

TOWN BOARD AGENDA

NOVEMBER 13, 2023 @ 5:30 PM

Join Zoom Meeting  
<https://us02web.zoom.us/j/86460224184?pwd=UDJGQVowMzRRaXY4VWlVUVNnQ3pGQT09>  
Meeting ID: 864 6022 4184  
Passcode: 529588

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF TOWN BOARD MINUTES DATED OCTOBER 9, 2023 AND SPECIAL MINUTES DATED OCTOBER 9<sup>TH</sup>, 12<sup>TH</sup> AND 30<sup>TH</sup>, 2023 AS PRINTED.
4. APPROVAL TO PAY CLAIMS AS PRESENTED/TREASURER REPORT
5. CORRESPONDENCE
6. DEPARTMENT/COMMITTEE REPORTS:
  - (a) Police Dept.
  - (b) Tichigan Fire Co.
    - Update-Discussion & possible action re: ordinance relating to access on private/public roads to ensure safety
    - Update- Discussion & possible action re: key lock box system “Knox Box”
  - (c) Waterford Fire & Rescue
  - (d) Waterford Waterway Management District
  - (e) Park
  - (f) Road Dept.
    - Award Road Bid for Town Line Rd.
  - (g) Town Planning Commission Recommendations (No November meeting)
7. OLD BUSINESS:
  - (a) Root-Pike Watershed Initiative Network for DNR NR216 Contract Renewal
8. NEW BUSINESS:
  - (a) Parking on Beach Dr./The Watering Hole
  - (b) Request from WSD #1 for increase in salary for the Commissioners
  - (c) Tanya Maney, 6911 Big Bend Rd.- recommend that backyard chickens be allowed in the Town of Waterford and that the animal ordinance be updated to correctly reflect the reality of what animal husbandry looks like in a rural town setting
  - (d) Discussion & possible action re: Ordinance backyard chickens
  - (e) Bids for Clerk & Treasurer’s Office- Flooring
  - (f) Report from Cooperative Boundary Group- Updates on meetings with Village of Waterford- Listening Session set for December 5, 2023 at 6:00 pm in LGI Room at Waterford Union High School
  - (g) Town Board Chairperson’s Report
    - Update on budget hearings
    - Update regarding changes to floodplains
    - Update on Recodification of Town Ordinances

PUBLIC COMMENTS- *Please be advised per State Statute Section 19.84(2), information will be received from the public. It will be the policy of the Town that citizens be pre-registered to present comments or suggestions to the Town Board. Registration forms will be available at the meeting and must be turned in to the Town Clerk prior to the start of the meeting. Pre-registered Citizens will be called by name by the Town*

**TOWN BOARD MEETING FOR WATERFORD  
415 N. MILWAUKEE ST.  
UNAPPROVED/UNOFFICIAL MINUTES FOR OCTOBER 9, 2023**

1. Town Board meeting was called to order at 5:30 PM by Chair Nicolai. Present: Supervisors Gauerke, Szeklinski, Schwartz and via zoom, Supervisor Ulander. Also present: Attorney Dubis, Lieutenant John Nelson, DPW Director, Ken Hinz, TVFC Secretary, Cassidy Flintrop, WWMD Commissioner Bill McCormick, and residents of the Town.
2. Chair Nicolai led the Pledge of Allegiance.
3. Printed Minutes: **Supervisor Schwartz motioned to approve the Town Board meeting minutes dated September 11, 2023, as presented, seconded by Supervisor Szeklinski. Vote taken: 5-0. Motion carried.**
4. Treasurer Report/Payment of Claims- Chair Nicolai read the Treasurer's report. **Supervisor Gauerke motioned to approve the Treasurer's report and pay the claims, seconded by Supervisor Szeklinski. Vote taken: 5-0. Motion carried.**
5. Correspondence: Chari Nicolai read a thank you card that was received by TVFC.
6. **Supervisor Schwartz motioned to vacate the agenda as written and move up item 8(b), seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.** Tom Mroczkowski, 6751 N. Tichigan Rd. gave a synopsis of what has transpired during the cooperative boundary agreement meetings. This group consists of President Houston, Trustee Jaskie, Supervisor Gauerke, Supervisor Schwartz and Tom. Currently they have met 4 times (approx. 6 hours).
7. Committee Reports:
  - a) Police Dept. Report- Lieutenant Nelson reported that officers were assigned to 159 actual calls, 261 crime preventions and 53 building checks. Lieutenant reported that there were 77 traffic citations, 37 warnings, 2 misdemeanors, 8 ordinance violations, 6 accident reports and 1 domestic abuse, 12 Water Patrol citations and 14 Water Patrol warnings. Training on CPR/Narcan and AED. Supervisor Gauerke asked if the AED in the meeting room was up to date. Nelson stated he was not certain but that training needs to occur first.
  - b) Tichigan Vol. Fire Co- Secretary Cassidy Flintrop reported 22 EMS and 2 Fire calls & 4 car accidents for the month of September. Blood Drive October 29<sup>th</sup>, 8-1 pm.
    - Discussion & possible action re: ordinance relating to access on private/public roads to ensure safety: TVFC is wanting an ordinance that would require private roads to "be maintained with approved clearances". Supervisor Gauerke questioned Atty. Dubis if the Town could legally enforce this on private roads. Atty. Dubis stated that this would need to be reviewed.
    - Discussion & possible action re: key lock box system "Knox Box": Supervisor Szeklinski felt that Atty. Dubis should review this as well. He noted that 4 (a) states: "The fire chief shall designate the type and quality of the key lock box system to be implemented and shall have the authority to require all structures to use the designated system." He noted that these can be very expensive. Supervisor Ulander would like to see input from the local businesses.
  - c) Waterford Fire & Rescue- None
  - d) WWMD- Bill McCormick reported that the large harvester was received and put into storage right away so the manufacturer is allowing WWMD to start the warranty period in the spring. Procella COR was applied. The spreader did a study and it was found 100% eradication of milfoil.

