

TOWN OF LOWELL, LAKE COUNTY, INDIANA  
TOWN COUNCIL  
ORDINANCE NO. 2019-15 \_\_\_\_\_

AN ORDINANCE AMENDING § 92.20, ANIMALS CREATING A NUISANCE, OF THE  
TOWN OF LOWELL, INDIANA CODE OF ORDINANCES

**WHEREAS**, the Town Council of the Town of Lowell is the municipal legislative body of the Unit; and

**WHEREAS**, with the passage of time various practices, procedures, and policies must be updated; and

**WHEREAS**, with the passage of time various ordinances, codes, and procedures of the Town of Lowell must be amended; and

**WHEREAS**, the Town Council desires to amend Chapter 92: Animals Section 92.01; and Section 92.20, Animals Creating a Nuisance.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Lowell, Lake County, Indiana, as follows:

Section 1. Chapter 92, section 92.20 Animals Creating a Nuisance is hereby deleted in its entirety and replaced with the following:

**Animals/Nuisance**

- (A) It shall be unlawful for any owner to allow his or her Animal to become a public nuisance.
- (B) An Animal is hereby declared to be a public nuisance if it:
- (1) Frequently or continuously causes noise or odor which disturbs the comfort or repose of persons in any dwelling, apartment house, or residence.
  - (2) Molests or chases passers-by or passing vehicles;
  - (3) Is at large;
  - (4) Attacks other persons or animals;
  - (5) Damages private or public property; or
  - (6) Deposits animal waste on public or private property other than that of the owner.  
(Ord. 2008-11, passed 6-9-08) Penalty, see ' 10.99
- (C) It shall be unlawful for an owner to have, keep, or maintain a farm animal, including but not limited to cattle, horses, sheep, swine, lambs, goats, poultry, rabbits, or other animals generally considered indigenous to agriculture, except as specifically allowed and provided for in this Chapter 92.
- (D) It shall be unlawful for any owner to have, keep, or maintain more than four (4) Animals on any parcel of land.

Section 2. Section 92.16.1 shall be added as follows:

**Regulation of chickens, rabbits, and horses**

A) Chickens and rabbits shall be allowed to be kept in the town on parcels of land not less than 10,000 square feet in area, in strict accordance with all of the following requirements:

- (1) A chicken is a *gallus gallus domesticus*, a domestic bird typically kept on a farm. This definition does not include other fowl, such as, but not limited to, peacocks, turkeys, or waterfowl.
- (2) No roosters (male chickens) shall be kept under the provisions of this section
- (3) Chickens and rabbits must be kept completely and securely enclosed and under the control of the owner and on the owner's property at all times.
- (4) A chicken coop, rabbit enclosure, an enclosed structure for harboring chickens that provides shelter from the elements, shall be provided. The chicken coop must provide adequate sun, shade, and ventilation and must be impermeable to rodents, wild birds, and predators, including cats and dogs and must provide at least ten square feet of space per chicken kept therein. No structure shall exceed 75 total square feet in size. No structure shall be more than ten feet in height. The structure shall be situated a minimum of ten feet from all property lines. For corner lots, the structure shall be situated as near as possible to the middle of the lot. The Town Manager or designee shall approve the location of structures on all corner lots.
- (5) Chickens and rabbits shall be provided with access to feed and clean water at all times.
- (6) All feed for said chickens and rabbits shall be stored in containers so as to protect against intrusion by rodents and vermin.
- (7) The chicken coop and rabbit enclosure shall be maintained in a sanitary condition and in compliance with all applicable health regulations of the State of Indiana, Lake County, and the town.
- (8) Chickens, chicken coops, and rabbit enclosures shall be confined to the rear yard of the property.
- (9) Any chickens and rabbits kept in accordance with the provisions of this section shall be for non-commercial, personal use only and may not be slaughtered on the property.
- (10) Any violations of this section shall be subject to applicable penalties set forth in chapter 92.26.

(B) Horses. One horse or pony may be kept in a private stable if such lot or tract contains at least 10 acres.

(C) Any area now within the corporate limits or hereafter annexed which is now used as part of a farming operation, saddle club, veterinarian, sale barn, 4-H fairground, and associated activities may continue such usage.

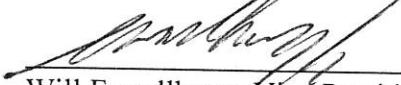
(D) This ordinance shall not be construed to contravene the Zoning Code.

The foregoing amendment to Chapter 92, shall be in full force and effect upon the passage and adoption as required by law.

**DULY ORDAINED AND APPROVED** by the Town Council of the Town of Lowell, Lake County, Indiana, this 9<sup>th</sup> day of September, 2019, by a vote of   4   in favor and   0   opposed.


**TOWN OF LOWELL, LAKE COUNTY, INDIANA  
BY ITS TOWN COUNCIL:**

  
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Christopher Salatas, President

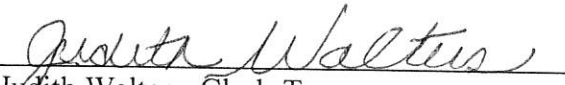
  
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Will Farrellbegg, Vice President

  
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Michael Gruszka, Member

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Josh Henshilwood, Member

  
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Matt Felder, Member

ATTEST:

  
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Judith Walters, Clerk-Treasurer