



Village of Hobart – www.hobartwi.gov
Village Office - 2990 South Pine Tree Road, Hobart, WI

Notice is hereby given according to State Statutes that the **PLANNING AND ZONING COMMISSION** of the Village of Hobart will meet on **Wednesday February 12th 2025 at 5:30 P.M.** at the Village Office (2990 South Pine Tree Road). **NOTICE OF POSTING:** Posted this 6th day of February, 2025 at the Hobart Village Office and on the village website.

MEETING NOTICE – PLANNING AND ZONING COMMISSION

Date/Time: Wednesday February 12th 2025 (5:30 P.M.)

Location: Hobart Village Office (2990 South Pine Tree Road)

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call.
2. Certification of the open meeting law agenda requirements and approval of the agenda
3. Approval of Minutes of the November 13th 2024 meeting (Page 2)
4. Public Comment on Non-Agenda Items

ACTION ITEMS

5. DISCUSSION AND ACTION – Consider Conditional Use Permit allowing a maximum of 10 animal units, exceeding the 5 units permitted in the ER: Estate Residential District (HB-210-2, 2264 S. Pine Tree Road) (Page 3)

The current property owners, Chue Vang and Shor Yang, of the property located at 2264 S. Pine Tree Rd (HB-210-2) are requesting consideration of a Conditional Use Permit increasing the number of animal units permitted from 5 to 10 animal units in the ER: Estate Residential zoning district.

6. DISCUSSION AND ACTION - Request to modify/ amend the Animal Ordinance, Chapter 102, pertaining to harboring chickens (Page 10)

A Village resident has requested that Village Administration review and consider amending a portion of Chapter 102, Animals, of the Village Municipal Codes relating to the owning, harboring, and the possession of chickens (hens only) in the R-1: Single-Family Residential zoning district. This request is for discussion purposes only at this time with possible direction to Village Staff.

7. DISCUSSION AND ACTION - Modifications/Amendments to the Zoning Ordinance, Chapter 295, Section 295-17, Swimming Pools (Page 50)

Village Staff is proposing modifications to section 295-17 of the Village's ordinance relating to the regulations of swimming pools. Proposed modifications to this section pertain to including hot tubs and spas with the same requirements as swimming pools, and also permitting automated pool covers as an exemption to the fence barrier requirement. The Village's current ordinance addresses the location and safety of swimming pools, however, it does not address hot tubs or spas. These other devices pose similar safety issues as swimming pools, so it is Staff's recommendation to include hot tubs and spas in this code section.

8. ADJOURN

Aaron Kramer, Village Administrator

COMMISSION MEMBERS: Rich Heidel (Chairperson), Dave Dillenburg (Vice-Chairperson), Jeff Ambrosius, Tom Dennee, David Johnson, Bob Ross, John Rather

NOTE: A quorum of the Village Board may be present at this meeting, but no official Board action or discussion will take place. Page numbers refer to the meeting packet. All agenda and minutes of Village meetings are online: www.hobart-wi.org. Any person wishing to attend, who, because of disability requires special accommodations, should contact the Village Clerk at 920-869-1011 with as much advanced notice as possible. Notice is hereby given that action by the Board may be considered and taken on any of the items described or listed in this agenda. There may be Board members attending this meeting by telephone if necessary.



Village of Hobart Planning & Zoning Commission Minutes
Hobart Village Office; 2990 S. Pine Tree Rd, Hobart, WI
Wednesday, November 13, 2024 – 5:30 pm

Date/Time: Wednesday November 13th 2024 (5:30 P.M.)

Location: Hobart Fire Station #1 (2703 South Pine Tree Road)

ROUTINE ITEMS TO BE ACTED UPON:

1. **Call to order/Roll Call** – The meeting was called to order by Rich Heidel at 5:31 pm. Jeff Ambrosius, Dave Dillenburg, David Johnson, John Rather, Bob Ross, and Rich Heidel were present. Excused: Tom Dennee.
2. **Certification of the open meeting law agenda requirements and approval of the agenda** – ACTION: To certify the open meeting law agenda requirements and approve the agenda. MOTION: Ambrosius SECOND: Ross VOICE VOTE: 6-0.
3. **Approval of Minutes of the September 11, 2024 meeting** – ACTION: To approve the Minutes of the September 11, 2024 meeting. MOTION: Johnson SECOND: Dillenburg VOICE VOTE: 4-0. Ross and Heidel abstained.
4. **Public Comment on Non-Agenda Items** – None.

ACTION ITEMS

5. DISCUSSION AND ACTION – Rezoning of Parcel HB-889-1 (1380 East Adam Drive) from R-3: Residential District to R-1: Residential District

The property owner of parcel HB-889-1, located at 1380 E. Adam Dr. is requesting to rezone this parcel from R-3: Residential District to R-1: Residential District. The existing parcel is approximately 3.521 acres and complies with all zoning requirements for lot area, lot width, and setbacks for the proposed zoning district. (Applicant: Timothy Bostedt; Owner: Donna Bostedt)

ACTION: To recommend approval of Rezoning of Parcel HB-889-1 (1380 East Adam Drive) from R-3: Residential District to R-1: Residential District: MOTION: Ross SECOND: Ambrosius VOICE VOTE: 6-0.

6. ADJOURN(5:40 PM) – MOTION: Heidel SECOND: Johnson VOICE VOTE: 6-0.

Respectfully submitted by Lisa Vanden Heuvel, Village Clerk



TO: Planning & Zoning Commission

RE: Consider Conditional Use Permit, Increase Animal Units, HB-210-2, 2264 S. Pine Tree Rd.

FROM: Todd Gerbers, Director of Planning and Code Compliance

DATE: February 12, 2025

ISSUE: Consider Conditional Use Permit allowing a maximum of 10 animal units, exceeding the 5 units permitted in the ER: Estate Residential District

RECOMMENDATION: Staff recommends conditional approval

GENERAL INFORMATION

1. Applicant(s)/Petitioner(s): Chue Vang
2. Owner(s): Chue Vang and Shor Yang
3. Parcel: HB-210-2
4. Address: 2264 S. Pine Tree Rd.
5. Present Zoning: ER: Estate Residential District

BACKGROUND

The current property owners, Chue Vang and Shor Yang, of the property located at 2264 S. Pine Tree Rd (HB-210-2) are requesting consideration of a Conditional Use Permit increasing the number of animal units permitted from 5 to 10 animal units in the ER: Estate Residential zoning district.

Presently the property owners are using their permitted 5 animal units for raising chickens, and they are requesting to increase the allowable animal units to 10 to raise additional chickens. Based on the attached application and supporting documents, they plan to have the maximum of 25 chickens (0.4 animal units per chicken). They also plan to build additional chicken coop with an attached fenced in run area to house and provide security for the chickens. They do not plan to let the chickens be free range on their property. Additionally, they plan to use the chicken waste as fertilizer for the planned garden in the northeast corner of their lot.

The adjacent properties are currently zoned as follows, R-2-R: Rural Residential to the north, ER: Estate Residential to the east, and A-1: Agricultural to the south.

RECOMMENDATION/CONDITIONS

Assuming proper care and maintenance (waste disposal, housing, containment), Staff recommends conditional approval of 10 animal units subject to the following conditions and any conditions the Commission might identify:

1. The additional 5 animal units are limited to chickens as noted in the application
2. Chickens shall be fenced in housed in an accessory structure (i.e. chicken coop) and shall not be able to be free range
3. The Conditional use Permit may be brought back to the Village Board for consideration and revocation if the activities of the operation result in repeated nuisance complaints, and/or violations of Village, County, State, or Federal regulations, rules, or laws;
4. Conditional Use Permit shall be brought back to the Village Planning and Zoning Committee and Village Board for review prior to any transfer in land ownership of the parcel.



- Rezoning Review
- Conditional Use Permit Review
- Planned Development Review
- CSM/Plat Review

Village of Hobart
 Dept of Planning & Code
 Compliance
 2990 S Pine Tree Rd
 Hobart WI 54155
 Phone: (920) 869-3809
 Fax: (920) 869-2048

APPLICANT INFORMATION

Petitioner: CHUE VANG Date: 1/30/2025
 Petitioner's Address: 2264 S PINE TREE RD City: DE PERE State: WI Zip: 54115
 Telephone #: 920-366-7512 Email: YANGSHOR@YAHOO.COM

Status of Petitioner (Please Check): Owner Representative Tenant Prospective Buyer

Petitioner's Signature (required): Date: 01/30/2025

OWNER INFORMATION

Owner(s): CHUE VANG AND SHOR YANG Date: 01/30/2025
 Owner(s) Address: 2264 S PINE TREE RD City: DE PERE State: WI Zip: 54115
 Telephone #: 920-366-7512 Email: YANGSHOR@YAHOO.COM

Ownership Status (Please Check): Individual Trust Partnership Corporation

Property Owner Consent: (required)

By signature hereon, I/We acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Neighborhood Services Department for incomplete submissions or other administrative reasons.

Property Owner's Signature: Date: 1-30-2025

SITE INFORMATION

Address/Location of Proposed Project: 2264 S PINE TREE RD Parcel #: HB- 210-2

Proposed Project Type: CONDITIONAL PERMIT USE - SEEKING 10 ANIMAL UNITS

Current Use of Property: RESIDENTIAL Zoning: ER

Land Uses Surrounding Site:

North: A1

South: A1

East: R2R

West: A1

****Please note that a meeting notice will be mailed to all abutting property owners regarding your request prior to any Public Hearing.**

- Application fees are due at time of submittal. Make check payable to Village of Hobart.
- Please refer to the fee schedule for appropriate fee. FEE IS NON-REFUNDABLE

CONDITIONAL USE PERMIT / PLANNED DEVELOPMENT APPLICATIONS

Briefly explain how the proposed conditional use/development plan will not have a negative effect on the issues below.



<p>1. Health, safety, and general welfare of occupants of surrounding lands. Seeking approval for 10 animal units, 25 chickens, we clean our chicken coops at least once a week and we will use the chicken manure as fertilizer and compost for the garden we plan to have on the south side of the property. Some chickens will be in a fenced area outside of the coop, but they will be fenced in and no chicken will be free range, ensuring health and safety and welfare of our neighbors.</p>
<p>2. Pedestrian and vehicular circulation and safety, -NA- Chickens will not be free range.</p>
<p>3. Noise, air, water, or other forms of environmental pollution. our chickens are more than 200ft away from the well and mound. we keep our chickens and coops clean and the air around our home and chickens do not smell.</p>
<p>4. The demand for and availability of public services and facilities. -NA-</p>
<p>5. Character and future development of the area. we plan to build a 140 sqft chicken coop in the back of the house towards the east side of the property, approx 120-150 yards away from the house. the new coop would be fully enclosed, minimizing the chicken noise.</p>

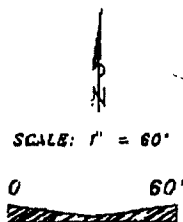
PAGE 2

PLOT PLAN

Jon Peters
 NW, S13, T23, R19E
 Village of Hobart
 Brown County
 5 ACRES

LEGEND

- BENCHMARK (BM) = 100'
- BM = VRP/HRP
- WELL = 
- PIT = 
- LOT LINE = - - - - -
- R/W = - - - - -
- TERRAIN FEATURE = ·····
- ROAD SURFACE = _____



AREA SUITABLE FOR MOUND

Handwritten: *Wedge*

Handwritten: *140*

S PINTREE

#2264
 INSIST
 80' M/L
 D/W



INSULATE
 PER CODE
 LEADON
 EXISTING ST
 PER CODE

OLD BUILDINGS
 REMOVED FROM THIS
 AREA
 New coil
 50' - 70'

EX VENT RAD WATER IN VENT

40.2' 2" PM

PIT IN THIS
 AREA HAD REDOX
 FEATURES UNDER TOPSOIL

15' DOWNSLOPE
 TO BE UNALTERED
 LEVEL SITE

94.5' ① 5' X 90' MOUND ② 94.3'

15' DOWNSLOPE
 TO BE UNALTERED ③ 94.6'