- e) Park Dept.- Ken Hinz reported 1 more rental. The port-a-potties will be removed by the end of the week. Purchasing a dog waster station with the help of an area dog club.
- f) Road Dept.- Ken Hinz reported that Townline was let out for bids. The plan is to start in spring. The DOT is saying that the failing culvert on 36 & Kramer is the responsibility of the Town. Hinz does not think this to be the case. Gauerke and Hinz will meet with the DOT. Road work for N. Lake and Elm Island are completed. There were some soft spots that needed to be resolved.
- g) Town Planning Recommendations-
  - Pier/Town Level Variance- Liebke, 5624 W. Peninsula Rd.- Supervisor Szeklinski noted that Planning approved the pier but that there was a Town Level Variance: **Supervisor Szeklinski motioned to accept planning commission's recommendation for approval of the variance, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.**

8. Old Business:

- a) Discussion & possible action re: UTV on Town roads- Gary Bluemel, 7154 Joy Marie Ln, would like the use of ATV/UTV be added to the golf ordinance. Gauerke cited the minutes from the July 5, 2017 PC and the July 10, 2017 TB meetings. The request back then was denied for several reasons. Bluemel stated there several communities "up north" that allow this. Lt. Nelson stated that he would like to see the statistics from communities in this part of the state. Nelson suggested maybe a year from now to review again. **Supervisor Gauerke motioned to deny this request and to revisit in one year, seconded by Supervisor Schwartz. Vote taken: 5-0. Motion carried.**

9. New Business:

- a) Discussion & possible action re: resolution/policy addressing meeting attendance, electronic attendance as it relates to Board members- Chair Nicolai stated that this was draft only. She asked for input from the board. Atty. Dubis to review.
- b) Town Board Chairperson's Report
  - Update on 6721 Spruce Ln. & 7028 N. Tichigan Rd.- 7028 N. Tichigan Rd.- Owner has cleaned up the property and will be working on 6721 Spruce Ln.
  - Update on budget hearings- board has met with the DPW. Police will be Oct. 12.
  - Reminder of WTA Conferences- Offices will be closed October 23 and 24th .
  - Update of Liaison duties- Chair reiterated the duties.

Forthcoming Events-

**Supervisor Szeklinski motioned to adjourn the meeting at 6:35 pm, seconded by Supervisor Ulander. Vote taken: 5-0. Motion carried.**

Respectfully Submitted,

Tina Mayer, Town Clerk

**SPECIAL TOWN BOARD MEETING FOR WATERFORD  
UNAPPROVED/UNOFFICIAL MINUTES FOR OCTOBER 9, 2023  
IMMEDIATELY FOLLOWING TOWN BOARD AT THE TOWN HALL  
415 N. MILWAUKEE ST., WATERFORD, WI**

Special Town Board meeting was called to order at 6:36 PM by Chair Nicolai. Present: Supervisors Ulander, Schwartz, Gauerke and Szeklinski. Present Lt. Nelson.

Purpose: To discuss and potentially act upon MOU as it relates to vacation time of certain officers.

6:36 pm- Supervisor Schwartz motioned to move into closed session pursuant to 19.85 (1)(3) reading the WI State Statutes, seconded by Supervisor Szeklinski. Vote taken: 5-0. Motion carried.

6:46 pm- Supervisor Schwartz motioned to move into open session pursuant to WI State Statute 19.85(3), seconded by Supervisor Ulander. Vote taken: 5-0. Motion carried.

**Supervisor Szeklinski motioned to approve the MOU as written that allows for an additional 24.0 hours of annual vacation for Lt. Nelson, seconded by Supervisor Ulander. Vote taken: 5-0. Motion carried.**

Supervisor Schwartz motioned to adjourn at 6:46 PM, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.

Respectfully Submitted,

Tina Mayer, Town Clerk

**SPECIAL TOWN BOARD MEETING FOR WATERFORD  
UNAPPROVED/UNOFFICIAL MINUTES FOR OCTOBER 12, 2023 @ 12:00 PM  
IMMEDIATELY FOLLOWING TOWN BOARD AT THE TOWN HALL  
415 N. MILWAUKEE ST., WATERFORD, WI**

Special Town Board meeting was called to order at 12:05 PM by Chair Nicolai. Present: Supervisors Ulander, Schwartz, Gauerke and Szeklinski. Present Chief Johnson, Lt. Nelson, Luke Wagner, WPPA, Attorney Ryan Heiden and Officer Ferger.

Purpose: To discuss and potentially act upon MOU (side note) as it relates to private outside events for police officers.

1:00 pm- Supervisor Gauerke motioned to move into closed session pursuant to 19.85 (1)(3) reading the WI State Statutes, seconded by Supervisor Szeklinski. Supervisor Ulander stated he did not believe this needed to be in closed session as it pertains to public safety and better discussed in open session. Vote taken: 4-1 (Ulander). Motion carried.

1:15 pm- Supervisor Szeklinski motioned to move into open session pursuant to WI State Statute 19.85(3), seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.

1:15 pm- There will be another meeting regarding the MOU and the position posting for Chief of Police on October 30<sup>th</sup> at 1:00 pm. This meeting will be held in open session.

Supervisor Ulander motioned to adjourn at 1:16 PM, seconded by Supervisor Schwartz. Vote taken: 5-0. Motion carried.

Respectfully Submitted,

Tina Mayer, Town Clerk

**SPECIAL TOWN BOARD MEETING FOR WATERFORD  
UNAPPROVED/UNOFFICIAL MINUTES FOR OCTOBER 30, 2023 @ 1:00 PM  
AT THE TOWN HALL 415 N. MILWAUKEE ST., WATERFORD, WI**

Special Town Board meeting was called to order at 1:00 PM by Chair Nicolai. Present: Supervisors Ulander, Schwartz, Gauerke and Szeklinski. Present Chief Johnson, Lt. Nelson, Lt. Jeschke, Luke Wagner, WPPA, Attorney Ryan Heiden and Officer Ferger.

Purpose: To discuss and potentially act upon MOU (side note) as it relates to private outside events for police officers.

1:00 pm- Currently officers work private events such as St. Thomas Fair, the parades, River Rhythms, Tichigan Loins Car Show/Picnic in the Park and Balloon Fest as well as Spanky's. There were some concerns over liability as officers are wearing uniforms and using town resources but these are not Town sanctioned events. Lt. Jeschke indicated that they had the certificate of insurances for all the events (copies have not been submitted to the Clerk & Treasurer's office). Discussions occurred over liability to the Town as well as cost. Currently officers are paid through the Town for the parades and River Rhythms invoiced to Village. Board was concerned over costs to the town. There was discussion over officers being paid a straight pay of \$30.00 but charge out \$37 to include fica and WRS. Wagner and Ferger were in agreeance. Concerns over what kind of rotation schedule would be used, Wagner indicated that it would need to follow the Police union contract. Both unions will need to agree to the MOU. **Supervisor Schwartz motioned to have Attorney Heiden draft the MOU, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.**

Position posting for Chief of Police- Discussion on the Chief position job posting. **Supervisor Szeklinski motioned to have Chief Johnson draft the job posting and after review of Chair Nicolai and Supervisor Ulander publish on WILENET with a resume submittal date of November 20, 2023, seconded by Supervisor Schwartz. Vote taken: 5-0. Motion carried.**

Supervisor Gauerke motioned to adjourn at 2:15 PM, seconded by Supervisor Szeklinski. Vote taken: 5-0. Motion carried.

