

## INTENSIVE LIVESTOCK OPERATION

**111.2800 Intensive Livestock Operation (ILO)**

**111.2801 Scope** Any farm or farm operation engaged in raising, breeding, or feeding beef or dairy cattle, horses, swine, sheep, poultry/fowl, or other livestock in concentrations of 300 or more animal units, including any buildings, structures, excavations, or enclosed areas directly involved therein, including land used for pasture or feedlot purposes, and any animal waste storage structures, excavations or areas directly connected to or associated with such operations, shall be considered an ILO. In addition, any farm or farm operation using barns with pits or lagoons for manure collection shall be considered and ILO.

For purposes of this Ordinance, an “Animal Unit” (A.U.) means a unit of measure used to compare differences in the production of animal manures that employs as standard the amount of manure produced on a regular basis by a 1,000 pound slaughter/feeder steer or heifer.

ANIMAL	ANIMAL UNIT	NO. OF HEAD NEEDED TO EQUAL 300 A.U.
1 horse	2.0	150
1 mature dairy cow	1.4	215
1 slaughter/feeder steer or heifer	1.0	300
1 swine over 55 pounds	0.4	750
1 duck	0.2	1,500
1 sheep/lamb	0.1	3,000
1 swine under 55 pounds	0.05	6,000
1 chicken/liquid manure system	0.03	10,000
1 turkey	0.02	15,000
1 chicken/overflow watering	0.01	30,000
Other animals - average weight of animal/1,000 =A.U.		

**111.2802 PURPOSE** The purpose of this Article is to insulate the non-agricultural districts, except for Industrial ”I” and Parks, Campgrounds & Recreational Areas “P”, “CG”, “RA”, from the effects of ILOs such as noise, odor, and ground and surface water contamination, while maintaining the right to farm, including the operation of ILOs, in the Agricultural District “A”. Reciprocal buffer zones are created within the Agricultural District to insulate the ILOs from non-agricultural uses within that district.

**111.2803 Reciprocal Buffer Zones.** Due to the increasing conflict between normal and accepted practices and non-farm rural residents and commercial business, it is necessary to maintain a space between ILOs and these non-farm uses. Non-farm residents and business may find objectionable normal agricultural practices which often involve odor, noise, traffic, dust, etc. ILOs may suffer adverse economic impact from nuisance complaints, whether verbal, written or legal. This section establishes a reciprocal buffer zone in the Agricultural District. A new home, church, school or commercial building will not be permitted within 750 feet (straight-line measurement) of an existing ILO, unless on the property of the ILO, without prior written consent of the owner of the ILO.

**111.2804 Waste Management Requirements** All ILOs in Porter Township shall, at all times, be operated and maintained in accordance with the recommendations set forth in the Generally Accepted and Good Livestock Waste management Practices as published by Michigan State University, June 1, 1988, and in accordance with subsequent revisions thereto developed under the auspices of the Michigan State Agricultural Commission, and in accordance with the Interim Generally Accepted

Agricultural and Management Practices For Manure Management and Utilization guidelines, adopted June, 1996 by the Michigan Agriculture Commission, as referenced by the Michigan Right to Farm Act, Public Act 93 of 1981, as amended, and in accordance with such additional rules, regulations and guidelines as may from time to time be established by the Agriculture Commission or other appropriate state agency in accordance with Public Act 93 of 1981, as amended. Where differences exist between any state rules, regulations or guidelines and the requirements of this Ordinance, the requirements of this Ordinance should be met.

- 111.2805**     **Procedure for Enforcement of Ordinance.** Any complaint by an individual or business entity, including an ILO, as to a suspected violation of this Ordinance, shall be directed to the Porter Township Enforcement Officer or the Porter Township Supervisor. The Township Enforcement Officer, or the Township Supervisor, if they consider it valid, shall within 48 hours of receiving the complaint, notify the Michigan Department of Agriculture, Right to Farm Program. The Michigan department of Agriculture (MDA) acting in conjunction with the Michigan Department of Natural Resources (MDNR), shall be responsible for handling the complaint. The Township Enforcement Officer shall act as liaison between Porter Township and the MDA and the MDNR.
- 111.2806**     **Repeal** All Ordinances inconsistent with the provisions of this Ordinance are hereby repealed.
- 111.2807**     **Effective date** The Ordinance shall be effective after legal publication and in accordance with the Act governing the same.

Adopted May 12, 1998, Published MAY 26, 1998, Effective JUNE 26, 1998, Amended 12/10/2002, Effective 01/10/2003