ORDINANCE 250—VILLAGE OF STETS\NVILLE

REGULATION DOMESTIC FOWL

The Village Board of the Village of Stetsonville, Taylor County, Wisconsin, do hereby ordain as follows:

Section 1: The Village of Stetsonville Code of Ordinance "Regulating Domestic Fowl" is hereby reads as follows:

A. Purpose and Intent

The purpose of this Section is to outline conditions under which Village residents may safely keep or maintain a limited number of chickens to assure appropriate chicken coops or structures in which to house chickens and to protect the health, safety, and welfare of the general population of the Village of Stetsonville.

B. Definitions

For the purpose of this Section, the following terms have the meaning indicated:

(1) Abutting Property – All property that abuts an applicant's property at one or more points except public streets.

(2) Backyard – Backyard shall mean for purposes of this Section that portion of a lot enclosed by the property's rear lot line and the side lot lines to the points where the side lot lines intersected with an imaginary line established by the rear of the single family structure and extending to the two side lot lines.

(3) Chicken – Chicken shall mean a female hen of any age, including chicks. This definition does not include other kinds of fowl including but not limited to ducks, quail, pheasant, geese, turkeys, guinea hens, peacocks, emus, or ostriches.

(4) Coop – Coop shall mean an enclosed structure, building or pen within which chickens roost or are housed.

C. **Keeping of Chickens** – Chickens may be kept or maintained upon the following:

(1) Up to four (4) chickens may be raised within a lot zone upon notification of all abutting property owners.

(2) Rental tenants of a single family dwelling or a one-two family dwelling shall abide by the rules set forth in Section E herein, and shall obtain written approval prior to the keeping or maintaining of chickens on the rental premise. The landlord's written approval must accompany the applicant's permit application.

(3) Retail establishments may hold an unlimited number of chickens for sale.

(4) Educational facilities are allowed to keep chickens for educational purposes only.

(5) In addition to four (4) adult chickens, new born chickens (chicks) up to the age of three (3) weeks may be kept in a residence or outbuilding.

D. **Chickens are Not Allowed:** - Chickens are not allowed to be kept or maintained upon the following:

(1) Mobile Home parks.

(2) Vacant lots unless the person requesting the permit resides on the abutting property.

(3) Condominiums.

E. Permit Required

(1) No owner or tenant shall own, keep or maintain chickens within the corporate limits of the Village without first obtaining a permit.

(2) The applicant for a permit must notify all abutting property owners of their intention to keep or maintain chickens prior to applying for a permit and the permit application must certify that all such property owners have been notified. A list of all property owners and their addresses must be includ3ed with the permit application. No permit to keep or maintain chickens shall be issued unless all requirements are met.

(3) The above requirements shall not be required for renewal of a permit as long as the permit is kept current.

(4) The permit year shall commence on January 1, and shall end on the following December 31, and shall be renewed annually.

(5) A permit granted shall not transfer to any other property or successors owners of permitted property unless all provisions of this section are met.

F. Fees

(1) The annual fee for keeping and maintaining up to four chickens shall be $15.00 and this must be paid to the Village Clerk at the time of application. This fee shall not be prorated. Amendments to the annual license fee may be made by Village resolution.

(2) All renewal permits are due and payable to the Village no later than January 31st of the permit year, or prior to keeping the chickens, whichever is later. Failure to timely renew and pay will result in forfeiture of the permit. Upon forfeiture an applicant shall be required to meet all initial requirements as set forth in Section E above.

G. Property Requirements

(1) A coop and any attached enclosure shall be located in the backyard of the permit holder's residence and shall meet all applicable setback requirements for Accessory Buildings as set forth in the Village of Stetsonville Comprehensive Zoning Code.

(2) A coop and any attached enclosure shall not be closer than twenty-five feet (25') to an abutting residence in addition to the restrictions in paragraph (1) above.

H. Coop Design

(1) All chickens shall be kept and maintained within a ventilated and roofed coop in compliance with any applicable State and Local requirements.

(2) All coops, including an attached coop enclosure, shall be enclosed with wire netting or equivalent material that will prevent chickens from escaping the coop or the attached enclosure.

(3) The coop structural floor shall allow at least four (4) square feet per chicken and the height of the coop shall not exceed seven feet (7') above ground level.

(4) The coop shall have a clear open space to allow the chickens to walk on the ground or a concrete slab.

I. Any person keeping chickens:

(1) Shall keep or maintain chickens within a coop or attached coop enclosure at all times.

(2) Shall not keep or maintain any roosters or male chickens.

(3) Shall not sell any eggs.

(4) Shall not slaughter any chickens on the premises.

(5) Shall ensure that chickens are provided with access to feed and clean water at all times.

(6) Shall consult with a veterinarian regarding chickens that appear ill or on the occasion of a sudden death. If a disease that would be contagious to humans is diagnosed, recommendations to insure prevention or transmission of a disease must be followed as recommended by the veterinarian.

J. Sanitation

(1) Chickens and the coops shall be kept and maintained at all times in outdoor areas and shall not be permitted inside a residential premise or dwelling, except as provided in Section 1, paragraph © (8).

(2) Chicken feed shall be stored and kept in containers, which make the feed inaccessible to rodents, vermin, wild birds and other predators.

(3) All coops and backyards where chickens are kept or maintained shall be reasonably free from chicken produced substances including but not limited to chicken manure such that the air or environment around the chickens does not become noxious or offensive or create a condition that would reasonably promote the breeding of flies, mosquitoes, or other insects, or provide a habitat, breeding or feeding place for rodents or other animals, or otherwise be injurious to public health.

K. Inspection

(1) The Village shall have the power, whenever it may deem reasonably necessary, to enter a building, structure, or property where chickens are kept to ascertain whether the keeper is in compliance with this Section. The Village Board may issue compliance orders and citations pursuant to provisions of this Section, and State law.

L. Enforcement

(1) The Village shall revoke a permit to keep chickens in the event that the Village Board has issued three (3) or more violations of this ordinance within any six (6) month period.

M. Penalty

Any person, firm or corporation who shall violate any provisions of this ordinance, shall, upon conviction thereof, forfeit $10.00 per day from the date the citation is issued.

N. Restricted Covenants

This ordinance is not intended to interfere with any restrictive covenants otherwise applicable.

Section 2: This ordinance shall take effect immediately upon its passage and publication as provided by law.

Passed, approved and effective upon posting and publication after April 9, 2013.

/s/ Greg Brunner , Village President

Attest:

/s/ Shawn Sullivan, Village Clerk