Respectfully Submitted,

Tina Mayer, Town Clerk



*Restoring, Protecting and Sustaining the Root-Pike Basin*

November 3, 2023

Teri Jendusa-Nicolai  
Chairwoman – Town of Waterford  
415 N. Milwaukee St.  
Waterford, Wisconsin 53185

**RE: STORM WATER PERMIT REQUIREMENTS FOR COMMUNICATIONS AND OUTREACH**

Dear Teri,

Root-Pike Watershed Initiative Network is once again pleased to offer our *Respect Our Waters* public outreach services to help the Town of Waterford meet your DNR stormwater permit requirements. Through the creation of the *Respect Our Waters* program, we have been educating residents of southeastern Wisconsin about stormwater and water quality for more than a decade. Attached you will find a new contract for 2024 and 2025 to continue our cooperative pursuit of cleaner water, less flooding, and a stronger sense of place.

While the DNR requirements, and our services and commitment remain the same, the rates for the two-year agreement have increased 2%. Root-Pike WIN has worked hard to keep costs contained over the last four years, and this increase is due to COVID impacts, inflation, and cost of living adjustments. With 19 other municipalities that we serve, Root-Pike WIN looks for every opportunity to make bulk purchases to achieve lower cost per impression for items such as printed mailers and social media posts. We are mission-driven, so we not only do this work at not-for-profit rates, but we do it with a passion for clean water.

In the following pages, you will find a report on the value Root-Pike WIN has provided, ways we meet the DNR's specific requirements, and a slightly revised two-year contract with the adjusted budget. The education and outreach requirements were confirmed with DNR stormwater specialist, Samantha Katt on August 31<sup>st</sup>, 2023. Should MS4 updates occur during the contract period, changes to the program will be implemented to meet the revised requirements. **Should you decide NOT to renew your contract with Root-Pike WIN, your municipality will be responsible for meeting these requirements on your own.**

For more than 25 years, we have been part of this community and for that we are thankful. No other 501(c)3 is dedicated to restoring, protecting, and sustaining the rivers in SE Wisconsin with DNR/EPA-approved watershed restoration plans. **The deadline for renewal with Root-Pike WIN is December 15, 2023.** We look forward to continuing this valuable relationship with the Town of Waterford.

Very Sincerely,

A handwritten signature in cursive script that reads 'Laura Buska'.

Laura Buska  
Respect Our Waters Program Manager  
(262) 358-3394



## *Restoring, Protecting and Sustaining the Root-Pike Basin*

### **HISTORY**

Root-Pike WIN founded the *Respect Our Waters* program in 2009 as a way for municipalities to provide stormwater education and outreach to residents, and municipal leaders and staff in an efficient and cost-effective manner. The *Respect Our Waters* program educates residents through informational mailers, social media, emails and events through a collective of municipalities who share the cost of the program. The program is designed to change homeowner habits related to water quality while realizing economies of scale with regard to the development and management of the program. The Southeastern Wisconsin Clean Water Network (SWCWN) works with municipal leaders and staff to implement best practices for improving the quality of stormwater runoff and reducing flooding. Root-Pike WIN also advances projects and programs in our DNR/EPA-approved Nine Key Element watershed restoration plans, by working with SWCWN members. This public-private partnership is a win/win for our watersheds and SWCWN members as projects in these plans measurably reduce flooding, increase water quality, improve native habitats, and create a stronger sense of place in your municipality. Below is a recap of the 2022-23 program:

### **Respect Our Waters**

The *Respect Our Waters* program helps achieve key Education and Public Outreach recommendations in our Watershed Restoration Plans. We connect with the community through mailers, social media posts, online campaigns, articles, radio appearances, website hosting, and event giveaways. We also educate through in-person school and public presentations, volunteer days, workshops, and attendance at community events with interactive displays that share stormwater information in fun and memorable ways.

In 2023, the *Respect Our Waters* program was a part of ~ 70 events throughout Southeastern Wisconsin. Collaborations with the *Pollinator Patch* program brought to life turf-to-native prairie “living classroom” transformations at three schools in underserved areas of the Root-Pike basin. In all, the *Respect Our Waters* program reached over 7,400 event attendees, students, and volunteers about stormwater issues and solutions, and offered hundreds of free educational giveaways that promoted best management practices. In the digital realm, the *Respect Our Waters* program revamped its website, emails were sent to elected officials and hundreds of local individuals, a stormwater infiltration mailer was sent, and the *Watershed Wednesday* social media campaign with collaborator *Sweet Water* continued. In all, 11 articles, 14 emails, 1 mailer, 360 printed flyers, 13 boosted social media posts, and the relaunched website reached over 300,000 people on a variety of stormwater topics, pollutants, and solutions.

### **Southeastern Wisconsin Clean Water Network**

Part of *Respect Our Waters*, the SWCWN is made up of 21 municipalities plus the University of Wisconsin-Parkside. The goal of this program is to bring stormwater runoff pollution awareness and best management practices to these stormwater permit holders’ residents. In 2020, Root-Pike WIN and *WI Salt Wise* began collaborating to provide education and events for members of the SWCWN. Collaborations will continue and promotions of *Smart Salting* training sessions virtually and in-person will be provided to DPWs. Meetings of the SWCWN will occur on a quarterly basis, either in-person or virtually, to discuss solutions to keep our water clean.

### **General Education and Outreach**

Root-Pike WIN is always considering creative, innovative, and engaging ways to connect the public to their watershed. In 2023, Valpak was used for the first time to spread educational information about native plants for stormwater infiltration to 120,000 homeowners. To target individuals impacting through construction, we connected with Municipalities to provide a flyer sharing best management practices to those seeking permits. For DPW’s, a winter maintenance open house was offered as a refresh in salt equipment calibration techniques that save Municipalities money and protect from the negative impacts of oversalting. Finally, a new *Stormwater Week* campaign began this year with collaborators across the state, releasing 2 webinars and numerous press releases, articles, interviews, and social media posts throughout Wisconsin to build awareness of stormwater issues and solutions.