BM = TOP OF
 WOOD FENCE POST

NEIGHBORS MOUND

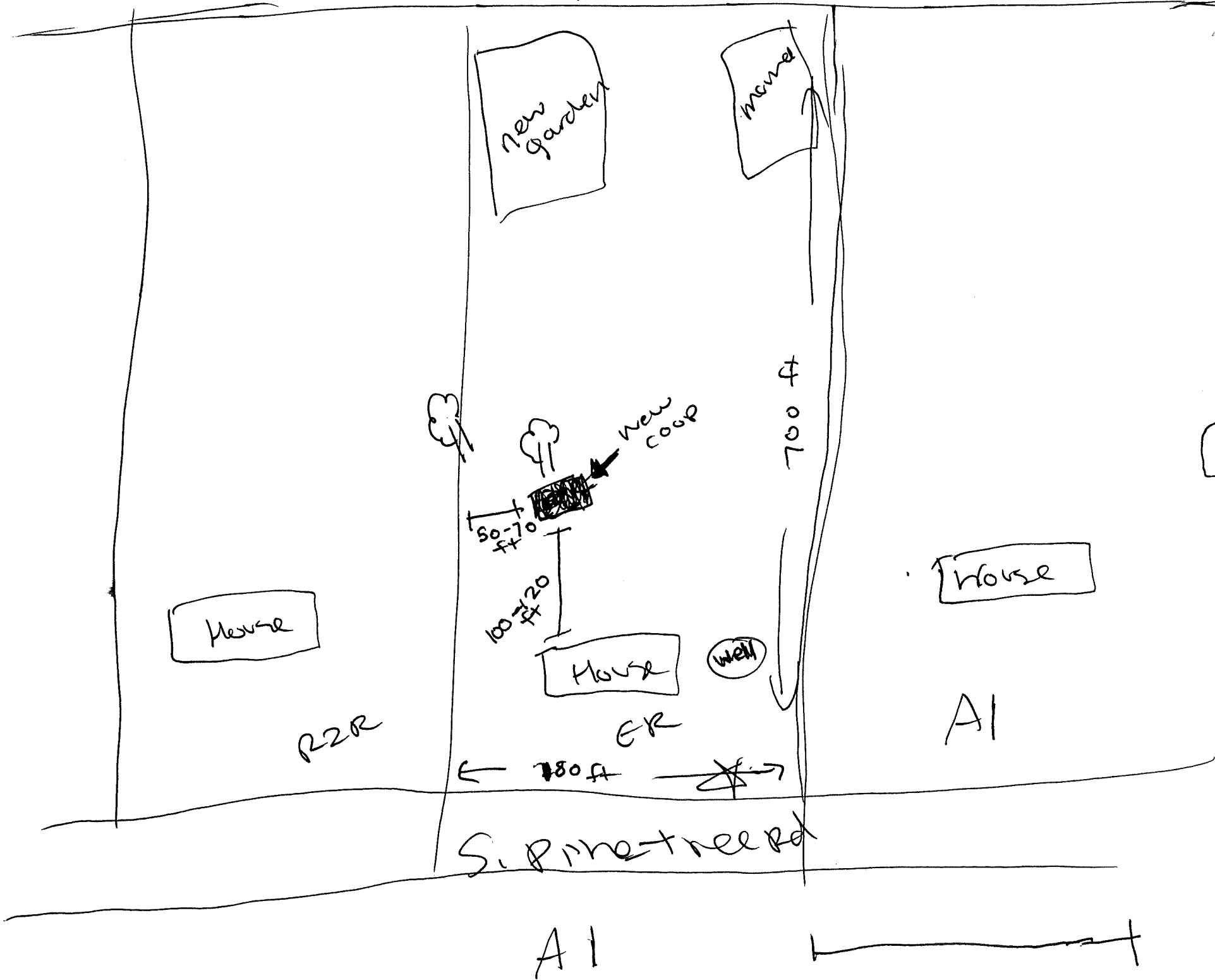
100 FT SQ

200 FT

Handwritten: *50' 50' 50'*











Handwritten: *200 FT 400 FT*

GREATER THAN 50' TO WEST P/L



Part of Brown County WI

LEGEND / KEY

-  Parcel Boundary
-  Condominium
-  Gap or Overlap
-  "hooks" indicate parcel ownership crosses a line
-  Parcel line
-  Right of Way line
-  Meander line
-  Lines between deeds or lots
-  Historic Parcel Line
-  Vacated Right of Way

A complete map legend (map key) is available at: tinyurl.com/BrownDogLegend

Map printed 2/4/2025



1:1,200

1 inch = 100 feet*

1 inch = 0.0189 miles*

*original page size is 8.5" x 11"

Appropriate format depends on zoom level

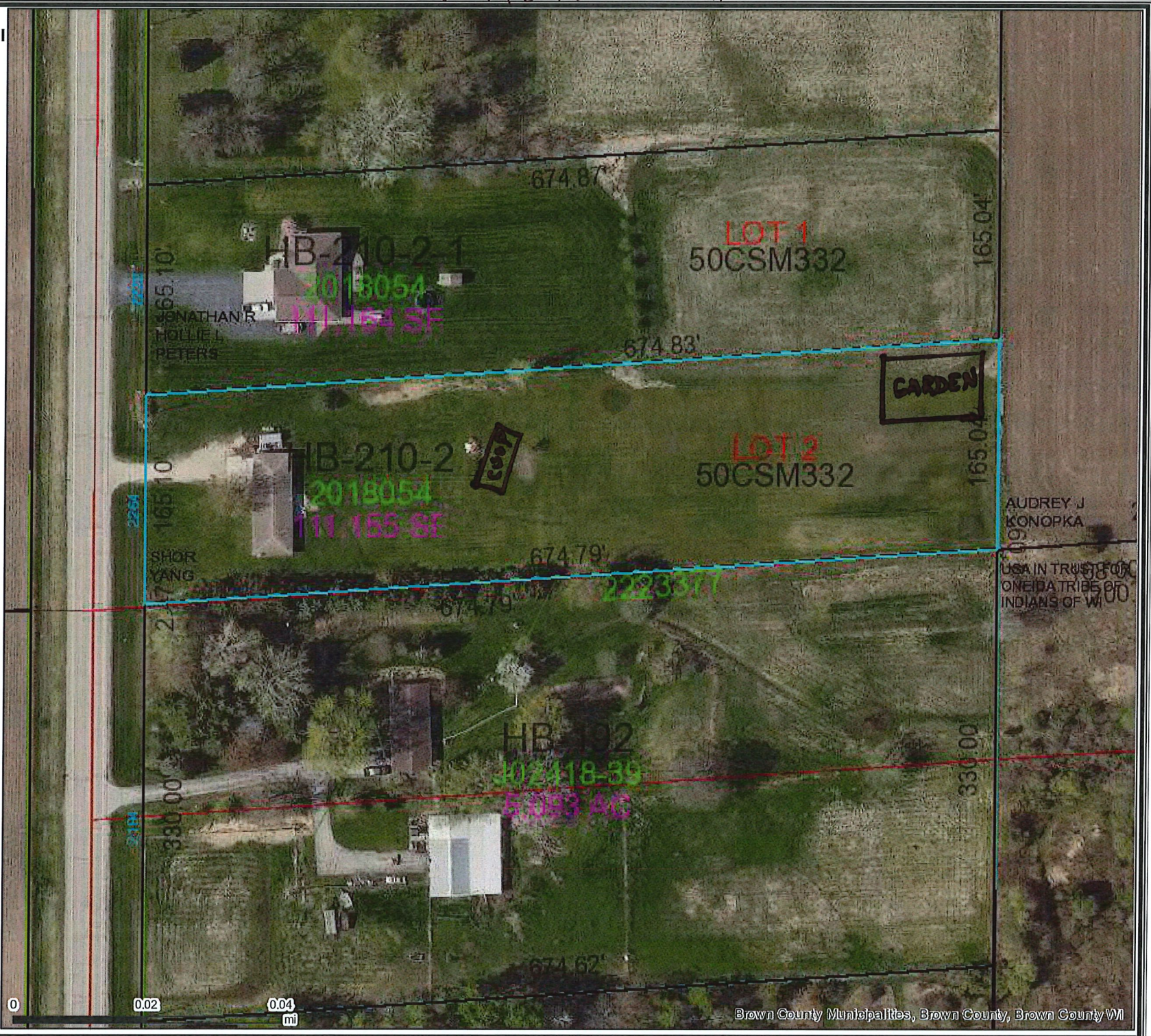
This is a custom web map created by an online user of the GIS map services provided by the

Brown County Wisconsin Planning & Land Services Department

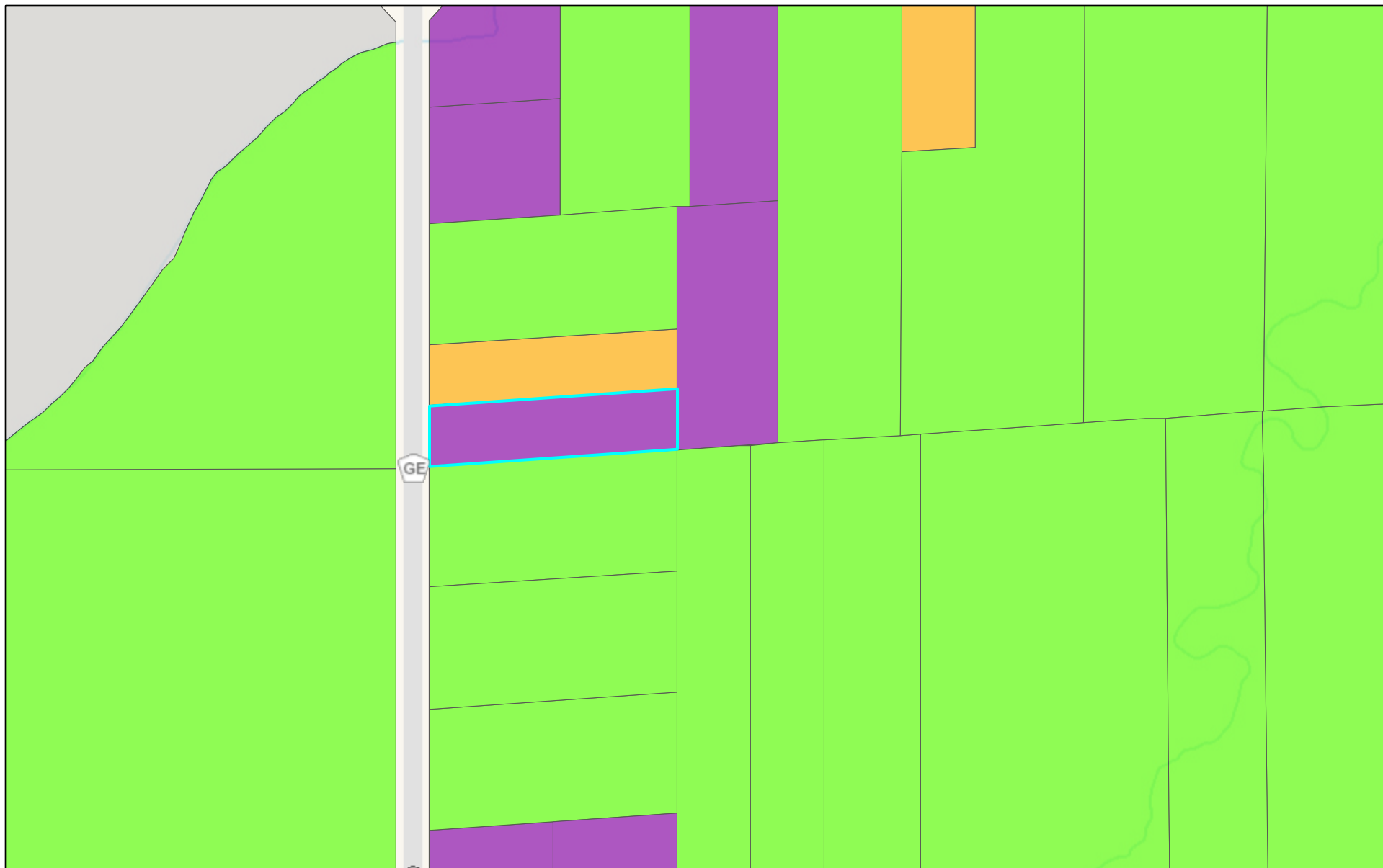


(920) 448-6480

www.browncountywi.gov







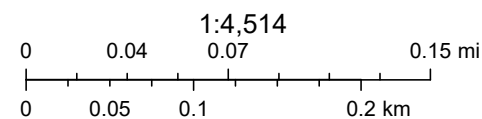
Village of Hobart Zoning



2/6/2025, 12:12:10 PM

Zoning

-  A-1: Agricultural District
-  ER: Estate Residential District
-  R-2-R: Rural Residential District
-  I-1: Limited Industrial District



Brown County, Robert E. Lee & Associates, Inc.



TO: Planning & Zoning Commission

RE: Discussion on request to amend the Village's Codes Pertaining to Harboring Chickens, Chapter 102

FROM: Todd Gerbers, Director of Planning & Code Compliance

DATE: February 12, 2025

ISSUE: Discussion and direction on request to modify/ amend the Animal Ordinance, Chapter 102, pertaining to harboring chickens

RECOMMENDATION: This is for discussion and possible direction to Staff

GENERAL INFORMATION

A Village resident has requested that Village Administration review and consider amending a portion of Chapter 102, Animals, of the Village Municipal Codes relating to the owning, harboring, and the possession of chickens (hens only) in the R-1: Single-Family Residential zoning district. This request is for discussion purposes only at this time with possible direction to Village Staff.

