

ORDINANCE #21-01

**AN ORDINANCE AMENDING SECTION 6-27
RELATING TO KEEPING OF CHICKENS AND ADDING CHAPTER 6, DIVISION 4
REGULATION AND LICENSING OF CHICKENS**

THE VILLAGE BOARD OF THE VILLAGE OF JACKSON, WASHINGTON COUNTY, WISCONSIN, does hereby ordain the following change to the Village Code:

Section One. Section 6-27 is hereby amended to read:

No animals or fowl, except domesticated pets and chickens with a valid license obtained under Chapter 6, Division 4 of the Village Code of Ordinances, shall be kept within the village, except in areas used for agricultural purposes. The commercial raising of all animals and fowl is prohibited except when permitted as a conditional use or planned unit development use amendment. The keeping of exotic pets that might generate a neighborhood disturbance or possibly devalue property will require a conditional use permit or planned unit development use amendment.

Section Two. Chapter 6, Division 4 is hereby added to read:

Sec. 6-99 Definitions. As used in this section, the following terms shall have the meanings indicated:

- a. **Chicken**
The common fowl (*Gallus gallus domesticus*), especially when young; also, its flesh used for food.
- b. **Coop**
A structure for the sheltering of chickens. Said structure shall meet the standards contained in this section.

Sec. 6-100 License Required.

- a. Licenses shall be issued by the Village Clerk's office. Licenses are issued upon submittal of a completed application accompanied by an application fee as set forth in the Village Schedule of Fees. Licenses will expire December 31 of each year. A new license must be reissued annually, and a new application fee paid with each renewal application. Renewal applications received after April 1 are subject to a late fee as set forth in the Village Schedule of Fees.

- b. Completed license applications must include the name and address of the applicant and the number of chickens to be kept by the applicant at said address, together with a comprehensive site plan detailing property boundaries, location of existing structures, location of structures on neighboring properties, a proposed location of the chicken coop and pen area

Sec. 6-101 State Registration Required.

- a. The applicant must register with the State of Wisconsin Department of Agriculture, Trade and Consumer Protection as soon as chickens are added to a premises and must keep the registration current. State ID number and proof of registration must be provided to the Village of Jackson at the time of application.
- b. The keeping of chickens within the Village is subject to all applicable State Statutes and Administrative Codes

Sec. 6-102 Keeping of chickens allowed. The keeping of up to four (4) chickens, with a Village license, is allowed on a single-family detached dwelling premise subject to the following:

- a. No person shall keep a rooster.
- b. No person shall slaughter any chicken within Village limits.
- c. Chickens shall be provided with fresh water at all times and adequate amounts of feed.
- d. Chickens shall be provided with a sanitary and adequately-sized enclosure of not less than 40 square feet nor more than 60 square feet in size with fencing made of strong woven wire mesh not to exceed 50 inches in height with a covering to prevent the chickens from flying out of the enclosure. Chickens shall also be provided with a coop of not less than 12 square feet in size nor more than 20 square feet in size.
- e. Chicken coops shall be constructed in a workmanlike manner, be moisture-resistant and either be raised off the ground or placed on a hard surface such as concrete, patio block or gravel.
- f. Chicken coops and enclosures shall be cleaned of hen droppings, uneaten food, feathers and other waste daily and as necessary to ensure that the coop and yard area do not become a health, odor or other nuisance. In addition, chicken coops and enclosures must be thoroughly ventilated, predator-proof, and designed to be easily accessed, cleaned and properly maintained by the owners.
- g. All chickens kept pursuant to this section shall be disease free.
- h. No part of any enclosure shall be located closer than 40 feet from any residential dwelling on an adjoining lot. No part of any enclosure may be located closer than 10 feet from any lot line. No part of any enclosure shall be located nearer than 25 feet from a navigable waterway. No part of any enclosure shall be located closer than 25 feet to the residential dwelling on the same lot.

- i. No enclosure may be located in the front yard area of a lot or in any wetland, floodplain, or drainage area. For purposes of this ordinance, double frontage lots shall have two front yards and no rear yard.
- j. No one may keep any chickens in a manner that causes a nuisance, unhealthy condition or public health threat.
- k. The chickens shall be shut into the chicken coop or enclosure at night, from sunset to sunrise.
- l. During the daylight hours, the adult chickens shall have access to the chicken coop and, weather permitting, shall have access to an outdoor enclosure on the subject property, adequately fenced to contain the chickens and to prevent access to the chickens by dogs and other predators.
- m. Stored feed must be kept in a rodent- and predator-proof container.

Sec. 6-103 Consent from Contiguous Property Owners.

The applicant shall be required to obtain the signature of all adjoining landowners before submitting an application for a chicken license. Each adjoining landowner shall have the opportunity on the application to object to the application. Said objection shall be indicated in writing on the application. The adjoining landowner shall be the individual(s) as listed in the office of the Village Assessor at the time that the application for license is made. If there are any objections, the Village Clerk shall deny the application.

Sec. 6-104 License Revocation.

A license is subject to revocation by the Village Board by recommendation of the Health Department, Building Inspector, or Village Clerk. Once a license is revoked, it shall not be reissued for a period of at least two years.

Sec. 6-105 Appeal.

Any person aggrieved by a denial of a license under this ordinance shall have the right to appeal the denial to the village board. Written notice of such appeal shall be given to the Village Clerk no later than 30 days following the date of denial.

Section Two. Effective Date.

This ordinance shall take effect upon its enactment. The Village Administrator and Village Clerk are hereby authorized and directed to take such further action necessary to give effect to this ordinance.

Dated this 11th day of May, 2021.

Introduced by: President Schwab

Seconded by: Trustee Heekendorf

Vote: 6 aye 0 nay

Passed and approved May 11, 2021

VILLAGE OF JACKSON

By: Michael E. Schwab
Michael E. Schwab, Village President

Attest:

Jilline S. Dobratz
Jilline S. Dobratz, Village Clerk

Proof of Posting:

I, the undersigned, certify that I posted copies of this Ordinance on bulletin boards at the Village Hall, Post Office and one other location in the Village.

Jilline S. Dobratz
Village Official

May 17, 2021
Date