## **MEETING PERMIT REQUIREMENTS**

Root-Pike WIN has been working with municipalities to meet storm water discharge permit requirements with a turnkey communications program funded by a cooperative made up of each municipality and the Department of Natural Resources. The following excerpts that pertain to our services are found in the State of Wisconsin's N.R. 216 storm water discharge permit requirements. Root-Pike WIN confirmed these excerpts and potential updates with the DNR in August 2023. Should MS4 updates occur during the contract period, changes to the program will be implemented to meet the revised requirements:

*"NR 216.07 Permit requirements. The department shall issue permits using the information provided by the applicant and other pertinent information when developing permit conditions. Permits shall, at a minimum, require all of the following:*

*(1) Public education and outreach.*

*(a) A public education and outreach program to distribute materials to the public or conduct equivalent public outreach to increase awareness of storm water impacts on waters of the state. The program shall at a minimum be designed to achieve all of the following:*

- 1. Promote detection and elimination of illicit discharges or water quality impacts associated with discharges from municipal separate storm sewer systems.*
- 2. Inform and educate the public to facilitate the proper management of materials and encourage the public to change their behavior that may cause storm water pollution from sources including automobiles, pets, household hazardous waste and household practices.*
- 3. Promote beneficial onsite reuse of leaves and grass clippings and proper use of lawn and garden fertilizers and pesticides.*
- 4. Promote the management of stream banks and shorelines by riparian landowners to minimize erosion, and restore and enhance the ecological values of the waterway.*
- 5. Promote infiltration of residential storm water runoff from rooftop downspouts, driveways and sidewalks.*

*(b) A program that includes elements to achieve all of the following:*

- 1. Inform and educate those responsible for the design, installation or maintenance of construction site erosion control and storm water management practices on how to design, install and maintain the practices.*
- 2. Target businesses and activities that may pose a storm water contamination concern, and where appropriate, educate specific audiences such as lawn care companies and restaurants on methods of storm water pollution prevention.*
- 3. Promote environmentally sensitive land development designs by developers and designers.*

*Note: The public education and outreach program should be tailored, using a mix of locally appropriate strategies to educate the general public and target specific audiences likely to have significant storm water impacts."*



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# Contract for Professional Services

## **Information & Education Program for Meeting the Department of Natural Resources Storm Water Permit Requirements**

January 1, 2024 to December 31, 2025

*Provided by: Root-Pike Watershed Initiative Network*



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## **PART I: SERVICES**

### **A. PROGRAM Description**

1. The service contract is dated January 1, 2024, and is between Root-Pike Watershed Initiative Network, Inc. (hereinafter referred to as the “Contractor”) and the **Town of Waterford** (hereinafter referred to as the “Client”). The Contractor will provide services to coordinate and execute a two-year public outreach, education and public participation project for the Client on behalf of Root River, Pike River, Pike Creek, Oak Creek, Wind Point and the Upper Des Plaines watersheds in fulfilling the Information and Education requirements of their State of Wisconsin issued stormwater discharge permits (Wis. Admin. Code, Chapter NR 216). The PROGRAM will continue to be known as *Respect Our Waters* (hereinafter referred to as the “PROGRAM”).
2. The PROGRAM has the following objectives during the term of this contract, per the NR 216 requirements:
  - NR 216.07(1)(b)1. Inform and educate those responsible for the design, installation or maintenance of construction site erosion control and storm water management practices on how to design, install and maintain the practices.
  - NR 216.07(1)(a)2. Inform and educate the public to facilitate the proper management of materials and encourage the public to change their behavior that may cause storm water pollution from sources including automobiles, pets, household hazardous waste and household practices;
  - NR 216.07(1)(a)3. Promote beneficial onsite reuse of leaves and grass clippings and proper use of lawn and garden fertilizers and pesticides;
  - NR 216.07(1)(a)4. Promote the management of stream banks and shorelines by riparian landowners to minimize erosion, and restore and enhance the ecological values of the waterway;
  - NR 216.07(1)(a)5. Promote infiltration of residential storm water runoff from rooftop downspouts, driveways and sidewalks;
3. The PROGRAM may address the following requirements should the opportunity arise:
  - NR 216.07(1)(a)1. Promote detection and elimination of illicit discharges or water quality impacts associated with discharges from municipal separate storm sewer systems;
  - NR 216.07(1)(b)2. Target businesses and activities that may pose a storm water contamination concern, and where appropriate, educate specific audiences such as lawn care companies and restaurants on methods of storm water pollution prevention;
  - NR 216.07(1)(b)3. Promote environmentally sensitive land development designs by developers and designers.



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## **B. Scope**

**Target Audience:** Based on the results from the 2010 and 2016 household surveys administered under this PROGRAM, the Contractor will target the ‘homeowner families with children’ demographic who live in the geographic area served by the Client and perform their own yard work, wash their cars, and walk their dogs. The Contractor will also target specific sub-watershed units if they are defined in one of our EPA/DNR-approved Nine Key Element Watershed Restoration Plans as a pollutant “hotspot”.

**Message:** The Contractor, and originator of the Respect Our Waters PROGRAM, will continue to utilize creative, innovate, and engaging ways to connect the public to their watershed. Outreach efforts will focus on educating individuals on managing pet waste, yard waste, lawn chemicals, leaky car chemicals, rain barrels, rain gardens, and illicit dumping into storm sewers to keep our waters clean. All other outreach activities, as outlined in the scope of work below, will use similar messaging to meet objectives described in section A.3. of this contract. The Contractor will also use the data, conclusions and recommendations in our three, EPA/DNR-approved Nine Key Element Watershed Restoration Plans for education and outreach to a variety of audiences with targeted messaging.

### **1. Community Outreach Events**

Goal: Participate in at least one event in your municipality to promulgate the *Respect Our Waters* campaign.

Deliverable: The Contractor will participate in a minimum of one community event over the course of the 2024-2025 contract period for the Respect Our Waters campaign. The Contractor will engage event attendees using a stormwater runoff model demonstration, engaging displays, children’s games and activities, and numerous free giveaway publications and other items. The Contractor will provide all the necessary components to complete this part of the program by coordinating and staffing the events, supplying the materials and equipment already in the Contractors possession. This also covers travel costs and insurance. The events satisfy:

- NR 216.07(1)(a)2. Inform and educate the public about runoff pollutant issues/solutions
- NR 216.07(1)(a)3. Promote beneficial onsite reuse of lawn waste
- NR 216.07(1)(a)4. Promote healthy stream banks and shorelines
- NR 216.07(1)(a)5. Promote landowner infiltration solutions



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## **2. Storm Water “Hot Spots” Targeting**

Goal: Reduce pollution numbers for total suspended solids, chlorides phosphorus, *E. coli* and nitrogen via targeted outreach to residents in a specific Nine Element Plan-identified pollutant hotspot area in each member municipality. Reduce pollution numbers for phosphorus, *E. coli* and nitrogen.

Deliverable: The Contractor will raise awareness of hotspot issues and provide solutions to residents using targeted outreach in the form of mailings and in-person contact. The Contractor will use the EPA/DNR-approved Nine Key Element Watershed Restoration Plans as the default guide for outreach and solutions. The Contractor will adapt the messaging as necessary where a Nine Key Element plan does not exist or cover a specific runoff pollutant issue. The Contractor will work to bring awareness and action to issue and may work with The Client and/or landowner to resolve the issue as part of physical project under a separate contract/project. This outreach satisfies:

- NR 216.07(1)(a)2. Inform and educate the public about runoff pollutant issues/solutions
- NR 216.07(1)(a)3. Promote beneficial onsite reuse of lawn waste
- NR 216.07(1)(a)4. Promote healthy stream banks and shorelines
- NR 216.07(1)(a)5. Promote landowner infiltration solutions

## **3. Public Awareness Communications**

Goal: Promote solutions that address the critical watershed issues in local print and online publications.