The Village's current ordinance, sections 102-6, 102-9, and 102-11 thru 13 allow for the licensing of a maximum of six (6) chickens when located in a R-2, R-2-R, and R-3 zoning district. The harboring and possessing of chickens in the R-1 zoning district is prohibited.

After reviewing some of our adjacent municipalities, Staff was able to determine that the following municipalities do annually license chickens in their respective single-family zoning districts:

Village of Bellevue – maximum of 4 hens (regardless of age) and 1 license per parcel

Village of Howard – maximum of 4 hens on lots of 2 acres or less, and 8 hens on lots larger than 2 acres

City of De Pere - maximum of 4 chickens and 1 license per parcel

City of Green Bay – maximum of 4 hens

The following municipality permits chickens in single-family districts, but only a total of 4 properties, not every property:

Village of Ashwaubenon – maximum of 4 hens in a maximum of 4 single-family lots, village wide

The following municipality permits chickens in residentially zoned parcels that have a minimum of 1 acre of lot area:

Town of Lawrence – maximum of 4 hens

The Village resident who is requesting to have this ordinance reviewed has been invited to attend the meeting and if present, will very likely ask to speak during the meeting.

Attached are copies of the Village's current ordinance along with copies of the communities noted above.

RECOMMENDATION/CONDITIONS

This is for discussion purposes and direct Staff accordingly.

Chapter 102. Animals

Article II. Prohibited and Protected Animals, Fowl, Reptiles and Insects

§ 102-6. Poultry and livestock prohibited.

- A. Except as specifically permitted in a zoning district, no person shall keep or maintain any poultry, pigeons or fowl, or any animal raised for fur-bearing purposes, or any livestock, including, but not limited to, horses, cattle, sheep, goats, pigs or swine, whether or not such animal is domesticated, tamed, or a pet.
 - (1) The slaughter of chickens permitted in the R-2, R-2-R and R-3 Single-Family Residential Districts shall be prohibited.
[Amended 6-7-2016 by Ord. No. 06-2016]
- B. Any person keeping or maintaining such poultry, pigeons, fowl, animal or livestock contrary to this subsection as of August 5, 2003, may continue to keep or maintain such a nonconforming use upon receipt of a permit from the Village Clerk-Treasurer in accordance with rules established by resolution of the Village Board as long as a public nuisance is not created.
- C. Exceptions. The exceptions to this section shall apply as in § 102-5.
- D. Prohibitions. The prohibitions of this section shall apply as in § 102-5.

§ 102-9. Shelter.

- A. No person owning or responsible for any animal may fail to provide the animal with proper shelter as prescribed in this section. No person shall confine and/or allow said animals to remain outside during adverse weather conditions, constituting a health hazard to such animal.
- B. Minimum indoor standards of shelter shall include ambient temperature compatible with the health of the animal and shall be adequately ventilated by natural or mechanical means to provide for the health of the animal.
- C. Minimum outdoor standards of shelter shall include shelter from sunlight when such is likely to cause heat exhaustion or other ill effects. Natural or artificial shelter appropriate to the local climatic conditions for the species shall be provided as necessary for the health of the animal.
- D. Minimum indoor and outdoor standards for enclosures and shelters shall be constructed and maintained so as to provide sufficient space to allow adequate freedom of movement and the retention of body heat for the health of the animal.
 - (1) Shelter requirements for chickens required to be licensed per § 102-11A shall meet the following requirements:
 - (a) The shelter shall be structurally sound, moistureproof and maintained in good repair;

- (b) Chickens shall be provided shelters that are enclosed, predatorproof, insulated and adequately ventilated;
 - (c) Shelters shall use exterior finish materials approved for exterior use and shall be of a color which is substantially similar to those used in the principal structure;
 - (d) A sufficient quantity of suitable clean bedding material, to provide insulation and protection against the cold and dampness and promote the retention of body heat, shall be required;
 - (e) Shelters shall be provided an entrance covered by a self-closing swinging covering or an L-shaped entrance to prevent the wind from blowing directly into the shelter;
 - (f) During the months of May through September, Subsection **D(1)(c)** and **(d)** may be suspended;
 - (g) Chicken shelters shall measure a minimum of seven square feet in area or three square feet in area per chicken, whichever is greater;
 - (h) Chicken shelters shall be provided with one nest box per chicken;
 - (i) Chicken shelters shall be provided with elevated perches to ensure chickens are able to rest in their natural roosting position;
 - (j) Chicken shelters shall be constructed and maintained so as to prevent rodents from being harbored underneath, or within the walls or roof of, said structure;
 - (k) Chicken shelters, food storage units, and waste compost shall be placed to comply with the zoning district's principal building setback standards and must be located in the rear yard of the property as defined by the Zoning Ordinance;^[1]
 - [1] *Editor's Note: See Ch. 295, Zoning.*
 - (l) Chickens shall be secured within the shelter during nondaylight hours;
- (2) Fence enclosure (run) requirements for chickens required to be licensed per § **102-11A** shall meet the following requirements:
- (a) Chickens shall be provided with access to an outdoor fence enclosure (run) measuring at least 10 square feet in area or six square feet per chicken, whichever is greater, for the majority of daylight hours, weather permitting.
 - (b) Chicken shelters shall provide direct access to the outdoor fence enclosure (run).
 - (c) Fencing must have spacing of no more than one inch;
 - (d) Fencing shall be no less than three feet in height;
 - (e) The fence enclosure requirements must be maintained all year, regardless of weather.
- E. Minimum sanitation standards for both indoor and outdoor enclosures shall include daily cleaning to remove excreta and other waste materials, dirt, and trash so as to minimize health hazards.
- F. No person may intentionally abandon any animal.

Village of Hobart, WI
Thursday, February 6, 2025

Chapter 102. Animals

Article III. Licensing and Regulation of Animals

§ 102-11. Licensing.

A. License required.

- (1) Every person residing in the Village who owns a dog which is more than five months of age on January 1 shall annually at the time and in the manner prescribed by law for the payment of personal property taxes obtain a license therefor.
- (2) Every person in the Village residing in the R-2, R-2-R or R-3 Single-Family Zoning Districts who owns one or more chickens shall secure an annual license in the same manner as required for dogs, except that the license shall be required regardless of the age of the chickens. The license and associated fee are to keep chickens and not a "per chicken" license. [Amended 6-7-2016 by Ord. No. 06-2016]
 - (a) Initial license applications. All applicants must receive and provide written approval from the owner and occupant(s) of all neighboring residentially used properties within 100 feet of the applicant's property lines, exclusive of street rights-of-way. The applicant shall contact neighboring property owners and occupants and provide to said parties information required for the license in order that said parties may be informed as to the requirements and regulations applicable to the keeping of chickens. No initial license application for the keeping of chickens may be considered unless said approvals have been obtained and presented. This provision shall only apply for approval of the initial license application and not for renewal of consecutive licenses. In cases where the license lapses by more than 30 days, any application shall be considered an initial application.

B. Fees. The license fees will be as determined by resolution of the Village Board.
[Amended 6-7-2016 by Ord. No. 06-2016]

C. State law adopted. Chapter 174, Wis. Stats., pertaining to licensing of dogs, is made part of this section by reference.

§ 102-12. Number of animals limited.

[Amended 1-6-2015 by Ord. No. 01-2015; 6-7-2016 by Ord. No. 06-2016; 7-20-2021 by Ord. No. 2021-12; 5-2-2023 by Ord. No. 2023-08]

- A. No person shall own, harbor, or keep in his possession more than two dogs on property zoned residential, with the exception that a litter of pups, or a portion of a litter, may be kept for not exceeding 12 weeks from birth on a parcel consisting of 2 1/2 acres or less. On parcels more than 2 1/2 acres in size, no person shall own, harbor, or keep in his possession more than five dogs on property zoned residential, with the exception that a litter of pups, or a portion of a litter, may be kept for not exceeding 12 weeks from birth.

- B. A person seeking a variance in the number of dogs allowed in Subsection **A** above, for parcels consisting of 2 1/2 acres or less, may do so by submitting a form designated by the Village. The variance may be granted by the Chief of Police or his or her designee.
- (1) In no event shall the number of dogs in a dwelling unit exceed four.
 - (2) All dogs must be properly licensed with the Village.
 - (3) The Chief of Police shall consider whether there have been any complaints of any violation of this article against the owner or property owner in all variance requests. Such variance may be subject to conditions as deemed appropriate by the Chief of Police.
 - (4) The variance may be revoked by the Chief of Police if any condition specified in the variance is not met. The variance may also be revoked by the Chief of Police if a complaint regarding violation of this article is received after the variance is granted.
 - (5) All decisions to deny a variance request or revoke a previously granted variance may be appealed to the Village Board if written notice of appeal is received by the Village Administrator within 14 days of receipt of the revocation notice. The Board shall consider the appeal at its next regularly scheduled meeting.
 - (6) There shall be no variances allowed in the maximum number of chickens.
- C. For the purpose of determining the size of a property for the regulation of the number of dogs permitted, adjoining parcels owned by the same person may be combined to determine the total acreage for regulation purposes as described in Subsection **A** above.
- D. If a person owns, harbors or keeps more than the allowable number of dogs under Subsection **A** above at the time the ordinance establishing the limit is passed, they shall not be required to remove any dogs from the property, but will not be able to replace any dog, after they are no longer owned, harbored or kept on the property permanently, until the person is in compliance with the ordinance.
- E. No person in the Village residing in the R-2, R-2-R or R-3 Single-Family Zoning Districts shall own, harbor or keep in his or her possession more than six chickens. For the purposes of this section, a "chicken" shall be defined as a domestic hen or pullet of the subspecies *Gallus gallus domesticus*. No roosters are allowed.

§ 102-13. Animals not to run at large.

- A. No person shall own, harbor or keep a dog which runs at large. Any dog not on a leash, nor within the property limits of its owner or keeper, is declared to be "at large," and is declared to be a public nuisance. A "leash" shall be defined as a chain, cord or rope which is not more than 10 feet in length and which is of sufficient strength to control the actions of the animal. Any police officer, humane officer or other designated public official of the Village may enter any premises, except that premises of the owner or keeper of such animal, and capture, by any reasonable and necessary means, such animal.
- B. A dog that is actively engaged in a legal hunting activity, including training, is not considered to be running at large if a dog is monitored or supervised by a person and the dog is on land that is open to hunting or on land on which the person has obtained permission to hunt or to train a dog.
- C. No person in the Village residing in an R2 - Single-Family Zoning District shall own, harbor or keep a chicken which runs at large. Any chicken not secured within a fenced enclosure or equivalent within the property limits of its owner or keeper is declared to be "at large," and is declared to be a public nuisance.



Chicken License Permit Application

To be used by residential residents (R-1 & R-2) to apply for a Chicken License Permit.

2828 Allouez Ave., Bellevue, WI 54311 | p. (920) 468-5225

<u>Cost:</u> \$25/annually	<u>License/Permit Valid From:</u> January 1st – December 31st
--------------------------------------	---

Application Date: _____

Parcel Number: _____

Initial Permit Permit Renewal

APPLICANT

Name: _____

Are you the property owner? Yes or No

Address: _____

Zip Code: _____

Phone: _____

Email: _____

CHICKENS & COOPS

Coop Type: Mobile Permanent (non-mobile)

If coop is a permanent structure, you are required to obtain a building permit and comply with all zoning requirements of this Code.

of Chickens: _____

Coop Location: _____

Coop Size: _____

Sq. Feet: _____

Height: _____

Proposed Setbacks: Front: _____

Back: _____

Left: _____

Right: _____

PERMIT STIPULATIONS | § 171-12 KEEPING CERTAIN ANIMALS.

PERMIT REQUIRED.

- (a) Any person who keeps chickens on land in the Village which the person owns, occupies or controls shall obtain a permit issued by the Village Clerk-Treasurer. The permit is valid January 1 through December 31, and the fee shall be as established by resolution of the Village Board.
- (b) Permit applications submitted by a person other than a record title owner of the property upon which chickens will be kept shall provide written consent of the property owner with the permit application.

KEEPING OF CHICKENS ALLOWED.

- (a) Up to a maximum of four chickens at any one time are allowed on a parcel with a permit regardless of age.
- (b) A maximum of one permit per R-1 Single-Family Residential or R-2 Two-Family Residential zoned parcel is allowed.
- (c) No person shall keep any rooster.
- (d) No person other than at a licensed meat processing facility may slaughter any chickens within the Village.
- (e) Chickens shall be provided with fresh water at all times and adequate amounts of food.
- (f) Chickens shall be provided with a sanitary and adequately sized coop and shall be kept in the coop or a sanitary and adequately sized chicken run attached thereto at all times. Chickens shall not be allowed to free range, even if kept in a fully fenced backyard.
- (g) All permanent (non-mobile) coops shall comply with all building and zoning requirements of this Code.
- (h) Coops shall be constructed in a workmanlike manner, be moisture-resistant and either be raised off of the ground or placed on a hard surface such as concrete or brick.

