aware of the health risks as well as informing them of how their children should properly interact with the neighboring chickens

File Attachments for Item:

A. 2025 Calendar of Public Meetings

Motion to approve 2025 Schedule of Public Meetings



2025

Public Meeting Schedule

January						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

October						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

May						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						







November						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

March						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

September						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- 
 City Council
7PM
- 
 Planning Board
6PM
- 
 BZA/PRC
6:30PM
- 
 VRB
6PM
- 
 Museum
6PM
- 
 Holiday

File Attachments for Item:

B. Mayor Schweller to review and assign various standing committee and outside organization liaison appointments.

2024 City Council Committees

Finance/Audit

Katherine Cyphers, Chair
Ernie Havens
Forrest Greenwood

Safety

T.J. Hoke, Chair
Katherine Cyphers
Logan Ashley

Community Affairs

Ernie Havens, Chair
Logan Ashley
Brady Harding

Service

Forrest Greenwood, Chair
Brady Harding
T.J. Hoke

Board and Commission Liaison

Planning Board

Forrest Greenwood - Delegate
Brady Harding - Alternate

Village Review Board

Brady Harding- Delegate
Forrest Greenwood - Alternate

Chamber of Commerce

Forrest Greenwood - Delegate
Logan Ashley - Alternate

Miami Valley Regional Planning

Katherine Cyphers - Delegate
Logan Ashley - Alternate

BZA/PRC

Ernie Havens - Delegate
Katherine Cyphers - Alternate

Historical Museum Board

Brady Harding - Delegate
T.J. Hoke - Alternate

Greene County Regional Planning

Ernie Havens - Delegate
Forrest Greenwood - Alternate