Deliverable: The Contractor will create story pitches regarding the PROGRAM that get published in print and online to audiences using more targeted local media (newspapers, community magazines, and municipal sites, etc.). This activity satisfies:

- NR 216.07(1)(b)1. Educate contractors and selectively monitor construction erosion control
- NR 216.07(1)(a)2. Inform and educate the public about runoff pollutant issues/solutions
- NR 216.07(1)(a)3. Promote beneficial onsite reuse of lawn waste
- NR 216.07(1)(a)4. Promote healthy stream banks and shorelines
- NR 216.07(1)(a)5. Promote landowner infiltration solutions

## **4. Social Media Communications**

Goal: Bring awareness to urban watershed issues and solutions for homeowners through ongoing mass communications.

Deliverable: The Contractor will develop content, create website updates and implement social media posts. This activity satisfies:

- NR 216.07(1)(b)1. Educate contractors and selectively monitor construction erosion control
- NR 216.07(1)(a)2. Inform and educate the public about runoff pollutant issues/solutions
- NR 216.07(1)(a)3. Promote beneficial onsite reuse of lawn waste
- NR 216.07(1)(a)4. Promote healthy stream banks and shorelines
- NR 216.07(1)(a)5. Promote landowner infiltration solutions



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**5. Construction Site Erosion Prevention**

Goal: Communicate the importance of erosion control practices to local construction companies by working with field staff and leadership.

Deliverable: The contractor will identify and communicate with construction leaders about the importance of erosion control during rain events. This activity satisfies:

- NR 216.07(1)(b)1. Educate contractors and selectively monitor construction sites



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**C. PROGRAM Budget \***

	Waterford
<b>INCOME</b>	
2022-23 Local Share	\$ 3,410
<b>2024-25 Budget</b>	<b>\$ 3,478</b>
<b>ACTIVITIES</b>	
1) Outreach Events (Public & SWCWN)	\$ 1,043
2) Target Nine Element Plan Hotspot	\$ 1,043
3) News Story Pitches	\$ 348
4) Outreach Media	\$ 348
5) Construction Communications	\$ 348
<b>Subtotal Program Costs</b>	<b>\$ 3,130</b>
Fiscal Agent Fees	\$ 348
<b>Total Expenses</b>	<b>\$ 3,478</b>

\*The scope and activities of the *Respect Our Waters* program may change depending on conditions (such as COVID and/or inflation), needs and opportunities, but the overall cost of the program will not.



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## **D. Assumptions & Conditions**

This agreement is subject to the following terms & conditions:

1. The Client agrees to make an annual payment to the Contractor to fund the PROGRAM in the dollar amount described in the Proposal and this Contract and agree to make payments no later than February 1, 2024 and February 1, 2025 unless other arrangements are made with the Client.
2. The Contractor agrees to be the fiscal agent for the duration (two years) of the PROGRAM, commencing January 1, 2024 and ending December 31, 2025 and will receive financial remuneration (built into PROGRAM budget) for its services to cover costs incurred for program management, accounting, operations, insurance and legal needs.
3. The Contractor will complete the tasks listed in the Scope between January 1, 2024 and December 31, 2025.
4. The Contractor will submit an annual report to the Client on or before January 31, 2025 and January 31, 2026.
5. Should the DNR change the education and outreach requirements of your storm water discharge permit before the term of this contract expires, The Contractor will adjust the scope, schedule and costs to meet the new requirements, and provide The Client a revised contract for approval of the new PROGRAM.

## **E. Team**

The Contractor will provide the following personnel to provide services to the Client. If any of these persons become unavailable, the Contractor will notify and secure approval from the Client prior to replacement of such persons. Any person replacing team members shall have similar or superior qualifications. The following personnel will provide services for this PROGRAM:

- Laura Buska, Program Manager, Root-Pike Watershed Initiative Network (Primary Contact)
- Kristi Heuser, SWCWN Coordinator, Root-Pike Watershed Initiative Network
- Dave Giordano, Executive Director, Root-Pike Watershed Initiative Network
- Amy Kolb, Accounting, Root-Pike Watershed Initiative Network





*Restoring, Protecting and Sustaining the Root-Pike Basin*

## **F. Decisions**

The Contractor will follow the approved budget and scope of services with input from the Client to implement the PROGRAM. Most content can be developed and implemented by the Contractor, but final content and reach decisions will be made by the Client should a dispute arise.



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## **PART II: COMPENSATION**

### **A. Compensation**

**Compensation** to the Contractor for services rendered January 1, 2024 through December 31, 2025 (two years) by employees working on the PROGRAM in accordance with PART I, services of the Agreement will be for a not-to-exceed fee of \$3,478 to implement the PROGRAM over the two-year term of the contract. This fee includes salary and reimbursable items including mileage, copies, printing, postage, materials, subcontractors, promotional items and other reimbursable expenses in the PROGRAM budget directly related to the implementation of the PROGRAM, as well as financial remuneration for the Client.

#### **1. Billing and Payment**

2. The Contractor will provide a yearly accounting report of all PROGRAM expenses during the term of the contract from January 1, 2024 to December 31, 2025. The Contractor can provide standard reports from QuickBooks as needed by the Client.
3. The Contractor shall maintain accounting records of its costs in accordance with generally accepted accounting practices. Access to such records will be provided during normal business hours with reasonable notice during the term of this Agreement and for 3 years after completion.



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## **PART III: CONTRACTOR STANDARD TERMS AND CONDITIONS**

**STANDARD OF CARE.** Services shall be performed in accordance with the standard of professional practice ordinarily exercised by the applicable profession at the time and within the locality where the services are performed. No warranty or guarantee, express or implied is provided, including warranties or guarantees contained in any uniform commercial code. The Contractor, upon notice from the Client, will re-perform any non-conforming services without additional compensation. If deficiencies are not corrected in a timely manner, the Client may cause the same to be corrected and deduct costs incurred by reason of such deficiency from the Contractor's compensation.

**CHANGE OF SCOPE.** The scope of Services set forth in this Agreement is based on the facts known at the time of execution of this Agreement, including, if applicable, information supplied by the Contractor and the Client. The Contractor will promptly notify the Client if any perceived changes of scope in writing and the parties shall negotiate modifications to the Agreement with input from the Wisconsin Department of Natural Resources. No payment for services beyond those described in the original scope will be authorized without a written modification to this Agreement.