- (i) Coops with or without an attached chicken run shall be constructed and maintained to reasonably prevent the collection of standing water and shall be cleaned of hen droppings, uneaten feed, feathers and other waste daily, and it is necessary to ensure the coop and yard do not become a health, odor or other nuisance. All feed containers shall be ratproof.
- (j) Coops shall be large enough to provide a minimum of four-square feet of area per chicken permitted.
- (k) No chicken coop shall be located closer than 25 feet to any principal residential structure on an adjacent lot or within any required rear setback.
- (l) No chicken coop shall be located in a front or side yard of a parcel, whether outside the setback or not.
- (m) No chickens over eight weeks of age may be kept in a primary residential structure.
- (n) In addition to compliance with the requirements of this section, no one shall keep chickens that cause any other nuisance associated with unhealthy conditions, create a public threat or otherwise interfere with the normal use of property or enjoyment of life by humans or animals.

PUBLIC HEALTH REQUIREMENTS.

- (a) Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or humans.
- (b) Any person keeping chickens shall immediately report any unusual illness or death of chickens to the Animal Control Officer.
- (c) The Animal Control Officer may order the testing, quarantine, isolation, vaccination or humane euthanasia of ill chickens believed to be carriers of a communicable disease. The owner of the chicken shall be responsible for all costs associated with the procedures ordered hereunder.

OTHER.

- (a) Permit revocation. A permit is subject to revocation by the Animal Control Officer upon failure to comply with any provisions of Subsection C(3). Such revocation is subject to appeal to the Village Board. Once a permit is revoked, a permit shall not be reissued.
- (b) Sale of eggs and baby chicks prohibited. No person may offer to sell eggs or chicks accumulated from the activities permitted hereunder.
- (c) Nonrenewal. Any violation of this section may be cause for nonrenewal of a permit.

ACKNOWLEDGEMENT

I agree to the stipulations stated above. Agree Disagree

Owner Printed Name

Signature

Date

NOTE: To ensure compliance with Municipal Code Section 171-11, please include/attach an exhibit to this application showing the location where the coop will be placed along with the setbacks from property lines.

OFFICE USE

Animal Control Inspection Completed By: _____ Date _____

Approved Denied Reason for Denial: _____

Amount Paid: _____ Date Paid: _____ Receipt #: _____

Save Scan to Server: _____ Send Final to Resident: _____ Added Info to Tracking Spreadsheet: _____



Chapter 171. Animals

Article I. Animal Control

§ 171-12. Keeping certain animals.

[Amended 4-8-1998; 7-9-2014 by Ord. No. O-2014-12; 10-28-2015 by Ord. No. O-2015-09]

- A. The keeping or raising of ponies, horses, rabbits and other similar animals as may be determined by the Village Board is hereby declared to be a public nuisance and is prohibited on any parcel of land within the Village unless upon property zoned A-1 Exclusive Agricultural, A-2 Agriculture Transition, AG-FP Farmland Preservation or RR Rural Residential. Exceptions may be granted by the Village Board. The keeping of chickens in R-1 Single-Family Residential and R-2 Two-Family Residential Zones shall be permitted with issuance of an annual permit and subject to the regulations adopted by the Village of Bellevue.
- B. The keeping or raising of any animal, fowl, reptile, mammal or bird which affects or disturbs the public health, public peace, public safety or public decency is a public nuisance and is prohibited within the Village. No action shall be taken under this subsection unless and until the Village investigates and it has ascertained that the raising or keeping of a particular animal, fowl, reptile, mammal or bird within the Village reasonably constitutes a condition which is detrimental to public health, safety or welfare. For purposes of enforcing this subsection, any member of the Village Board or the Village Administrator may enter any premises for the purpose of inspection. Any person who violates any provision of this subsection shall be notified by the Village Board of the determination that a public nuisance exists on his premises. Each day that such public nuisance continues after notification by the Board shall be considered a separate violation of this subsection.
- C. In addition to all other regulations in this chapter, the following shall apply to keeping of chickens within the Village.

(1) Definitions. As used in this section, the following terms shall have the meanings indicated:

CHICKEN

A domestic chicken of the subspecies Gallus gallus domesticus.

CHICKEN RUN

A fenced cage attached to a coop not exceeding 40 square feet in area.

COOP

A new or existing enclosed accessory structure designed or modified for the keeping of chickens and meeting the minimum requirements of this section.

KEEP

Either owning, keeping, possessing or harboring of a chicken(s).

ROOSTER

A male chicken of any age, including a capon or otherwise neutered male chicken.

(2) Permit required.

- (a) Any person who keeps chickens on land in the Village which the person owns, occupies or controls shall obtain a permit issued by the Village Clerk-Treasurer. The permit is valid January 1 through December 31, and the fee shall be as established by resolution of the Village Board.
 - (b) Permit applications submitted by a person other than a record title owner of the property upon which chickens will be kept shall provide written consent of the property owner with the permit application.
- (3) Keeping of chickens allowed.
- (a) Up to a maximum of four chickens at any one time are allowed on a parcel with a permit regardless of age.
 - (b) A maximum of one permit per R-1 Single-Family Residential or R-2 Two-Family Residential zoned parcel is allowed.
 - (c) No person shall keep any rooster.
 - (d) No person other than at a licensed meat processing facility may slaughter any chickens within the Village.
 - (e) Chickens shall be provided with fresh water at all times and adequate amounts of food.
 - (f) Chickens shall be provided with a sanitary and adequately sized coop and shall be kept in the coop or a sanitary and adequately sized chicken run attached thereto at all times. Chickens shall not be allowed to free range, even if kept in a fully fenced backyard.
 - (g) All permanent (nonmobile) coops shall comply with all building and zoning requirements of this Code.
 - (h) Coops shall be constructed in a workmanlike manner, be moisture-resistant and either be raised off of the ground or placed on a hard surface such as concrete or brick.
 - (i) Coops with or without an attached chicken run shall be constructed and maintained to reasonably prevent the collection of standing water and shall be cleaned of hen droppings, uneaten feed, feathers and other waste daily, and it is necessary to ensure the coop and yard do not become a health, odor or other nuisance. All feed containers shall be ratproof.
 - (j) Coops shall be large enough to provide a minimum of four square feet of area per chicken permitted.
 - (k) No chicken coop shall be located closer than 25 feet to any principal residential structure on an adjacent lot or within any required rear setback.
 - (l) No chicken coop shall be located in a front or side yard of a parcel, whether outside the setback or not.
 - (m) No chickens over eight weeks of age may be kept in a primary residential structure.
 - (n) In addition to compliance with the requirements of this section, no one shall keep chickens that cause any other nuisance associated with unhealthy conditions, create a public threat or otherwise interfere with the normal use of property or enjoyment of life by humans or animals.
- (4) Public health requirements.
- (a) Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or humans.
 - (b) Any person keeping chickens shall immediately report any unusual illness or death of chickens to the Animal Control Officer.

- (c) The Animal Control Officer may order the testing, quarantine, isolation, vaccination or humane euthanasia of ill chickens believed to be carriers of a communicable disease. The owner of the chicken shall be responsible for all costs associated with the procedures ordered hereunder.

- (5) Permit revocation. A permit is subject to revocation by the Animal Control Officer upon failure to comply with any provisions of Subsection **C(3)**. Such revocation is subject to appeal to the Village Board. Once a permit is revoked, a permit shall not be reissued.

- (6) Sale of eggs and baby chicks prohibited. No person may offer to sell eggs or chicks accumulated from the activities permitted hereunder.

- (7) Nonrenewal. Any violation of this section may be cause for nonrenewal of a permit.

Sec. 4-2. - Keeping of livestock and poultry regulated.

- (a) *Livestock*. No person shall keep or maintain any livestock such as horses, cattle, sheep or goats in any zoning district except the exclusive agricultural (A-1) district or as a conditional use in the rural estate (R-5) district.
- (b) *Poultry*. Poultry, including pigeons, are allowed in the exclusive agricultural (A-1) district and in the rural estate (R-5) district.

In addition to all other regulations in this chapter, the following shall apply to the keeping of chickens within the R-1 through R-4 zoning districts, the following regulations shall apply:

- (1) *Definitions*. The following terms, when used in this section, shall have the meanings set forth below:
 - a. *Chicken* means a domestic chicken of the sub-species *Gallus gallus domesticus*.
 - b. *Keep* means either the owning, keeping, possessing or harboring of a chicken.
 - c. *Rooster* means a male chicken of any age, including a capon or otherwise neutered male chicken.
 - d. *Coop* means a new or existing enclosed accessory structure designed or modified for the keeping of chickens and meeting the requirements of this section.
 - e. *Chicken run* means a fenced cage attached to a coop and not to exceed 40 square feet in area.
- (2) *Permit required*.
 - a. Any person who keeps chickens on land in the village which the person owns, occupies or controls shall obtain a permit issued by the clerk-treasurer. The permit is valid from the time of issuance and the initial fee shall be as established by resolution of the village board and shall be the same fee established for the kennel license base fee.
 - b. Permit applications submitted by a person other than a record title owner of the property upon which chickens will be kept shall provide written consent of the property owner with the permit application.
- (3) *Keeping of chickens allowed*.
 - a. Up to four chickens are allowed on lots of two acres or less.
 - b. Up to eight chickens are allowed on lots larger than two acres.
 - c. No person shall keep any rooster.
 - d. No person other than at a licensed meat processing facility may slaughter any chickens within the village.
 - e. Chickens shall be provided with fresh water at all times and adequate amounts of feed.
 - f.

Chickens shall be provided with a sanitary and adequately-sized coop, and shall be kept in the coop or a sanitary and adequately-sized chicken run attached thereto at all times. Chickens shall not be allowed to free range.

- g. All permanent (non-mobile) coops shall comply with all building and zoning requirements of this Code.
 - h. Coops shall be construed in a workmanlike manner, be moisture-resistant and either raised up off the ground or placed on a hard surface such as concrete, patio block or gravel. However it shall be unlawful to keep chickens on wire.
 - i. Coops with or without a chicken run shall be constructed and maintained to reasonably prevent the collection of standing water, and shall be cleaned of hen droppings, uneaten feed, feathers and other waste daily and as is necessary to ensure that the coop and yard do not become a health, odor or other nuisance.
 - j. Coops shall be large enough to provide at least six square feet per chicken. Coops shall include nesting boxes, perches for each chicken. Chickens shall have access to grit and loose ground/bedding to "dust themselves".
 - k. No chicken coop shall be located closer than 25 feet to any principal residential structure on an adjacent lot. No chicken coop shall be located within any setback area.
 - l. No chicken coop shall be located in the front or side yard of a parcel, whether outside the setback or not.
 - m. In addition to compliance with the requirements of this section, no one shall keep chickens that cause any other nuisance associated with unhealthy condition, create a public health threat or otherwise interfere with the normal use of property or enjoyment of life by humans or animals.
- (4) *Permit revocation.* A permit is subject to revocation by the humane/animal control officer or health officer upon failure to comply with any provisions of subsection 86-5(g)(3) or (4). Such revocation is subject to appeal by the board of health. Once a permit is revoked, a permit shall not be reissued.
- (5) *Sale of eggs and baby chicks prohibited.* No person may offer to sell eggs or chicks accumulated from the activities permitted hereunder.

(Comp. Ords. 2000, § 9.11; Ord. No. 2014-08, § 1, 8-25-2014)

CITY OF DE PERE ANNUAL CHICKEN PERMIT APPLICATION

Note: This permit allows you to keep up to four hens (no roosters) in compliance with the City of De Pere Municipal Code, Chapter 86. If this application is accepted and a permit is issued, the number of animals allowed per dwelling unit shall be decreased by the number of chickens permitted on the property parcel so that the number of dogs or cats in the dwelling unit plus the number of chickens permitted on the property parcel do not exceed six animals. In no event shall the number of chickens exceed four.

- You must include the following with application for Chicken Permit:
 - Proof of Registration with the Wisconsin Department of Agricultural Trade and Consumer Protection
 - Written consent from Property Owner **only** if you are not the record title owner of the property upon which chickens will be kept

Applicant's Name:	Phone:
Address (where chickens are to be kept):	E-mail Address:
Mailing Address (if different):	
Is the Coop permanent? If so, please describe the permanent coop and draw a diagram of your yard and the coop placement on the back of this application.	
Please indicate the number of dogs/cats in the dwelling where chickens will be kept: Dogs _____ Cats _____	

New Permit Renewal Permit

Chicken Permit	\$ 6.00
Postage	\$ 1.00
TOTAL DUE:	\$ 7.00

Permits are valid from January 1 through December 31. Permit fees are not pro-rated and are non-refundable.

Receipt and permit will be mailed to the address you list above. If you have any questions, please feel free to contact our office at (920) 339-4050.

