



City of Cleveland

Health Code Update

Effective Date: February 5, 2009

205.04 Restrictions on the Keeping of Farm Animals and Bees

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Anyone proposing to keep farm animals or bees on a property in the City of Cleveland shall apply for a two-year license from the City of Cleveland through its Department of Public Health on a form provided by that office, with payment of a fee set by the Board of Control.

(a) Application Contents. The application for such license shall include, at a minimum, the following information.

- (1) the name, phone, phone number and address of the applicant;
- (2) the location of the subject property;
- (3) the size of the property;
- (4) the number of animals or bee hives to be kept on the property;
- (5) a description of any proposed cages, coops, beehives, fences or enclosures;
- (6) a scaled drawing showing the precise location of cages, coops, enclosures, beehives, stables and fences in relation to property lines and to houses on adjacent properties,
- (7) a description of the manner by which feces and other waste materials will be removed from the property or will be treated so as not to result in unsanitary conditions or in the attraction of insects or rodents;
- (8) in the case of a lot that is vacant or has no occupied residence, documentation demonstrating that the use will be managed in a manner that prevents the creation of nuisances or unsanitary or unsafe conditions;
- (9) a signed statement from the property owner, if the applicant is not the property owner, granting the applicant permission to engage in the keeping of farm animals or bees as described in the license application; and
- (10) the addresses of all properties directly adjoining the subject property.

(b) License Approval. The Public Health Director shall take action on a license application for the keeping of farm animals or bees in accordance with the following provisions.

- (1) **Approval Standards.** In evaluating an application for an initial license or a license renewal, the Public Health Director shall consider any evidence ascertained through inspections of the

property or through the submission of evidence regarding nuisances or conditions that are unsafe or unsanitary relative to the subject property and, in particular, any recorded violations. The Director of Public Health may deny a license on consideration of such evidence.

(2) Notification in Residential Districts. Upon receipt of an initial license application for a property located in a Residential zoning district, the Department of Public Health shall send a copy of the license application, along with a comment form, to the owner of each property directly adjoining the property that is the subject of the license application. A copy of these notifications shall be transmitted to the City Councilmember in whose ward the subject property is located. In reviewing the license application, the Director shall consider any evidence submitted by neighbors regarding issues pertinent to the regulations and approval standards for issuance of the license. The Director shall not take action on such license application prior to twenty-one (21) days from the date on which the notice was mailed to the owners of adjoining properties.

(3) Building and Housing Approval. The Public Health Director shall not approve any initial license application for the keeping of farm animals or bees prior to approval of the site plan by the Department of Building and Housing in accordance with the provisions of Section 347.02 of the Zoning Code.

(c) License Expiration. Such license shall expire at the end of a calendar year and shall be renewed once every two years during November or December. The application for renewal of a license need not include drawings and other information regarding conditions that have not changed since submission of such information in a prior license application.

(d) Lots Without a Residence. In the case of an application to keep farm animals or bees on a lot that is vacant or has no occupied residence, a License shall be granted only if the applicant submits written documentation satisfactory to the Public Health Director demonstrating that the use will be managed in a manner that prevents the creation of nuisances or unsanitary or unsafe conditions. Where the applicant is not the property owner, a license may be granted only where the application is accompanied by a signed statement from the property owner granting the applicant permission to engage in the keeping of farm animals or bees.

(e) Enforcement. The Director of the Department of Public Health or any authorized City employee shall have the authority to inspect any property to determine compliance with the regulations of Section 347.02 of the Zoning Code regarding sanitation and nuisances and operational practices in the keeping of farm animals or bees and shall have the authority to enforce the regulations of that Section as they apply to such matters.

(f) Penalties. If the Director of Public Health determines that an individual is in violation of the provisions of this Section or Section 347.02 with respect to the enforcement responsibilities of the Department of Public Health, the Director shall issue a violation notice to the individual, noting the nature of the violation(s). If the violation is not corrected within seven (7) days of issuance of the violation notice, the recipient of the notice shall be subject to the following penalties and enforcement actions.

- (1)** for a first offense, a fine of fifty dollars (\$50);
- (2)** for a second offense occurring within four (4) months of the first offense, a fine of seventy-five dollars (\$75);
- (3)** for a third and any subsequent offense occurring within four (4) months of the first offense, any farm animals or bee hives associated with the violation shall be removed from the property by the individual or shall be removed and impounded by the Department of Public Health.