**DELAYS.** If events beyond the control of the Contractor, including, but not limited to, fire, flood, explosion, riot, strike, war, process shutdown, act of God or the public enemy, and act or regulation of any government agency, result in delay to any schedule established in this Agreement, such schedule shall be extended for a period equal to the delay.

**TERMINATION/SUSPENSION.** Either party may terminate this Agreement upon 30 days written notice to the other party in the event of substantial failure by the other party to perform in accordance with its obligations under this Agreement. If the Contractor fails to correct or cause to be corrected such failure to perform within ten (10) days of written notice by the Client, the Contractor shall be deemed to be in default of this Agreement. The Contractor will return all unused and uncommitted funds within 30 days.

**REUSE OF INSTRUMENTS OF SERVICE.** All reports, publications, artwork, electronic files, and other documents prepared by the Contractor as instruments of service shall remain the property of the Contractor. The Contractor shall retain all common law, statutory and other reserved rights, including the copyright thereto. Reuse of any instruments of service including electronic media, for any purpose other than that for which such documents or deliverables were originally prepared, or alteration of such documents or deliverables without written authorization or adaptation by the Contractor for the intended purposes, shall be at the Contractor's sole risk.

**VENDOR COSTS.** Any opinion of vendor costs prepared by the Contractor is supplied for the general guidance only. Since the Contractor has no control over bidding or market conditions, the Contractor cannot guarantee the accuracy of such opinions as compared to contract bids or actual costs to the Contractor or its clients.



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**SAFETY.** The Contractor shall establish and maintain PROGRAMs and procedures for the safety of its employees. The Contractor specifically disclaims an authority or responsibility for general job safety and safety of persons other than the Contractor’s employees.

**MODIFICATION.** This Agreement, upon execution by both parties hereto, can be modified only by written instrument signed by both parties.

**INSURANCE.** The Contractor shall maintain insurance coverage as described herein:

Comprehensive General Liability	\$1,000,000	occurrence/aggregate
Automobile Liability	\$1,000,000	occurrence/aggregate
Worker’s Compensation/Employers Liability	Statutory	
Professional Liability	\$1,000,000	occurrence/aggregate
Umbrella Liability	\$1,000,000	occurrence/aggregate

**INDEMNIFICATION AND HOLD HARMLESS.** To the fullest extent permitted by law, the Contractor shall indemnify and hold the Client harmless from and against any and all claims of any party or parties that make a demand, bring a claim, or institute a legal action allegedly arising out of the Agreement and/or the PROGRAM and the Contractor further agrees to indemnify and hold the Client harmless for any loss, liability, and damages sustained by the Contractor, its agents, employees, and representatives by reason of injury or death to persons or damage to tangible property. This provision extends to all attorney’s fees, costs, interest and resulting settlement amounts and/or judgments.

**ASSIGNMENT.** The rights and obligations of this Agreement cannot be assigned by either party without written permission of the other party.

**NO WAIVER.** No waiver by either party of any default by the other party in the performance of any particular section of this Agreement shall invalidate another section of the Agreement or operate as a waiver of any future default, whether like or different in character.

**SEVERABILITY.** The various terms, provisions and covenants herein contained shall be deemed to be separate and severable, and the invalidity or unenforceability of any of them shall not affect or impair the validity or enforceability of the remainder.

**INDEPENDENT CONTRACTOR STATUS.** The Contractor has “Independent Contractor Status” and will maintain complete control of and responsibility for its employees, agents, methods, and operations.



*Restoring, Protecting and Sustaining the Root-Pike Basin*

DISPUTE RESOLUTION. In the event of a dispute arising out of or relating to this Agreement or the services to be rendered hereunder, the Contractor and the Client agree to attempt to resolve such disputes in the following manner. First, the parties agree to attempt to resolve such disputes through direct negotiations between the appropriate representatives of each party. Second, if such negotiations are not fully successful, the parties agree to attempt to resolve any remaining dispute by formal nonbinding mediation conducted in accordance with rules and procedures to be agreed upon by the parties. Third, if such negotiations fail, either party may pursue an action in the circuit courts of the State of Wisconsin.



*Restoring, Protecting and Sustaining the Root-Pike Basin*

## **PART IV: AGREEMENT**

This Agreement is by and between the Contractor:

**Root-Pike Watershed Initiative Network**  
4116 12<sup>th</sup> St.  
Kenosha, WI 53144  
262-883-4018 / dave@rootpikewin.org

and

The Client  
**Town of Waterford**

Who agree as follows:

Root-Pike Watershed Initiative Network hereby agrees to perform the services set forth in Part I/Services for the compensation set forth in Part II/compensation. Root-Pike Watershed Initiative Network shall be authorized to commence the Services upon execution of this Agreement and written authorization to proceed from the **Town of Waterford**. The **Town of Waterford** and the Root-Pike Watershed Initiative Network agree that this signature page, together with Parts I-III, constitute the entire Agreement between them relating to the PROGRAM.

Approved for  
**Root-Pike Watershed Initiative Network**

Approved for  
**Town of Waterford**

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

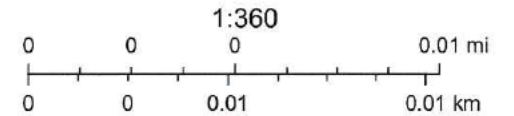
Date: \_\_\_\_\_

# ArcGIS WebMap



November 7, 2023

- |  |  |  |                    |
|--|--|--|--------------------|
|  |  |  | Waterbody          |
|  |  |  | 2022 Spring Aerial |
|  |  |  | Red: Band_1        |
|  |  |  | Green: Band_2      |



Racine County, Racine County, SEWRPC, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

Teri,

At the 10-12-23 meeting the WSD Commissioners voted to increase their compensation from \$300 per quarter to \$600 per quarter. It's been roughly 20 years since the last increase, and there will be years into the future before there will be another increase. On an annualized basis, over this span of time, the increase amounts to 4% per annum.....as shown on the table below.

WSD is on the leading edge of a major collection system upgrade that will span over the next three years at an initial estimated cost of \$6.5M. This will require a substantial amount of Commissioners' time and effort during planning and during construction..... it is unreasonable to expect that amount of effort to be compensated at its current rate of \$300/quarter. And when compared to compensation levels of other boards in the area, even with this approved increase, WSD Commissioners are still below those comps.

The new Commissioners' compensation will begin with the next new quarter.