Please mail your completed application, appropriate permit fees and any additional documentation required to:

Attn: Clerk-Treasurer, De Pere City Hall, 335 S. Broadway, De Pere, WI 54115

OFFICE USE ONLY:

Receipt No.: _____	Payment Date: _____	Type of Dwelling: _____	Property zoned as: _____
Permit No.: _____	Amount Paid: \$ _____	Proof of Registration Dept. of Ag included: _____	Proof of Ownership or Owner's Auth. Included: _____

- (e) *Owner liability.* Wis. Stats. § 174.02 shall govern an owner's liability for damage or injury caused by dogs.
- (f) *Confiscation or removal of animal by health or police officer.* The health officer or a police officer may confiscate and remove animals from a premises for a violation of Wis. Stats. §§ 951.01—951.18 referenced in section 8-1, crimes against animals, or if the animal constitutes a public health threat as determined by the health officer. The animals shall be conveyed to be housed and handled appropriately.
- (g) *Keeping of chickens in the city.* In addition to all other regulations in this chapter, the following shall apply to the keeping of chickens within the city:
- (1) *Definitions.* The following words, terms and phrases, when used in this subsection (g), shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Chicken means a domestic chicken of the subspecies *Gallus gallus domesticus*.

Chicken run means a fenced cage attached to a coop and not to exceed 40 square feet in area.

Coop means a new or existing enclosed accessory structure designed or modified for the keeping of chickens and meeting the requirements of this section.

Keep means either the owning, keeping, possessing or harboring of a chicken.

Rooster means a male chicken of any age, including a capon or otherwise neutered male chicken.

(2) *Permit required.*

- a. Any person who keeps chickens on land in the city which the person owns, occupies or controls shall obtain a permit issued by the clerk. The permit is valid January 1 through December 31, and the fee shall be as established by resolution of the common council and shall be consistent with the fee established for spayed or neutered dog or cat.
- b. Permit applications submitted by a person other than a record title owner of the property upon which chickens will be kept shall provide written consent of the property owner with the permit application.
- c. All permit applications shall be accompanied by satisfactory evidence that the applicant has registered the proposed location with the state department of agricultural trade and consumer protection pursuant to Wis. Stats. § 95.51 and Wis. Admin. Code ch. ATCP 47.

(3) *Keeping of chickens allowed.*

- a. Up to four chickens are allowed with a permit.
- b. One permit per R-1 Single-Family Residence District and R-2 Single-Family and Two-Family Residence District zoned parcel only is allowed.
- c. No person shall keep any rooster.

- (e) *Owner liability.* Wis. Stats. § 174.02 shall govern an owner's liability for damage or injury caused by dogs.
- (f) *Confiscation or removal of animal by health or police officer.* The health officer or a police officer may confiscate and remove animals from a premises for a violation of Wis. Stats. §§ 951.01—951.18 referenced in section 8-1, crimes against animals, or if the animal constitutes a public health threat as determined by the health officer. The animals shall be conveyed to be housed and handled appropriately.
- (g) *Keeping of chickens in the city.* In addition to all other regulations in this chapter, the following shall apply to the keeping of chickens within the city:

- (1) *Definitions.* The following words, terms and phrases, when used in this subsection (g), shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Chicken means a domestic chicken of the subspecies *Gallus gallus domesticus*.

Chicken run means a fenced cage attached to a coop and not to exceed 40 square feet in area.

Coop means a new or existing enclosed accessory structure designed or modified for the keeping of chickens and meeting the requirements of this section.

Keep means either the owning, keeping, possessing or harboring of a chicken.

Rooster means a male chicken of any age, including a capon or otherwise neutered male chicken.

- (2) *Permit required.*

- a. Any person who keeps chickens on land in the city which the person owns, occupies or controls shall obtain a permit issued by the clerk. The permit is valid January 1 through December 31, and the fee shall be as established by resolution of the common council and shall be consistent with the fee established for spayed or neutered dog or cat.
- b. Permit applications submitted by a person other than a record title owner of the property upon which chickens will be kept shall provide written consent of the property owner with the permit application.
- c. All permit applications shall be accompanied by satisfactory evidence that the applicant has registered the proposed location with the state department of agricultural trade and consumer protection pursuant to Wis. Stats. § 95.51 and Wis. Admin. Code ch. ATCP 47.

- (3) *Keeping of chickens allowed.*

- a. Up to four chickens are allowed with a permit.
- b. One permit per R-1 Single-Family Residence District and R-2 Single-Family and Two-Family Residence District zoned parcel only is allowed.
- c. No person shall keep any rooster.

- d. No person other than at a licensed meat processing facility may slaughter any chickens within the city.
- e. Chickens shall be provided with fresh water at all times and adequate amounts of feed.
- f. Chickens shall be provided with a sanitary and adequately sized coop and shall be kept in the coop or a sanitary and adequately-sized and chicken run attached thereto at all times. Chickens shall not be allowed to free range.
- g. All permanent (non-mobile) coops shall comply with all building and zoning requirements of this Code.
- h. Coops shall be construed in a workmanlike manner, be moisture-resistant and either raised up off the ground or placed on a hard surface such as concrete, patio block or gravel.
- i. Coops with or without a chicken run shall be constructed and maintained to reasonably prevent the collection of standing water, and shall be cleaned of hen droppings, uneaten feed, feathers and other waste daily and as is necessary to ensure that the coop and yard do not become a health, odor or other nuisance. All feed containers shall be rat-proof. All chicken droppings shall be disposed of in accordance with chapter 82.
- j. Coops shall be large enough to provide at least four square feet per chicken.
- k. No chicken coop shall be located closer than 25 feet to any principal residential structure on an adjacent lot. No chicken coop shall be located within any setback area.
- l. No chicken coop shall be located in the front or side yard of a parcel, whether outside the setback or not.
- m. In addition to compliance with the requirements of this section, no one shall keep chickens that cause any other nuisance associated with unhealthy condition, create a public health threat or otherwise interfere with the normal use of property or enjoyment of life by humans or animals.

(4) *Public health requirements.*

- a. Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans.
- b. Any person keeping chickens shall immediately report any unusual illness or death of chickens to the health department.
- c. The health officer may order testing, quarantine, isolation, vaccination or humane euthanasia of ill chickens or chickens believed to be a carrier of a communicable disease. The owner of the chicken shall be responsible for all costs associated with the procedures ordered hereunder.

(5)

Permit revocation. A permit is subject to revocation by the health officer upon failure to comply with any provisions of subsection (g)(3) or (4) of this section. Such revocation is subject to appeal by the board of health. Once a permit is revoked, a permit shall not be reissued.

- (6) *Sale of eggs and baby chicks prohibited.* No person may offer to sell eggs or chicks accumulated from the activities permitted hereunder.

(Code 2001, § 86-5; Ord. No. 08-17, § 1, 9-2-2008; Ord. No. 12-14, §§ 3, 4, 7-17-2012)

Additional Information

- No roosters are allowed
- Proof of premise registration with the Department of Agriculture is required prior to obtaining a permit. Call the Wisconsin Livestock Identification Consortium at 888-808-1910 or go to www.wiild.org
- If permit applicant is not the owner of the property where chickens are to be kept, written consent must be included with the application
- Fecal waste may be disposed of in garbage containers if properly packaged so as to not leak, tear or spill into the container.

Permits are Required!

You must obtain a permit issued by the Clerk-Treasurer. Permits are valid January 1st through December 31st.

For permit information contact the De Pere Clerk's office:
 Phone: 920-339-4050
 Fax: 920-330-9491

Other questions
 Contact De Pere Health Department
 Phone: 920-339-4054
 Fax: 920-339-2745

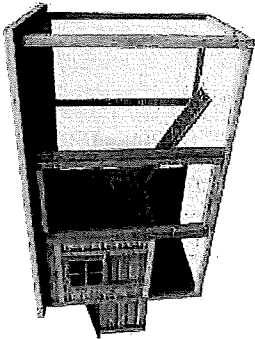
City of De Pere
 335 S. Broadway
 De Pere, WI 54115

Additional information available at:
<http://de-pere.org>

Keeping of Chickens Within the City of De Pere

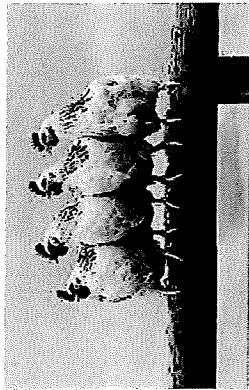


Where to keep the chickens?



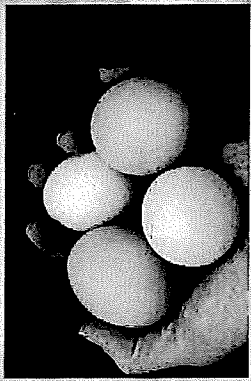
- In a coop, either raised off the ground or on a hard surface such as concrete
- Coops should be large enough to provide at least 4 square feet per chicken
- Coops should have fresh water at all times and adequate amounts of feed
- Coops shall be at least 25 feet from any neighboring residential structures

How many Chickens?



- A permit for keeping chickens is required
- The number of chickens allowed per residential lot is not to exceed four
- Unless a permit for keeping chickens has been issued, the maximum number of dogs and cats allowed per dwelling unit is four
- If a permit for chickens is obtained, a property parcel may not exceed six dogs, cats, or chickens

Public Health Requirements



- Sale of eggs or chicks accumulated from chickens is prohibited
- Chickens shall be kept and handled in a sanitary manner to prevent spread of communicable diseases
- Notify the health department immediately of unusual illness or death of chickens
- Only licensed meat processing facilities may slaughter chickens in the city



CHICKEN LICENSE APPLICATION

This license allows you to keep up to four hens (no roosters) in compliance with the Green Bay Municipal Code.

Fill out this form in its entirety and submit it, along with the proper fee, in person or by mail (inc. a copy of your driver's license) to:

Green Bay City Clerk
100 North Jefferson Street, Room 106
Green Bay, WI 54301

Owner's Name: _____

Owner's Address: _____ Parcel #: _____

City: _____ State: _____ Zip: _____

Phone: _____

New

Is your oldest chicken at least 8 weeks old?

Yes No

Did you obtain it more than 30 days ago?

Yes No

Renewal

The license fee is \$5 for a single license to keep up to four hens. The license year commences on January 1 and ends on December 31.

The City Clerk shall collect a late fee of \$5 from an owner of a hen eight weeks of age or older if the owner fails to license prior to April 1 of each year, or within 30 days of acquiring ownership of a licensable hen, or if the owner fails to obtain a license on or before a hen reaches the licensable age.

Any person desiring to keep hens in a structure exceeding 50 square feet shall apply for a building permit from the City Inspection Division.

(Applicant Signature)

(Date)

Clerk Use Only:

Fee (circle one): \$5.00 \$10.00 Paid on: _____

Issue Date: _____

Expiration Date: December 31, 20____

Signature of Clerk Staff: _____

Sec. 6-3. - License to keep hens.

- (a) *License required.* The owner of any hen (female *Gallus gallus domesticus*) more than eight weeks of age shall annually, or on or before the date the hen becomes eight weeks of age, pay the hen license fee and obtain a license. The term "owner" shall include every person who owns, harbors, or keeps a hen.
- (b) *Fee.* The license fee shall be as provided in the City Fee Schedule for a single license to keep up to four hens. The license year commences on January 1 and ends on December 31.
- (c) *Late fees.* The City Clerk shall assess and collect a late fee as provided in the City Fee Schedule from every owner of a hen eight weeks of age or older if the owner fails to obtain a license prior to April 1 of each year, or within 30 days of acquiring ownership of a licensable hen, or if the owner fails to obtain a license on or before a hen reaches the licensable age.
- (d) *Issuance of licenses.* Only one license may be issued to each parcel number. Upon payment of the required hen license fee, the City Clerk shall complete and issue to the owner a license stating the owner's name and address, parcel number, date of issuance, and date of license expiration. The City Clerk shall keep a duplicate copy of the license on file.
- (e) *Penalties.* Any person who shall violate any of the provisions of this section shall be subject to a forfeiture of not less than \$25.00 nor more than \$100.00 for the first offense and not less than \$50.00 nor more than \$200.00 for subsequent offenses.

(Code 1984, § 6.335; Ord. No. 7-11)

Sec. 6-4. - Keeping of animals and fowl.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Exotic animal means those species of animal that are not domesticated by humans. Exotic animals include, but are not limited to, animals belonging to any or all of the orders and families on the Prohibited Animal List as adopted by the Common Council.

Possess means to own, possess, keep, harbor, bring into the City, act as a custodian, or have custody or control of an animal.

- (b) *City of Green Bay Prohibited Animal List.* The following orders and families, whether bred in the wild or in captivity, and any or all hybrids shall be defined as "exotic animals" pursuant to this section. The animals listed in parentheses are intended to act as examples and are not to be construed as an exhaustive list or to limit the generality of each group of animals, unless otherwise specified.

(1)

Class Mammalia.

