

**TITLE IX: GENERAL REGULATIONS / CHAPTER 96: ANIMALS**

**CHAPTER 96: ANIMALS**

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Section

96.01	Definitions
96.02	Keeping of domestic livestock or exotic animals
96.99	Penalty

**TITLE IX: GENERAL REGULATIONS / CHAPTER 96: ANIMALS / § 96.01  
DEFINITIONS.**

**§ 96.01 DEFINITIONS.**

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ACCESSORY STRUCTURE (APPURTENANT STRUCTURE).** A structure located on the same parcel of property as the principal structure, and the use of which is incidental to the use of the principal structure. **ACCESSORY STRUCTURES** should constitute a minimal of initial investment, may not be used for human habitation, and shall be designed to have minimal flood damage potential. Examples of **ACCESSORY STRUCTURES** are detached garages, carports, storage sheds, chicken coops, pole barns, and hay sheds.

**DOMESTIC LIVESTOCK.** Any domesticated farm animal, other than a domestic pet, whether or not it is kept for commercial purposes, and includes but is not limited to buffalo, oxen, horses, donkeys, mules, cattle, ostrich, mink, swine, sheep, llamas, goats, pot-bellied pigs, fowl, pigeons, and doves, and any animal which is bred in any part from an animal listed herein.

**DOMESTIC PET.** Any animal that is a member of one of the following species and is kept for pleasure rather than utility: cat; chinchilla; cockatiels; dog; ferret; gerbil; guinea pig; hamster; mouse; parakeets; rat; reptile, non-venomous; or rabbits.

**DRAKE.** A male duck.

**EXOTIC ANIMAL.** An animal belonging to a species, not including those

## Ellettsville, IN Code of Ordinances

specifically listed as a domestic livestock, that is not native to the United States, or an animal that is a hybrid or a cross between a domestic pet or livestock and an animal, not specifically listed as a domestic livestock, that is not native to the United States. Also includes **WILD ANIMALS** which means any animal not a domestic animal or a domestic pet.

**FOWL.** A chicken, duck, goose, guinea, turkey, peacock or waterfowl.

**HARBORING.** The actions of any person that permit any animal habitually to remain, lodge, or to be fed within his or her home, enclosure, yard or place of business or on any premises where such person resides or that he or she controls. An animal shall be presumed to be harbored if it is fed or sheltered for three consecutive days.

**HEN.** The female of the domestic fowl. Includes female chickens and ducks.

**PERSON.** Any individual, firm, association, partnership, trust, estate or corporation.

**ROOSTER.** A male chicken.

(1985 Code, § 385-5) (Ord. 14, passed 12-17-1913; Am. Ord. 2013-18, passed 3-10-2014; Am. Ord. 2016-09, passed 8-22-2016; Am. Ord. 2020-23, passed 8-24-2020) Penalty, see § 10.99

### **TITLE IX: GENERAL REGULATIONS / CHAPTER 96: ANIMALS / § 96.02 KEEPING OF DOMESTIC LIVESTOCK OR EXOTIC ANIMALS.**

#### **§ 96.02 KEEPING OF DOMESTIC LIVESTOCK OR EXOTIC ANIMALS.**

(A) The Town of Ellettsville consents that the county may administer and enforce the Monroe County Animal Management Laws within the corporate limits of the Town of Ellettsville. The following rules, regulations, and codes are hereby adopted by reference as the rules and regulations governing Animal Management and Commercial Animal Establishments in the Town, and these rules, regulations, and codes shall include the most current editions thereof, as the same are published by the Animal Management Commission of Monroe County:

- (1) Chapter 440 Animal Management;
- (2) Chapter 441 Commercial Animal Establishments.

(B) The following regulations apply to all residents within the corporate limits of the Town of Ellettsville, in addition to the regulations set forth in the Monroe County

## Ellettsville, IN Code of Ordinances

### Animal Management Laws:

(1) It shall be unlawful for any person to keep, harbor, or allow about the premises of any such person any exotic animals within the corporate limits of the town.

(2) It shall be unlawful for any person to keep, harbor, or allow about the premises of any such person any domestic livestock except within those areas designated as Agricultural AG-1 or Agricultural AG-2 and as permitted by Chapter 152, or as set forth below.

(3) It shall be unlawful for any person to keep, harbor, allow, or have on or about the premises of any such person a hog, pig, or swine within the corporate limits of the town.

(4) A person may keep chickens and ducks within the corporate limits of the town, under the following conditions:

(a) Hens only shall be allowed. No roosters or drakes shall be allowed. No other fowl shall be allowed.

(b) The hens shall be kept in a stationary coop, chicken run, or outside yard that is enclosed on all sides, including the top, with chain link fencing or woven wire fencing with a minimum of 12½ gauge or heavier. The coop shall meet the following requirements:

1. Neither the coop nor run shall be located between the rear of the principal structure and the front lot line.
2. No chicken coop and run shall be closer than five feet from any property line.
3. One coop shall be allowed on each non-agriculturally zoned property.
4. Chicken coops and chicken runs shall be maintained and shall be regularly cleaned to control dust, odor, and waste and not constitute a safety hazard, or health problem to surrounding properties.
5. The minimum combined size for the chicken coop and run shall be 12 square feet per hen. The maximum combined size for the chicken coop and run shall not exceed 20 square feet per hen. The maximum height of the coop shall be no more than seven feet at the highest point in residential districts.
6. A top is not required for the coop if the birds have been rendered flightless.

Ellettsville, IN Code of Ordinances

(c) Each person shall be limited to keeping, harboring, or allowing a total of nine hens, in any combination, about the premises of such person. No family shall be allowed to keep, harbor, or allow about the premises of such family more than nine hens total.

(d) No person shall permit hens to run at large.

(e) No on-site slaughtering is allowed.

(f) The keeping of chickens and ducks should not otherwise be prohibited by Chapter 152, Planning and Zoning Code.

(g) Many home owner association by-laws do not allow domestic livestock or poultry or any kind. Whenever a private covenant, contract, commitment, agreement, or other similar private land use restriction imposes a greater restriction or a higher standard that is required by a provision of this code, the more restrictive provisions shall apply.

(1985 Code, § 385-10) (Ord. passed 1-10-1942; Am. Ord. 2013-18, passed 3-10-2014; Am. Ord. 2016-09, passed 8-22-2016; Am. Ord. 2020-23, passed 8-24-2020) Penalty, see § 10.99

**TITLE IX: GENERAL REGULATIONS / CHAPTER 96: ANIMALS / § 96.99 PENALTY.**

**§ 96.99 PENALTY.**

(A) These code provisions may be enforced by the Ellettsville Planning Director or the Director's designee, or by the Monroe County Animal Control Officers or the Animal Control Commission.

(B) Town residents who keep chickens in the town limits shall have 60 days from the passage of this chapter to bring chicken coops, runs or enclosures into compliance with this chapter, and one year from the passage of this chapter to bring flock numbers into compliance with this chapter.

(C) Any person violating any of the provisions of this section commits a class D ordinance violation and shall be assessed a fine for that violation. Each day that any person violates any of the provisions of this section constitutes a separate and continuing violation.

(Ord. 2013-18, passed 3-10-2014; Am. Ord. 2016-09, passed 8-22-2016; Am. Ord. 2020-23, passed 8-24-2020)