Thank you in advance,  
Dan

Years Since last increase	Annual Increase	4%
1	\$ 300.00	4% \$ 310.58
2	\$ 310.58	4% \$ 321.53
3	\$ 321.53	4% \$ 332.87
4	\$ 332.87	4% \$ 344.61
5	\$ 344.61	4% \$ 356.76
6	\$ 356.76	4% \$ 369.34
7	\$ 369.34	4% \$ 382.37
8	\$ 382.37	4% \$ 395.85
9	\$ 395.85	4% \$ 409.81
10	\$ 409.81	4% \$ 424.26
11	\$ 424.26	4% \$ 439.23
12	\$ 439.23	4% \$ 454.71
13	\$ 454.71	4% \$ 470.75
14	\$ 470.75	4% \$ 487.35
15	\$ 487.35	4% \$ 504.54
16	\$ 504.54	4% \$ 522.33
17	\$ 522.33	4% \$ 540.75
18	\$ 540.75	4% \$ 559.82
19	\$ 559.82	4% \$ 579.56
20	\$ 579.56	4% \$ 600.00

Sent from [Mail](#) for Windows



I will be asking the board to change their ordinance against town residents having backyard chickens, while addressing town ordinance 5.23, shown below. This ordinance has no right to exist in our township, much less any municipality in America. Since when do American citizens have to ask for "specific permission" by a town board to have pets? Let's dissect this ordinance, shall we?

First of all, unless you have 3 acres of land, you can't have ANY domesticated animals, aka, pets- according to the ordinance, this means your cats and dogs, rabbits, etc.-or you're in violation. Then you're 'allowed' ONE- you need an extra acre for each additional pet. How many of you have more than 1 domesticated pet and don't live on 4 acres? You're in violation. You can now be fined up to \$200 for each day you are in violation, or serve 8 days in jail if you don't pay- with each day being a separate offense. This stipulation results in this punishment being the most extreme of all of the town's ordinances

This ordinance was written and put into practice May of 2003. It has come before the board in recent years as reason to deny town residents who would like to raise backyard chickens, given the board ample opportunity ( as recent as March of 2023) to rescind this ridiculous ordinance and stop micromanaging We, the People. Apparently, nothing about this ordinance seems over the top or just plain wrong to this board. I wonder how many of them have domesticated animals and live under three acres? Are they aware of what the word "domesticated means"? Definition of Domestic Animal: an animal, as the horse or dog , that has been tamed and kept by humans as a work animal, food source, or pet.

It befuddles my mind why this was written in the first place, and secondly, how it managed to stay as an ordinance for 20 years! It seems to not be enforced ( otherwise most of us would be paying fines or sitting in jail) but used when the town deems it necessary to have the police show up on the doorsteps of people who keep a couple of chickens as pets. Ordinances that are written so ignorantly and carelessly should be removed immediately and replaced with sensible and constitutionally based ordinances instead- ones that fulfill the responsibility of government- to establish justice, insure domestic Tranquility, provide for the common defense, promote the general welfare and secure the blessings of LIBERTY to ourselves and our posterity! Ordinances should NOT forbid citizens from the right to pursue happiness. Most people should agree that raising pets is a legal activity that in most instances, does not infringe on the right of others.

#### 5.23 KEEPING OF CERTAIN ANIMALS

No parcel of land(s), having less than 3 acres in size, nor any residentially zoned parcel, may be used to keep any domestic animals, including, but not limited to, riding horses, ponies, donkeys and/or poultry unless given specific permission by the Town Board. Included in any permitted use will be the condition limiting and establishing the type of stabling or housing of said animal(s). This usage shall be solely for the use of the owners/residents of said real estate and/or for their guests and not for hire or livery. Those parcels of land having more than three acres shall be limited to *one* of the animals referenced above, for the first three acres and one per additional acre thereafter, such as, but not limited to, a horse, pony or donkey. Any permitted usage may be withdrawn, upon notice and for cause shown. Failure to comply with the above ordinance shall result in a forfeiture not to exceed \$200 or eight days in the county jail for failure to pay. Each day of keeping any of the above animals in violation of this ordinance is a separate offense.

How did we get to this place where raising backyard chickens became illegal in our jurisdiction? It seems that from a constitutional perspective, banning citizens from raising chickens on their personal property exceeds the limits of what government is entitled to do. From the perspective of what the job of our government is, refusing to allow us to raise chickens, or have domesticated animals for pets, is a blatant overreach and unconstitutional- unless this board can prove that such rights create a public safety concern.

Please allow me to offer facts, documentation and compelling insights to negate some of the misconstrued ideas surrounding the specific issue of raising backyard chickens.

Back in May of 2016, The Begotka family came before the town board ( which some of the current board was sitting as well) and was denied the "right" to have a few hens in their backyard. Reasons sighted back then were 1) concerns about the size of their yard 2) potential water runoff impacts, and 3) Overtaxing the town's police force.

Considering that chickens need very little space- anywhere from 2- 15 sq feet (including and outside run- see Exhibit B ), The Begotka's property size is a 1/3 of an acre- much bigger than many of the urban properties in large cities that currently allow for the keeping of chickens. The second concern about water runoff impacts seems highly improbable that a few chickens would cause an issue, given the number of wild waterfowl that settle in around our waterways. Additionally, the Racine Co health Dept and DNR have both confirmed that keeping backyard chickens does not pose any negative impacts to our waterways. As for overtaxing the town's police force, I have contacted four neighboring communities where citizens are free to engage in the activity of keeping chickens on their property and they have cited no overtaxing of their police force, to no involvement of the police force at all.

Based on other concerns that tend to come up with this topic, I received feedback from East Troy, Rochester, the Village of Waterford and Norway who's residents have the free will to raise chickens. First of all, just because it isn't prohibited does not mean that every resident will take the opportunity! In the last 5 years, Norway has only had 5 residents pursue this hobby. Since 2014, East Troy has had 22 residents, Rochester currently has 18 and the village has 3. As you can see, as with taking in any pet, people weigh the cost and time commitment and don't jump into this haphazardly. There is a lot of time and cost affiliated with raising animals and just because we can, doesn't mean we will- but we shouldn't have the choice taken from us.

Every municipality I spoke with confirmed that they have received very few to no complaints concerning chickens which none were due to noise, smell or vermin. Sadly, complaints stemmed from neighbors tattling on their neighbors about the number of chickens or to see if they were registered, with one being due to a stray chicken going into a neighbor's yard- which apparently was worked out between the neighbors.

So, what are the benefits of keeping chickens? For starters, raising chickens promotes the humane treatment of food producing animals and a local, sustainable food system. In addition, hens living in a spacious clean environment produce eggs that are fresher, better tasting and more nutritious than commercially farmed counterparts. Chickens have become more than a “farm animal”. Many people keep chickens as family pets that provide companionship, entertainment, and stress reduction and are routinely used as therapy animals for individuals with a wide array of emotional and physical challenges. Chickens are green pets. They eat a variety of weeds and disease carrying insects, making backyards and water supplies safer than those where toxic insecticides and pesticides are routinely applied. Given the opportunity, they will gladly turn, aerate and fertilize your garden space with nitrogen rich fertilizer. ( see also Exhibit C and Exhibit D)

Let’s address some of the myths that people believe about chickens.