- a. Order Chiroptera. (Any bat species.)
- b. Order Artiodactyla. (Hippopotamuses, giraffes, camels, deer.) Excludes domestic cattle, swine, sheep, goats, alpaca, and llama.
- c. Order Carnivora.
 1. Family Felidae. (Lions, tigers, cougars, leopards, ocelots, servals.) Excluding domestic cats.
 2. Family Canidae. (Wolves, coyotes, foxes, jackals.) Excluding domestic dogs.
 3. Family Ursidae. (All bears.)
 4. Family Mustelidae. (Weasels, skunks, martins, minks.) Excluding ferrets.
 5. Family Procyonidae. (Raccoons, coatis.)
 6. Family Hyaenidae. (Hyenas.)
 7. Family Viverridae. (Civets, genets, mongooses.)
- d. Order Edentatia. (Anteaters, armadillos, sloths.)
- e. Order Marsupialia. (Opossums, kangaroos, wallabies, sugar gliders.)
- f. Order Perissodactyla. (Rhinoceroses, tapirs.) Excluding horses, donkeys and mules.
- g. Order Primates. (Lemurs, monkeys, chimpanzees, gorillas.)
- h. Order Proboscidae. (Elephants.)
- i. Order Rodentia. (Squirrels, beavers, porcupines, prairie dogs.) Excluding guinea pigs, rats, mice, gerbils, and hamsters.

(2) Class Reptilia.

- a. Order Squamata.
 1. Family Helodermatidae. (Gila Monsters and Mexican beaded lizards.)
 2. Family Varanidae. (Any monitor which will normally grow over two feet in length.)
 3. Family Iguanidae. (Only green iguanas and rock iguanas.)
 4. Family Boidae. (All species whose adult length may exceed eight feet.)
 5. Family Colubridae. (Boomsnangs and African twig snakes.)
 6. Family Elapidae. (Coral snakes, cobras, mambas.)
 7. Family Nactricidae. (Only keelback snakes.)
 8. Family Viperidae. (Copperheads, cottonmouths, rattlesnakes.)
- b. Order Crocodilia. (Crocodiles, alligators, caimans, gavials.)

(3) Class Aves.

- a. Order Falconiformes. (Eagles, hawks, vultures.)

- b. Order Rheiformes. (Rheas.)
- c. Order Struthioniformes. (Ostriches.)
- d. Order Casuariiformes. (Cassowaries and emus.)
- e. Order Strigiformes. (Owls.)

(4) Class Arachnida.

- a. Order Scorpiones, Family Buthidae.
 - 1. Arabian fat-tailed scorpion - *Androctonus crassicauda*.
 - 2. Arizona centruroides scorpion - *Centruroides exilicauda*.
 - 3. Death stalker - *Leiurus quinquestriatus*.
 - 4. Egyptian yellow scorpion - *Androctonus amoreuxi*.
 - 5. Israeli black scorpion - *hottentotta judaicus*.
 - 6. S.A. giant fat-tailed scorpion - *Parabuthus transvaalicus*.
 - 7. Sinai desert scorpion - *Androctonus bicolor*.
 - 8. Yellow desert scorpion - *Androctonus Australia*.
- b. Order Araneae, Family Therididae.
 - 1. Argentina red widow spider - *Latrodectus coralinus*.
 - 2. Brown widow spider - *Latrodectus geometricus*.
 - 3. Red-black widow - *Latrodectus hasselti*.
 - 4. Red widow spider - *Latrodectus bishop*.
 - 5. Southern black widow spider - *Latrodectus mactans*.
 - 6. Western widow - *Latrodectus Hesperus*.
- c. Order Araneae, Family Loxoscelidae, Brown recluse spider - *Loxosceles reclusa*.

(5) Class Chilopoda.

- a. Order Scolopendromorpha, Family Scolopendridae.
 - 1. Amazon giant banded centipede - *Scolopendra gigantea*.
 - 2. Arizona Tiger Centipede - *Scolopendra viridis*.
 - 3. Florida Keys centipede - *Scolopendra alternans*.

(6) Any federal or state endangered or threatened species.

(c) *Keeping of exotic animals.*

- (1) *Permit required.* No person shall possess an exotic animal without first obtaining an exotic animal permit.

(2)

Exceptions. This subsection (c) shall not apply to institutions accredited by the American Zoo and Aquarium Association, licensed veterinary hospitals or clinics, licensed or accredited research or medical institutions, licensed or accredited educational institutions, including museums, an animal certified as having been specially trained to assist an individual with impaired vision, hearing, or mobility, any government-owned or -operated facility, volunteers working on behalf of a government-owned or -operated facility, or a person temporarily transporting an exotic animal through the City if the transit time is not more than 24 hours and the animal is at all times maintained within a confinement sufficient to prevent the exotic animal from escaping.

(d) *Exotic or excess animal permit.*

(1) *Applications.*

- a. Application for an exotic or excess animal permit shall be made to the City Clerk on a form supplied by the City Clerk's Office.
- b. Upon receipt of an application, the City Clerk shall forward the application to the Humane Officer for verification of the veracity of the application as well as research into the qualifications of the applicant in accordance with the requirements of this section.
- c. All applications shall be accurately completed in its entirety or shall be rendered void by the City Clerk.
- d. A permit may be granted without further review by the Common Council in the event the Humane Officer approves of the application.
- e. Each permit shall expire upon the death of the animal which is the subject of the permit.

(2) *Factors to be considered.* In determining whether a permit under this section shall be granted, the Humane Officer shall consider the number and type of animals to be possessed, the applicant's criminal record, including any animal related police calls for service, known prior history of the animals, health of the animals, whether proper licenses and vaccinations have been obtained, the condition of the applicant's residence where the animals will be kept, the likelihood of a public or private nuisance being created, and any other factors determined to be relevant by the Humane Officer.

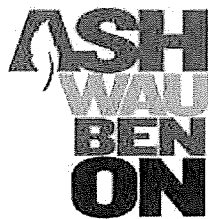
(3) *Denial.*

- a. If the Humane Officer determines that any portion of the application is false or that the applicant does not possess the necessary qualifications, the application may be denied by the Humane Officer.
- b. The Humane Officer shall notify any applicant so denied.
- c. Any applicant whose application has been denied by the Humane Officer may appeal such determination to the Protection and Policy Committee. Upon appeal, the Protection and Policy Committee shall determine if the applicant possesses the qualifications of this

section. After making such determination, the Protection and Policy Committee shall forward its recommendation to the Common Council.

- (4) *Issuance of license.* The City Clerk shall not issue any exotic or excess animal permit until all the requirements above have been satisfied.
- (e) *Construction of animal structures.* All stables, coops, yards, pens, or other structures wherein any animal is kept shall be constructed so as to be easily cleaned and kept in good repair. The inside and outside of such structures shall be whitewashed or painted as often as necessary to keep them clean or finished with such material as can be easily cleaned. All such structures shall be kept clean and sanitary and shall not cause any objectionable odor.
- (f) *Removal of animal waste.* No person who possesses an animal shall permit such animal to defecate upon any property other than that of its owner or custodian unless the custodian immediately thereafter cleans up and removes such animal excreta from such property.
- (g) *Accumulation of animal waste.* No person possessing an animal shall permit more than 72 hours' accumulation of such animal's feces to remain on property under the possessor's control.
- (h) *Controlling animals.* No person who possesses an animal shall walk or escort such animal off the property under the possessor's control unless the person is in possession of equipment to clean up any defecation which may be deposited by such animal.
- (i) *Harvesting animals.* No person may slaughter any animal unless specifically allowed to slaughter animals as part of an agricultural activity pursuant to Chapter 44.
- (j) *Penalties.* Any person who shall violate this section shall forfeit not less than \$1.00 nor more than \$1,000.00 for each offense. Each violation of this section shall be considered a separate offense, and any violation continuing more than one day shall be considered a separate offense.

(Code 1984, § 8.04; Ord. No. 5-04; Ord. No. 7-11; Ord. No. 3-18, §§ 1—3, 5-1-2018)



VILLAGE OF ASHWAUBENON
PERMIT APPLICATION
KEEPING OF CHICKENS

Pursuant to Sec. 4-1-5, Village of Ashwaubenon Municipal Code

Owner Name: _____

Street Address: _____ Email: _____

Ashwaubenon, WI _____ (zip code) Telephone: _____

Number of birds: _____ Size of coop: _____

DATCP Registration Completed: [] Yes [] No
https://datcp.wi.gov/Pages/Programs_Services/PremisesRegistration.aspx
(Initial application only - attach verification)

Written approval from neighbors within 100' of coop [] Yes [] No
(Initial application only - attach written verification)

Accessory structure permit obtained for the coop? [] Yes [] No

Will electricity be run to the coop? [] Yes [] No
(If yes - an electrical permit will be required)

Signature of Applicant/ Property Owner

Date

Structure location approved by Development Department: [] Yes [] No

Print Name: _____ Title _____

Signature

Date

Annual Permit expires December 31 of each year. Renewal reminders will not be mailed out.

Fee: \$50.00 PAID _____
Date

PERMIT NO. _____

DUPLICATE AS NEEDED

I hereby certify that I have received a copy of ORDINANCE NO.06-1-14 relating to keeping of chickens in the Village of Ashwaubenon and further certify that my signature below provides permission for the applicant, my neighbor, to keep chickens under the conditions of the municipal code.

PRINT NAME: _____

ADDRESS: _____

SIGNATURE: _____ DATE: _____

PRINT NAME: _____

ADDRESS: _____

SIGNATURE: _____ DATE: _____

PRINT NAME: _____

ADDRESS: _____

SIGNATURE: _____ DATE: _____

PRINT NAME: _____

ADDRESS: _____

SIGNATURE: _____ DATE: _____

***Complete for all owner-occupied neighboring property owners within 100 feet of chicken coop - to be included with Permit Application**

Chapter 4 - Animals

Article 1 - In General

4-1-5 Keeping of Livestock and Poultry Regulated

- (A) *Livestock*. No person shall keep or maintain any livestock such as horses, cattle, sheep or goats in any zoning district, except the rural estate district and as provided in section (D).
- (B) *Poultry*. No person shall keep or maintain poultry, chickens or fowl in any zoning district, except the rural estate (RE) zoning district and as provided in (C).
- (C) *Poultry—Keeping of Chickens in the Village*. In addition to all other regulations in this section, the following shall apply to the keeping of chickens within the village in the one-family residence zoning district (R-1).
- (1) *Definitions*. The following terms, when used in this section, shall have the meanings set forth below:
- (a) *Chicken* means a domestic chicken of the sub-species *Gallus gallus domesticus*.
- (b) *Keep* means either the owning, keeping, possessing or harboring of a chicken.
- (c) *Rooster* means a male chicken of any age, including a capon or otherwise neutered male chicken.
- (d) *Coop* means a new or existing enclosed accessory structure designed or modified for the keeping of chickens and meeting the requirements of this section.
- (e) *Chicken run* means a fenced cage attached to a coop and not to exceed 40 square feet in area.
- (2) *Permit required*.
- (a) Any person who keeps chickens in the one family residence district (R-1) which the person owns, occupies or controls shall annually obtain a permit issued by the clerk. The permit is valid January 1— December 31 and the fee shall be as established by resolution of the village board.
- (b) All applicants must receive written approval from all of the owner-occupied neighboring property owners whose property is within 100 feet of the coop exclusive of street right-of-way. Applicant shall contact neighboring property owners and provide to the neighboring property owners information required for the license in order that such neighboring property owners may be informed as to the impact that such chickens may have on the neighborhood. This subsection shall apply only to an applicant's initial permit application and shall not apply to the renewal of an applicant's existing permit unless that permit has been non-renewed, suspended, or revoked.

- (c) Permit applications submitted by a person other than a record title owner of the property upon which chickens will be kept shall provide written consent of the property owner with the permit application.
 - (d) All permit applications shall be accompanied by satisfactory evidence that the applicant has registered the proposed location with the Wisconsin Department of Agricultural Trade and Consumer Protection pursuant to Wis. Stats. § 95.51 and 47 ATCP Wis. Admin. Code.
 - (e) Applicant's failure to comply with any of this section's application requirements shall be deemed an incomplete application. No permit may be approved until all application requirements have been satisfied.
- (3) *Keeping of Chickens Allowed.*
- (a) Up to four chickens per property are allowed with a permit. Persons with a valid permit shall renew no later than December 31 for the next year. If a permit is not renewed by December 31, a new permit application shall be required.
 - (b) Up to four permits may be issued Village-wide in the one family residence zoning district (R-1) on an annual basis.
 - (c) No person shall keep any rooster.
 - (d) No person other than at a licensed meat processing facility may slaughter any chickens within the village.
 - (e) Chickens shall be provided with fresh water at all times and adequate amounts of feed.
 - (f) Chickens shall be provided with a sanitary and adequately sized coop, and shall be kept in the coop or a sanitary and adequately sized and chicken run attached thereto at all times. Chickens shall not be allowed to free range.
 - (g) All permanent (non-mobile) coops shall comply with all building and zoning requirements of the Ashwaubenon Municipal Code.
 - (h) Coops shall be construed in a workmanlike manner, be moisture-resistant and either raised up off the ground or placed on a hard surface such as concrete, patio block or gravel.
 - (i) Coops with or without a chicken run shall be constructed and maintained to reasonably prevent the collection of standing water, and shall be cleaned of hen droppings, uneaten feed, feathers and other waste daily and as is necessary to ensure that the coop and yard do not become a health, odor or other nuisance. All feed containers shall be rat-proof. All chicken droppings shall be disposed of in accordance with Chapter 18 of the Ashwaubenon Municipal Code (solid waste disposal).

