

ORDINANCE NO. 08/15/2024-XX

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA AMENDING CHAPTER 94 OF THE CODE OF ORDINANCES FOR THE TOWN OF BRISTOL, INDIANA REGARDING EGG-LAYING CHICKENS

WHEREAS, the Town of Bristol, Indiana (the “Town”) is a duly formed municipal corporation within the State of Indiana governed by its duly elected Town Council (the “Council”); and

WHEREAS, Chapter 94 of the Code of Ordinances for the Town (the “Code”) sets forth certain regulations governing animals within the geographical boundaries of the Town; and

WHEREAS, the Town enacted Ordinance 4-6-2023-5 to permit and regulate the ownership of female egg-laying chickens on single-family residential property in the Town; and

WHEREAS, the Council is desirous of amending Chapter 94 to provide for a process by which a permittee may petition the Council to harbor more than six (6) chickens; and

WHEREAS, the Council now finds that it is in the best interest of the public health, safety, and welfare to further regulate the harboring of chickens within the Town’s corporate limits.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bristol, Indiana, meeting in regular session, as follows:

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. As of the effective date of this Ordinance, Section 94.10, titled “Keeping Egg-Laying Chickens,” subsection (C)(2), is hereby amended and replaced in full as follows:

“(2) Each residence wishing to keep chickens shall pay a registration/permit fee every two (2) years in the following amounts:

(a) For a permit authorizing one (1) to six (6) chickens: Twenty-Five Dollars (\$25.00);

(b) For a permit authorizing seven (7) to sixteen (16) chickens: One Hundred Dollars (\$100.00).”

Section 3. As of the effective date of this Ordinance, Section 94.10, titled “Keeping Egg-Laying Chickens,” subsection (C)(5), is hereby amended and replaced in full as follows:

“(5) To be eligible to receive a permit, an applicant must file an application with the Clerk-Treasurer at the Bristol Municipal Complex and shall include:

- (a) The name, address, and telephone number of the applicant;
- (b) The address where the chickens will be harbored;
- (c) The written consent of each adjoining real estate owner, specifically consenting to the number of chickens to be harbored. Adjoining real estate owners are limited to the owners of real estate, with a residence, that are immediately adjacent to the real estate that is keeping chickens provided the real estate parcels are not separated by a street or alley;
- (d) If the applicant rents the property where the chickens are to be harbored, a “Consent to Harbor Chickens” signed by the property owner, specifically consenting to the number of chickens to be harbored; and
- (e) The number of chickens to be harbored on the real estate.”

Section 4. As of the effective date of this Ordinance, Section 94.10, titled “Keeping Egg-Laying Chickens,” subsection (C), is hereby amended to include a new subpart “(8)” as follows:

“(8) The Clerk-Treasurer shall issue a permit to the applicant in accordance with Subsection I. The permit shall identify the real estate by legal address and state the number of chickens the permittee is permitted to harbor on such real estate.”

Section 5. As of the effective date of this Ordinance, Section 94.10, titled “Keeping Egg-Laying Chickens,” subpart D(1), is hereby amended to state in full as follows:

“(1) A permittee shall not harbor on any real estate chickens in a number greater than that stated on the permittee’s permit.”

Section 6. As of the effective date of this Ordinance, Section 94.10, titled “Keeping Egg-Laying Chickens,” subsection D, is hereby amended to include a new subpart D(6) as follows:

“(6) No more than sixteen (16) female laying egg chickens may be located on any real estate. Roosters, broilers, and other types of fowl are prohibited.”

Section 7. As of the effective date of this Ordinance, Section 94.10, titled “Keeping Egg-Laying Chickens,” is hereby amended to include a new subsection “I.” as follows:

“I. Issuance of Permits.

- (1) The Clerk-Treasurer shall be authorized to issue permits upon an applicant’s application to harbor six (6) or less chickens. An application seeking to harbor seven (7) or more chickens may only be issued upon approval of and direction by the Town Council at a public hearing.
- (2) Upon receipt by the Clerk-Treasurer of an application to harbor seven (7) or more chickens, the Town Council shall, at a regularly scheduled public meeting within thirty (30) days of receipt of the application, hold a public hearing on the application before deciding the issuance of the permit. The Town Council may, in its sole discretion, approve or disapprove of the application, and may set the number of chickens permitted by the permit. No permit shall allow more than sixteen (16) chickens.”

Section 8. The remaining portions of Chapter 94 of the Code are not affected by this Ordinance and shall remain in full force and effect.

Section 9. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed, to the extent of such inconsistency only, as of the effective date of this Ordinance, such repeal to have prospective effect only.

Section 10. If any portion on this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of the same can be given the same effect.

Section 11. This Ordinance shall be in full force and effect in accordance with Indiana Law, upon passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All acts pursuant to the adoption of this Ordinance are hereby ratified.

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ADOPTED THIS ____ DAY OF _____, 2024.

TOWN COUNCIL OF THE
TOWN OF BRISTOL, INDIANA

Jeff Beachy, President

Cathy Burke

Dean Rentfrow

Gregg Tuholski

Doug DeSmith

ATTEST:

Cathy Antonelli, Clerk-Treasurer