

ORDINANCE 2025- 15
AMENDING CHAPTER 90
AN ORDINANCE PROHIBITING HARBORING LIVESTOCK IN THE CORPORATE
LIMITS

BE IT ORDAINED by the Common Council of the City of Portland, Indiana as follows:

- A. Except as otherwise provided in this ordinance, it shall be unlawful for any person, firm, or corporation to stable, maintain, or harbor farm livestock in the corporate limits of the City. “Farm Livestock” includes, but is not limited to horses, cattle, swine, sheep, goats, and fowl. It does not include domestic dogs or cats.
- B. Chickens, defined as *gallus domesticus*, shall be allowed within the corporate limits of the City under the following conditions:
 - 1. There shall be no roosters kept within the corporate limits of the City.
 - 2. The number of chickens permitted to be kept on any residential lot that complies with this ordinance shall be five (5).
 - 3. All harborers of chickens shall:
 - a. Operate in such a manner so as to not constitute a public nuisance or disturb the neighboring residents due to noise, odor, or damage;
 - b. Operate in such a manner as to not pose a threat to public health. Harborers shall isolate chickens which are sick or diseased so as to not endanger the health and well-being of other animals or humans. When necessary for the protection of the public health, any law enforcement officer, code enforcement officer, or public health official may require that a specified animal be kept confined in a secure enclosure. This provision is subordinate to any local, state, or federal law governing the treatment of chickens in the event of a threat to public health;
 - c. Comply with all applicable local, state, and federal laws and regulations regarding animal care;
 - d. Not slaughter any chickens on the harborer’s property;
 - e. Keep all chickens completely and securely enclosed and under the control of the harborer and on the harborer’s property at all times;
 - f. Provide both a chicken coop and attached chicken run that affords a combined twelve (12) square feet per chicken, offers adequate shelter from the elements, provides adequate ventilation, and is impermeable to rodents, wild birds, predators, and domestic cats and dogs;
 - g. Keep the chicken coop and chicken run that is clean, dry, and odor free;
 - h. Provide chickens with adequate food and water;
 - i. Store all feed in supplies so that they do not attract rodents or other pests;

- j. Keep the chicken coop, chicken run, and surrounding area free from trash and manure. All manure shall be removed in a timely manner and disposed of in a sanitary manner. No manure shall be stored on the property.
- 4. The chicken coop and chicken run shall:
 - a. Provide a sight fence or shrub screening of at least four (4) feet in height around both the coop and run if they are visible from a neighboring lot; and,
 - b. Be located at least fifteen (15) feet from the property line of any neighboring lot, unless the City of Portland Zoning Ordinance requires a greater setback.
- 5. Violation and Penalties:
 - a. First Violation: \$100.00
 - b. Second or subsequent Violation: \$500.00
 - c. In addition to any monetary penalty set forth herein, the City may also seek judicial relief from any violation of this ordinance by filing an action for declaratory or injunctive relief to require that the harborer remedy the violation or remove the chickens from the harborer's property. In addition, any person who violates a provision of this ordinance shall make full restitution for any damages or injury to persons or property as a result of such violation, including but not limited to, medical expenses, the value of any real or personal property which has been damaged or destroyed, or the cost of repairing any damage to real or personal property.
- 6. This ordinance shall not apply to any licensed business operating slaughterhouse, meat packing operation, or auction house that temporarily harbors such farm livestock in the normal course of its business.