- (i) Coops shall be large enough to provide at least four square feet per chicken.
 - (k) No chicken coop shall be located closer than 25 feet to any principal residential structure on an adjacent lot. No chicken coop shall be located within any setback area.
 - (l) No chicken coop shall be located in the front or side yard of a parcel, whether outside the setback or not.
 - (m) In addition to compliance with the requirements of this section, no one shall keep chickens that cause any other nuisance associated with unhealthy condition, create a public health threat or otherwise interfere with the normal use of property or enjoyment of life by humans or animals.
- (4) *Public Health Requirements.*
- (a) Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans.
 - (b) Any person keeping chickens shall immediately report any unusual illness or death of chickens to the health department.
 - (c) The humane officer/CSO may order testing, quarantine, isolation, vaccination or humane euthanasia of ill chickens or chickens believed to be a carrier of a communicable disease. The owner of the chicken shall be responsible for all costs associated with the procedures ordered hereunder.
- (5) *Permit Denial, Suspension or Revocation.* A permit may be denied, suspended or revoked by the Clerk, Chief of Public Safety, humane officer, or their designee upon failure to comply with any provisions of this section. Such denial, suspension or revocation is subject to appeal to the Village Board or designated Committee provided such appeal is filed in writing with the Clerk within 10 days of any notice of denial, suspension or revocation. Once a permit is revoked, a permit shall not be reissued.
- (6) *Sale of Eggs and Baby Chicks Prohibited.* No person may offer to sell eggs or chicks accumulated from the activities permitted hereunder.
- (7) *Non-renewal.* Any violation of this ordinance may be cause for non-renewal of a permit.
- (D) *Goats and Sheep*
- (1) The following exemption shall apply to the contracted keeping of goats or sheep for the sole purpose of the prescribed grazing of invasive plant species by permit provided the following regulations are followed.
 - (a) A temporary fence must always contain the goats or sheep. All temporary fencing shall be removed within five days of the removal of the goats or sheep.

- (b) Goats or sheep shall not be kept in such a manner as to constitute a nuisance to the property owners or occupants of adjacent properties and in no instance shall they remain on a property for more than thirty (30) consecutive days.
- (c) A minimum 180-day period is required between permit issuances for the same parcel(s) of land.
- (d) Goats or sheep shall be provided with a source of fresh water not from ponds, lakes, or rivers.
- (e) All premises on which goats or sheep are kept are to be cleaned frequently to control any odor. Manure shall not be allowed to accumulate in a manner that causes an unsanitary condition, attracts rodents, or causes odors detectible on another property.
- (f) The contracted owner or vendor shall visit the animals at least once every 24 hours to ensure the animals are appropriately confined, hydrated, fed, sheltered, and completing the desired task. The contracted owner or vendor shall be available to be on-site within one hour of being contacted with any issues.
- (g) Signage limited to contracted owner or vendor name, phone number, email address, notice if fence is electrified, and warnings to not disturb the animals shall be posted in at least two visible locations on or near temporary fencing.
- (h) Contracted owner or vendor shall provide insurance documentation, company name, 24-hour phone number, email address, number of animals, identify using goats or sheep, address and parcel number(s) of property to host the animals, property owner name, property owner email address and phone number, property owner signature, and dates of animal delivery through removal, with permit application.

Ord. No. O10-1-24, 10-22-2024; Ord. No. O9-1-20, 10-27-2020; Ord. No. O9-2-18, 9-25-18; Ord. No. O8-4-17, 8-22-2017; Ord. No. O3-2-16, 3-22-2016; Ord. No. O6-1-14, § 1, 6-24-2014; Ord. No. O11-1-97, 11-25-1997; Ord. No. 10-2-85, 10-22-1985; Code 2006, §§ 9.08(4), 12.04(4);



Chicken Permit Application

Permit Number: _____

Parcel Number: _____

Owner: _____

Email: _____

Address: _____

Phone Number: _____

Zoning District: _____

Calendar year of permit: _____

New Permit (\$30 application fee)

Renewal (\$10 application fee)

This permit is valid for one calendar year beginning January 1 and expiring December 31. Permit fees will not be pro-rated. Permits are non-refundable. Permits are required for keeping of chickens in R-1 and E-R zoned properties (not required for Agricultural zoned properties) per Ordinance Section 300-24. See complete ordinance section for regulations.

Regulations for keeping of chickens per Ordinance Section 2.003(R)

Proof of registration with the State of Wisconsin (WI ss95.51)

Total number of hens kept (Max. 4): _____

Parcel size (1 acre minimum): _____

Consent from all abutting property owners (see attached)

Site plan showing location of coop/run including size and setbacks.

I hereby certify that the information submitted is true and correct to the best of my knowledge. In submitting this application, I acknowledge and agree the application is subject to all regulations found in the Town of Lawrence Zoning Ordinance Section 300-24 and further agree to comply with said regulations. Failure to comply with these regulations and requirements may result in revocation of this permit, denial of renewals, and may result in citations and penalties per Ordinance Section 20-4.

Applicant Signature: _____

Date: _____

Fees: _____

Check # _____

Inspector Signature: _____

Date: _____



Chicken Permit Application

Permit Number: _____

Parcel Number: _____

Owner: _____

Email: _____

Address: _____

Phone Number: _____

Zoning District: _____

Calendar year of permit: _____

Information for Adjacent Property Owners

1. Your neighbor (applicant) is applying for a permit to keep chickens on their property. The Town of Lawrence requires written consent from neighboring property owners whose parcel borders the applicant's parcel.
2. By signing this form **you are providing written consent** for the issuance of a permit to keep chickens.
3. See Town of Lawrence Ordinance Section 300-24 for complete rules and regulations.
 - a. Minimum 1 acre parcel size
 - b. Maximum 4 hens
 - c. Coops/Runs shall be min. 25' to dwellings and min. 10' to property lines
 - d. Chickens shall not be allowed to free range
 - e. Adequate coops, runs, food, water shall be provided at all times.
4. Any complaints received by the Town may result in revocation of this permit or denial of renewal.

Owner Name	Address	Parcel Number	Signature
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Town of Lawrence, WI
Wednesday, February 5, 2025

Chapter 300. Zoning

Article III. General Provisions

§ 300-24. Keeping of livestock and poultry.

[Added 8-11-2014]

- A. Livestock. No person shall keep or maintain any livestock such as horses, cattle, swine, sheep, goats, llamas, fish or other animals raised for performing work or providing recreation or commonly raised for the production of meat, hair, furs, or skins in any zoning district, except in agricultural districts, or by conditional use permit as allowed in Estate Residential Districts. Livestock does not include household pets such as dogs, cats, birds, and fish kept by homeowners as pets and not for commercial purposes.
- B. Prohibited animals. No person shall keep wild or exotic animals such as primates, snakes, or reptiles in any zoning district within the Town of Lawrence.
- C. Poultry. No person shall keep or maintain poultry, chickens or fowl in any zoning district, except as provided in Subsection D.
- D. Poultry; keeping of chickens within the Town of Lawrence. In addition to all other regulations in this section, the following shall apply to the keeping of chickens within the Town in the (R-1) Residential and (ER) Estate Residential Districts.

- (1) Definitions. The following terms, when used in this section, shall have the meanings set forth below:

CHICKEN

A domestic chicken of the subspecies *Gallus gallus domesticus*.

CHICKEN RUN

A fenced cage attached to a coop and not to exceed 40 square feet in area.

COOP

A new or existing enclosed accessory structure designed or modified exclusively for the keeping of chickens and meeting the requirements of this section.

KEEP

Either the owning, keeping, possessing or harboring of a chicken.

ROOSTER

A male chicken of any age, including a capon or otherwise neutered male chicken.

- (2) Permit required.

- (a) Any person who keeps chickens in the (R-1) Residential or (ER) Estate Residential District which the person owns, occupies and controls shall obtain a permit issued by the Zoning Administrator. All permits are subject to annual renewal or denial by the Town Zoning

Administrator. The permit is valid January 1 to December 31, and the fee shall be as established by resolution of the Town Board.

- (b) All applicants must receive written approval from all of the owner-occupied neighboring property owners adjacent to the applicant's property lines exclusive of street right-of-way. The applicant shall contact neighboring property owners and provide to the neighboring property owners information required for the permit in order that such neighboring property owners may be informed as to the impact that such chickens may have on the neighborhood. No applicant shall be considered by the Town Board unless said approval has been obtained.
 - (c) All permit applications shall be accompanied by satisfactory evidence that the applicant has registered the proposed location with the Wisconsin Department of Agriculture, Trade and Consumer Protection pursuant to § 95.51, Wis. Stats., and Ch. ATCP 17, Wis. Adm. Code.
- (3) Keeping of chickens allowed.
- (a) Minimum lot size of one acre (43,560 square feet).
 - (b) Up to four chickens are allowed with a permit.
 - (c) Restrictive covenants of subdivisions may be more restrictive than this section.
 - (d) No person shall keep any rooster.
 - (e) No person may slaughter any chickens within residential districts within the Town of Lawrence.
 - (f) Chickens shall be provided with fresh water at all times and adequate amounts of feed.
 - (g) Chickens shall be provided with a sanitary and adequately sized coop and shall be kept in the coop or a sanitary and adequately sized chicken run attached thereto at all times. Chickens shall not be allowed to free range.
 - (h) All coops shall comply with all building and zoning requirements of this Code.
 - (i) Coops shall be constructed in a workmanlike manner, be moisture-resistant and either raised above the ground or placed on a hard surface such as concrete, patio block or gravel.
 - (j) Coops shall be constructed and maintained to reasonably prevent the collection of standing water and shall be cleaned of hen droppings, uneaten feed, feathers and other waste daily and as is necessary to ensure that the coop and yard do not become a health, odor or other nuisance. All feed containers shall be rodent-proof. All chicken droppings shall be disposed of in accordance with solid waste disposal regulations.
 - (k) Coops shall be large enough to provide at least four square feet per chicken with a maximum size of 32 square feet.
 - (l) No chicken coop shall be located closer than 25 feet to any principal residential structure. No chicken coop shall be located within 10 feet of any rear or side property line.
 - (m) No chicken coop shall be located in the front or side yard of any parcel.
 - (n) In addition to compliance with the requirements of this section, no one shall keep chickens that cause any other nuisance associated with unhealthy conditions, create a public health threat or otherwise interfere with the normal use of property or enjoyment of life by humans or animals.
- (4) Public health requirements.

- (a) Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans.
 - (b) Any person keeping chickens shall immediately report any unusual illness or death of chickens to the Town.
 - (c) The Town may order testing, quarantine, isolation, vaccination or humane euthanasia of ill chickens or chickens believed to be a carrier of a communicable disease. The owner of the chicken shall be responsible for all costs associated with the procedures ordered hereunder.
- (5) Permit revocation. A permit is subject to revocation by the Town Zoning Administrator upon failure to comply with any provisions of this section. Such revocation is subject to appeal to the Town Board. Once a permit is revoked, a permit shall not be reissued.
- (6) Sale of eggs and baby chicks prohibited. No person may offer to sell eggs or chicks accumulated from the activities permitted hereunder.
- (7) Nonrenewal of permit. Any violation of this section may be cause for nonrenewal of a permit.



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-3832/1
EVM:cdc&skw

2023 ASSEMBLY BILL 685

November 27, 2023 - Introduced by Representatives SORTWELL, BODDEN, BEHNKE, GUSTAFSON, S. JOHNSON, MAGNAFICI, MOSES, PENTERMAN, ROZAR, SCHMIDT and TITTL, cosponsored by Senators TAYLOR and CABRAL-GUEVARA. Referred to Committee on Sporting Heritage.

1 **AN ACT** *to create* 66.0442 of the statutes; **relating to:** local regulation of fowl.

Analysis by the Legislative Reference Bureau

This bill prohibits political subdivisions and sewerage districts from prohibiting the keeping of up to four chickens, ducks, geese, quail, or guinea fowl (fowl) by property owners or certain lessors on properties zoned for residential use. The bill specifically allows political subdivisions and sewerage districts to do any of the following with regard to the keeping of fowl:

1. Require a keeper of fowl to obtain a permit.
 2. Require notification of adjoining land owners.
 3. Impose reasonable regulations related to the location of fowl housing on a property.
 4. Prohibit the keeping of roosters.
-

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 66.0442 of the statutes is created to read:

3 **66.0442 Local regulation of fowl. (1)** In this section:

4 (a) “Fowl” means chickens, ducks, geese, quail, or guinea fowl.

