

**ORDINANCE NO. 2023-XX**  
**TEXT AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE**

**PITTSBORO TOWN COUNCIL**  
**HENDRICKS COUNTY, INDIANA**

A Text Amendment reviewed by the Town of Pittsboro Plan Commission and forwarded to the  
Town of Pittsboro Town Council Approving the Amendment of the Text of the Unified  
Development Ordinance:

WHEREAS, the Pittsboro Advisory Plan Commission having certified and recommended to the Town Council for approval of a Text Amendment of the Unified Development Ordinance ("UDO") to incorporate text amendments regulating the allowance of Farm Animals and Chickens and other similar types of Fowl within Town limits of Pittsboro, dated \_\_\_\_\_, 2023, which is attached hereto and incorporated by reference ("Exhibit A") and the Town Council has considered and reviewed the same in accordance with its statutory duty and finds it consistent with IND. CODE §36-7-4-500 through 599.

BE IT RESOLVED by the Town Council of the Town of Pittsboro, Hendricks County, Indiana that the Town hereby approves an amendment of the Unified Development Ordinance to include the regulation of Farm Animals and Chickens and other types of Fowl within the Town of Pittsboro.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2023, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

TOWN COUNCIL OF THE TOWN OF  
PITTSBORO, INDIANA

\_\_\_\_\_  
President: Jarod Baker

\_\_\_\_\_  
Member: Bill Majeske

\_\_\_\_\_  
Member: Randy Price

\_\_\_\_\_  
Member: Terry Northern

\_\_\_\_\_  
Member: Jay Thompson

Attest:

\_\_\_\_\_  
Clerk-Treasurer: Shari Ping

**Exhibit "A"**

TOWN OF PITTSBORO, INDIANA  
HENDRICKS COUNTY, INDIANA  
ORDINANCE NO.

A TEXT AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE FOR THE ALLOWANCE OF FARM ANIMALS AND CHICKENS WITHIN THE TOWN OF PITTSBORO, INDIANA.

WHEREAS, the Indiana Code 36-7-4-602 authorizes the Town of Pittsboro ("Town") to make text amendments to the enacted regulations as may be deemed necessary for the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of the Town of Pittsboro and the inhabitants thereof; and

WHEREAS, the Town Council of the Town of Pittsboro, Indiana finds it necessary for the promotion of the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of the Town and the inhabitants thereof to provide regulations for the keeping of Farm Animals and Chickens within the Town of Pittsboro.

NOW THEREFORE, it is hereby Ordained and Enacted by the Town Council of Pittsboro, Indiana, as follows:

Amend Section 7.2 Agricultural Uses and Permitted Type of Animals under the Town of Pittsboro Unified Development Ordinance:

**Text Amendment 1-Section 7.2, Subsection 1:**

Add: Subsection 1:

**Types of Farm Animals Permitted in Agricultural Zoned Properties:**

The allowance of Farm Animals are permitted within the Agricultural Zoning District on properties which are greater than 20 acres. The allowance of Farm Animals on Agricultural zoned property shall be consistent to the definition of farm animals in said Unified Development Ordinance, including the allowance of any domestic species of cattle, sheep, swine, goats, llamas, horses, chickens, roosters, and hens which are normally and have historically, been kept and raised on farms in the United States, and used or intended for use as food or fiber, or for improving the quality of food or fiber. This term also includes animals such as rabbits, mink, and chinchilla, when they are used solely for purposes of meat or fur, and animals such as horses and llamas.

**Text Amendment 2-Add Subsection 2: Regulation of Chicken, Hens and other Fowl**

**Regulation of Chicken, Hens and other Fowl**

The following regulations regarding the allowance of Chickens, Hens, and other Fowl in all zoning districts found in the Town of Pittsboro, except Agricultural Zoned properties over 20 acres:

The following terms, as defined by the Unified Development Ordinance, shall have the meaning prescribed below:

- a. The allowance of Chickens shall mean chicken and hens are permissible on all properties greater than 1 acre in size. The allowance of chickens and hens is restricted for personal use for individual households to produce meat or eggs for food. The Town of Pittsboro prohibits the allowance of Roosters on any property.
- b. The Town of Pittsboro prohibits the keeping of Ducks, Turkeys, Geese or any other animal consistent with the definition of Farm Animal on properties less than 1 acre in size.
- c. Chicken Coop shall mean a structure to house chickens that is properly ventilated and designed to be protected from the weather, vermin, and predators.
- d. The keeping or raising of Chickens and Hens is for personal use only, it is not intended or permitted for residents of the Town to conduct commercial sales or breeding of chickens. All new accessory structures or chicken coops require a permit issued by the Town of Pittsboro in accordance with the enacted fee schedule. The allowance of new accessory structure or relocation of existing chicken coops shall be permitted in the rear yard only, no chicken coops will be permitted adjacent to private or public roadways. The chicken coop must be kept at least 100' feet from all rear yard property lines. The allowance of Chicken Coops will only be permitted in rear yards and placement of coops must not exceed a total of 250 square feet of said rear yard property and must be placed in the center of the rear yard. The placement of existing or new chicken coops shall be in equal distance from rear side yards measured equally from the centerline of the rear yard.
- e. All Chickens kept within the Town limits shall be confined to the private property of the respective owner by use of fencing and/or barriers sufficient to prevent the running at large or trespass of Chickens on public or private property. Fence materials shall be at least 60 inches in height measured at grade. The fence shall be comprised of solid, opaque surfaces including but not limited to, wooden picket, stone, mason, pvc, vinyl, or similar panel material intended to completely enclose and prevent the escape and viewing of chickens from adjacent viewsheds, this provision is intended to confine chickens or prevent their escape from enclosures shall constitute a violation of this ordinance.

**Text Amendment 3) Violations:**

All chickens and the premises they are kept on shall be maintained under orderly and sanitary conditions so that the keeping of chickens shall not become either a public or private nuisance due to conditions including, but not limited to, damage to the property of others, posing an attractive nuisance, an accumulation of feces, the threat of disease, or a discernible increase in the presence of vermin, odors, or noise.

**RESERVATION OF RIGHTS.**

The Town of Pittsboro hereby reserves the right to make such determinations as may be necessary

for the enforcement of this ordinance including, but not limited to, interpretation of acceptable standards, finding of violations, issuance of warnings, and the granting of exceptions where sufficient evidence is presented to ensure that the intent of this ordinance to promote the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of the Town and the inhabitants thereof is not diminished.

**PENALTY FOR VIOLATION.**

The Town has the right to revoke any prior approval upon written notice of violation of this ordinance. Any owner of any chickens kept within the limits of the Town found to be violating any of the provisions of this ordinance shall be sentenced to pay a fine of not less than \$50.00 plus the costs of prosecution. Each day that a violation continues shall constitute a separate and distinct offense.

**SEVERABILITY.**

If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Town that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**REPEALER.**

Any ordinance containing provisions that are inconsistent with the terms and provisions of this ordinance is hereby repealed and superseded to the extent that it conflicts herewith.

**EFFECTIVE DATE.**

This ordinance shall take effect immediately upon enactment as provided by law. All existing owners of chickens within the Town of Pittsboro shall come into compliance with the terms of this ordinance within thirty (30) days of enactment, or within five (5) days of receipt of a written notice of noncompliance, as may be issued at the discretion of the Town.