5 (b) “Local governmental unit” means a city, village, town, county, or sewerage
6 district.

Wisconsin Legislative Council

AMENDMENT MEMO



Memo published: February 13, 2024

Contact: Rachel E. Letzing, Deputy Director

2023 Assembly Bill 685

Assembly Amendment 1

2023 ASSEMBLY BILL 685

2023 Assembly Bill 685 provides that a local governmental unit may not prohibit a property owner or a lessor of property that is owner-occupied from keeping four or fewer chickens, ducks, geese, quail, or guinea fowl on a property zoned for residential use.

Notwithstanding this prohibition, the bill specifies that a local governmental unit may do all of the following: (1) require the person keeping the fowl to obtain a permit; (2) require notification of owners of adjoining property where the fowl are to be kept; (3) impose reasonable regulations related to the location of the fowl housing on a property; and (4) prohibit keeping roosters.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 makes the following changes to the bill:

- Removes geese and guinea fowl, so that the bill only applies to keeping chickens, ducks, or quail.
- In addition to the four conditions provided in the bill, also authorizes a local governmental unit to:
 - (1) prohibit any keeping of chickens, ducks, or quail that is inconsistent with a condominium's declarations, bylaws, and rules; and
 - (2) impose reasonable cleanliness standards.

BILL HISTORY

Representative Sortwell offered Assembly Amendment 1 on February 1, 2024. On February 7, 2024, the Assembly Committee on Sporting Heritage recommended adoption of the amendment on a vote of Ayes, 8; Noes, 2; and recommended passage of the bill, as amended, on a vote of Ayes, 6; Noes, 4.

For a full history of the bill, visit the Legislature's [bill history page](#).

REL:jal

Assembly Bill 685

An Act to create 66.0442 of the statutes; Relating to: local regulation of fowl.

Status: A - Rules

History

Date / House	Action	Journal
11/27/2023 Asm.	Introduced by Representatives Sortwell, Bodden, Behnke, Gustafson, S. Johnson, Magnafici, Moses, Penterman, Rozar, Schmidt and Tittl; cosponsored by Senators Taylor and Cabral-Guevara	
11/27/2023 Asm.	Read first time and referred to Committee on Sporting Heritage	
1/17/2024 Asm.	Public hearing held	
2/1/2024 Asm.	Assembly Amendment 1 offered by Representative Sortwell	
2/7/2024 Asm.	Executive action taken	
2/12/2024 Asm.	Report Assembly Amendment 1 adoption recommended by Committee on Sporting Heritage, Ayes 8, Noes 2	
2/12/2024 Asm.	Report passage as amended recommended by Committee on Sporting Heritage, Ayes 6, Noes 4	
2/12/2024 Asm.	Referred to committee on Rules	
4/15/2024 Asm.	Failed to pass pursuant to Senate Joint Resolution 1	



TO: Planning & Zoning Commission

RE: Modifications/Amendments to the Zoning Ordinance, Chapter 295, Section 295-17, Swimming Pools

FROM: Todd Gerbers, Director of Planning & Code Compliance

DATE: February 12, 2025

ISSUE: Discussion and action on modifications/ amendments to the Zoning Ordinance, Chapter 295, Section 295-17, Swimming Pools

RECOMMENDATION: Staff recommends approval of this zoning code modification including any amendments from the P&Z Commission

GENERAL INFORMATION

Village Staff is proposing modifications to section 295-17 of the Village's ordinance relating to the regulations of swimming pools. Proposed modifications to this section pertain to including hot tubs and spas with the same requirements as swimming pools, and also permitting automated pool covers as an exemption to the fence barrier requirement.

The Village's current ordinance addresses the location and safety of swimming pools, however, it does not address hot tubs or spas. These other devices pose similar safety issues as swimming pools, so it is Staff's recommendation to include hot tubs and spas in this code section.

Additionally, there has been a push for many years by the manufacturers, pool installers, and property owners to allow automated pool covers as a substitute to the existing fence/barrier requirement that has been the standard for decades. That direction has been changing and after a review of many surrounding municipalities, Hobart is one of the last communities to not allow automated pool covers as a substitute to a fence. Most of the other municipalities just require that the cover meet the standards of American Society for Testing and Material (ASTM), however, with the research by one of our Village residents, we are proposing a few additional requirements to the automated cover exception. Those additional requirements include compliance with the manufacturer's specifications, cover shall be operated by a key-operated switch to prevent unplanned operation, cover shall cover entire pool and shall remain in good working order.

RECOMMENDATION/CONDITIONS

Staff recommends approval of the zoning modifications to swimming pool, tubs, and spas as listed in section 295-17, Swimming Pools, Hot Tub, and Spas as submitted including any amendments from the P&Z Commission.

§ 295-17 Swimming Pools, Hot Tubs, and Spas.

- A. No construction or the installation of a swimming pool (pools), hot tub, or spa shall begin unless a permit therefor has been obtained. The application for such permit shall be accompanied by a site plan showing the size, location and description of the property.
- B. Permanent above or in-ground pools shall comply with setback requirements of the zone in which the proposed pool is to be located. In determining this setback for aboveground pools with permanent fencing or decks, any deck, walkway, or similar structure shall be considered part of the pool.

C. Fencing. All swimming pools, hot tubs, or spas requiring a permit shall be encompassed by fencing as provided under this section.

(1) Structural requirements. All fences under this section shall be constructed in such a manner to comply with the following requirements:

a. The fence shall be able to withstand a minimum of 200 pounds of force in any direction.

b. The fence shall be so designed and constructed so as to prevent penetration of an object greater than six (6) inches in diameter.

c. All such fences shall be constructed with a self-closing and locking door or gate which complies with all other height and structural requirements of this section.

~~D. All fences under this section shall be constructed in such a manner as to comply with the following requirements:~~

~~(1) The fence must be able to withstand 200 pounds of force in any direction.~~

~~(2) The fence shall be so constructed and designed so as to prevent penetration of an object greater than six inches in diameter.~~

~~(3) All such fences shall be constructed with a locking door or gate which complies with all other height and structural requirements in this section.~~

E. (2) Permanent in-ground pools, hot tubs, or spas shall be encompassed by a freestanding fence not less than forty-eight (48) inches nor more than ninety-six (96) inches from the ground level. Such fence shall be no less than three (3) feet from the pool, hot tub, or spa at its nearest point. The fence shall comply with Subsection DC.(1) above of this section.

~~(3) Above-ground pools, hot tubs, and spas. Above-ground pools, hot tubs, or spas shall be encompassed by fencing which complies with one or any combination of options listed below and complies with Subsection C.(1) of this section.~~

~~a. A fence of not less than forty-eight (48) inches nor more than ninety-six (96) inches from the ground level encompassing the entire pool, hot tub, or spa and complies with Subsection C.(1) of this section.~~

~~b. A fence, no closer than three (3) feet to the pool, provided such fence be at least thirty-six (36) inches above the top edge of the pool, hot tub, or spa and not less than forty-eight (48) inches nor more than ninety-six (96) inches from ground level.~~

~~c. A fence attached to a deck or walkway, provided such fence is at least thirty-six (36) inches above the surface of the deck or walkway and complies with this section.~~

~~d. A pool, hot tub, or spa that has a wall not less than forty-eight (48) inches from ground level, provided all steps, ladders, or other means of pool, hot tub, or spa access are removed or locked gaining access when the pool, hot tub, or spa is not in use.~~

~~F. Aboveground pools shall be encompassed by fencing which complies with one or any combination of options listed below and complies with Subsection D of this section:~~

~~(1) A fence in compliance with Subsection B of this section:~~

~~(2) A fence, no closer than three feet to the pool, provided such fence be at least 36 inches above the top edge of the pool and not less than 48 inches nor more than 96 inches from ground level:~~

~~(3) A fence attached to a deck or walkway, provided such fence is at least 36 inches above the surface of the deck or walkway and complies with Subsection F(2) above:~~

~~(4) An aboveground pool at least 48 inches aboveground does not require a fence:~~

~~(5) All decks or ladders attached to a pool require a lockable gate:~~

~~(4) Exceptions. Fencing shall not be required if the following are provided:~~

~~a. Pools, hot tubs, or spas completely enclosed within a building.~~

~~b. Pools, hot tubs, or spas constructed or installed with a safety cover that meets the standards of the American Society for Testing and Materials (ASTM). Pool covers shall be automated and comply with the following requirements:~~

~~1. An automated pool cover is defined as a mechanism that when engaged, securely covers a swimming pool, providing safety and energy efficiency.~~

2. Automated pool covers shall be installed in accordance with the manufacturer's specifications.

3. Automated pool covers shall be operated by a key-operated switch, ensuring that the cover cannot be inadvertently engaged or disengaged by unauthorized users.

4. Pool covers shall be able to fully enclose the pool when not in use.

5. Property owner shall maintain the automated pool cover in good working order at all times, including regular inspections for wear and tear.

~~GD.~~ No person shall operate a public swimming pool on any premises zoned residential. The operation of a public swimming pool on residential premises is declared to be a public nuisance. A public swimming pool is any swimming pool operated by the owner or lessee thereof for financial gain, no matter how incidental the financial gain is to the overall operation.

~~HE.~~ No residential swimming pool shall be so located, designed, operated, or maintained as to interfere unduly with the enjoyment of the property rights by owners of property adjoining the swimming pool or located in the neighborhood.

~~IF.~~ Lights used to illuminate any residential swimming pool shall be so arranged and shaded as to reflect light away from adjoining premises.

~~JG.~~ No person shall make, continue or cause to be made or continued at any residential swimming pool any loud, unnecessary or unusual noise or any noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace, or safety of others. In the operation of a residential swimming pool, the use or permitting the use or operation of any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, and comfort of the neighboring inhabitants, or at any time within louder volume than is necessary for convenient hearing of the persons who are in the residential swimming pool premises, shall be prohibited.

~~K.~~ Every person using an outdoor residential swimming pool shall wear a bathing suit or other suitable garment to protect his/her person from indecent exposure.

§ 295-17. Swimming pools.

- A. No construction of a swimming pool shall begin unless a permit therefor has been obtained. The application for such permit shall be accompanied by a site plan showing the size, location and description of the property.
- B. Permanent above or in-ground pools shall comply with setback requirements of the zone in which the proposed pool is to be located. In determining this setback for aboveground pools with permanent fencing or decks, any deck, walkway, or similar structure shall be considered part of the pool.
- C. All pools shall be encompassed by fencing as provided under this section.
- D. All fences under this section shall be constructed in such a manner as to comply with the following requirements:
 - (1) The fence must be able to withstand 200 pounds of force in any direction.
 - (2) The fence shall be so constructed and designed so as to prevent penetration of an object greater than six inches in diameter.
 - (3) All such fences shall be constructed with a locking door or gate which complies with all other height and structural requirements in this section.
- E. Permanent in-ground pools shall be encompassed by a freestanding fence not less than 48 inches nor more than 96 inches from the ground level. Such fence shall be no less than three feet from the pool at its nearest point. The fence shall comply with Subsection D above.
- F. Aboveground pools shall be encompassed by fencing which complies with one or any combination of options listed below and complies with Subsection D of this section.
 - (1) A fence in compliance with Subsection B of this section.
 - (2) A fence, no closer than three feet to the pool, provided such fence be at least 36 inches above the top edge of the pool and not less than 48 inches nor more than 96 inches from ground level.
 - (3) A fence attached to a deck or walkway, provided such fence is at least 36 inches above the surface of the deck or walkway and complies with Subsection F(2) above.
 - (4) An aboveground pool at least 48 inches aboveground does not require a fence.
 - (5) All decks or ladders attached to a pool require a lockable gate.
- G. No person shall operate a public swimming pool on any premises zoned residential. The operation of a public swimming pool on residential premises is declared to be a public nuisance. A public swimming pool is any swimming pool operated by the owner or lessee thereof for financial gain, no matter how incidental the financial gain is to the overall operation.
- H. No residential swimming pool shall be so located, designed, operated, or maintained as to interfere unduly with the enjoyment of the property rights by owners of property adjoining

the swimming pool or located in the neighborhood.

- I. Lights used to illuminate any residential swimming pool shall be so arranged and shaded as to reflect light away from adjoining premises.
- J. No person shall make, continue or cause to be made or continued at any residential swimming pool any loud, unnecessary or unusual noise or any noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace, or safety of others. In the operation of a residential swimming pool, the use or permitting the use or operation of any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, and comfort of the neighboring inhabitants, or at any time within louder volume than is necessary for convenient hearing of the persons who are in the residential swimming pool premises, shall be prohibited.
- K. Every person using an outdoor residential swimming pool shall wear a bathing suit or other suitable garment to protect his/her person from indecent exposure.