- 1) Chickens are smelly and dirty. FACT: Chickens spend hours each day dust bathing and preening themselves to maintain good hygiene. Chickens do not smell- animal waste smells. ALL animal waste smells. When managed properly, no odor emanates from a chicken yard. Compared to dogs, chickens produce valuable waste that can be used as a valuable garden amendment. Five hens produce approximately 5 ounces of organic fertilizer daily compared to the average dog that generates approx. 12 ounces of pathogenic, unusable feces a day.
- 2) Chickens hurt property values. FACT: There has never been any evidence supporting the claim that backyard chickens hurt property values. In fact, the opposite has proven true. A Forbes list of the top 10 US housing markets appreciating in value showed all ten permit chicken keeping
- 3) Chickens are noisy. FACT: Hens are not ordinarily noisy and roosters are no noisier in volume or frequency than a barking dog. A barking dog at 1 meter = 70-100dB ; Lawnmower at 1 meter =107 dB ; rooster at 1 meter= 48dB.
- 4) Chickens require a lot of land. FACT: Chickens require no acreage to be well kept. Residents in all major cities- including New York, Denver, Chicago, New York, Milwaukee- keep chickens with no acreage. The number a family could responsibly raise in a backyard is ordinarily much more than most families want to keep.
- 5) Chickens attract rodents and predators. FACT: Wild animals and rodents reside in every neighborhood and are attracted to food sources such as seed in wild bird feeders and garbage cans. Chicken keepers are simply more aware of the threat predators pose to their pets because a lot of money is spent implementing safeguards to prevent losses to them.
- 6) Chickens are kept for only egg production. FACT: Chickens are kept for many reasons including eggs, as pets, therapy animals, hobby show birds, 4-H project animals, and to preserve heritage breeds in danger of extinction. There is no rational justification for placing arbitrary limits on head counts- it’s expensive to keep pet chickens and hen hoarding is not endemic to the backyard chicken keeping community.

Let's talk zoning and original intent. The concept of land use zoning was largely non-existent in the US at the beginning of the 20<sup>th</sup> century, but it quickly became the norm. "Zoning's original purpose was to protect homeowners in residential areas from devaluation by industrial and apartment uses that had been made footloose by trucks and buses around 1910-1920." Most zoning codes are "permissive use" regulations- In other words, if the code does not specifically state that you are allowed to use your land for a certain purpose, you cannot use your land for that purpose. Nobody wants a developer plunking a hi-rise apartment behind their backyard or a funeral home in the lot next door. Most zoning codes contain no provisions sanctioning the raising of chickens as a permitted residential land use because zoning was intended to protect private property values from being adversely affected by undesirable commercial land uses and because our forbearers never could have imagined a time when permission would be needed to feed their families food they grew or raised. Not only was permission not required under the law, the government PROMOTED it, encouraging families that did not already keep chickens during WW1 to keep chickens as a patriotic duty! (see Exhibit A)

Overbearing regulations cause confusion, create administrative burdens and the need for enforcement by municipal officials unfamiliar with small flock norms. Enforcement of any chicken keeping regulation is an important consideration, but potential problems contemplated in this context usually already fall under the jurisdiction of animal control officials, police and health departments. Nuisance and health codes ordinarily address smell, noise, and other sanitation concerns. There is no need to enact a complicated, overly restrictive regulation based on unfounded fears of the unknown. There will always be abuses of any standard, but a few theoretical bad actors should not give rise to regulations that micro-manage pets.

## POLITICS

# New bill would permit backyard chickens in every Wisconsin community



**Laura Schulte**

Milwaukee Journal Sentinel

Published 6:01 a.m. CT Nov. 7, 2023 | Updated 12:20 p.m. CT Nov. 7, 2023

MADISON - Wisconsinites may soon have permission to raise a flock of chickens in their backyard, if recently proposed legislation advances.

The bill, which is being circulated for co-sponsorship, would require local governments to allow the keeping of up to four chickens, geese, ducks, quail or guinea fowl by property owners.

The bill notes that permits can be required, as can neighbor notifications, a ban on roosters and specifications on where housing for the birds can be kept on the property.

Chickens can already be kept in several Wisconsin communities, including Madison, Milwaukee and Wausau.

Wausau's chicken ordinance was passed in 2017, after months of debate and delays by the Wausau City Council, including some council members asking if approving chickens meant residents would be asking to keep cows in their yards next.

**More:** What are the chicken laws in Wisconsin?

## **Bill author wants to empower residents to raise their own food**

Bill author Shae Sortwell, R-Two Rivers, says the state measure is about empowering Wisconsinites to raise their own food if they choose to do so. And, of course, it does not authorize keeping a cow in your backyard. The measure is a partner bill to another piece of legislation that gives Wisconsinites the right to have a garden in their backyard.

Sortwell himself doesn't have chickens, but he does have geese and has raised ducks and guinea fowl in the past.

"It's a bill that says you have the basic human right to raise your own food, and we want to make sure people across Wisconsin actually have that right," he said.

The fowl bill was created in response to a high schooler reaching out to legislators after being told by a local governing board that she wouldn't be permitted to have chickens in the backyard of her mom's house, Sortwell said. According to a local ordinance there weren't enough acres, a rule that was applied to other, larger farm animals as well.

She argued it didn't seem fair she couldn't have chickens, which aren't as large or as messy as other animals.

## **Milwaukee chickens provide entertainment, fresh eggs for residents**

In Milwaukee, residents are able to own up to four chickens, as long as they secure a permit to do so.

And for those who do own chickens, like Missy Zombor of the Enderis Park neighborhood, there are benefits.

"We have three chickens in the backyard and get eggs from them almost every day," she said. "And it's just been a joy for our family."

Zombor and her family have had three hens in their backyard for a little over a year and say they've never had a complaint from neighbors. The family cleans out the coop and the run each day, and the birds for the most part are pretty content, she said. They sometimes let out squawks when laying eggs or warning each other of a stray cat in the backyard, but there hasn't been a single complaint.

"They're more quiet than half the dogs in our neighborhood," she said.

And aside from providing the family with eggs, the chickens have become pets, too.

"I didn't realize how attached I was going to get to them," Zombor said. "They don't particularly like to be held, but we can pet them, get close to them and they're part of the family."

*Laura Schulte can be reached at [leschulte@jrn.com](mailto:leschulte@jrn.com) and on X at [@SchulteLaura](https://twitter.com/SchulteLaura).*

Bill author, Shae Sortwell, says the state measure is about empowering Wisconsinites to raise their own food if they choose to do so..." It's a bill that says you have the basic human right to raise your own food, and we want to make sure people across Wisconsin actually have that right". What's sad is there is a partner bill that "gives Wisconsinites the right to have a garden in their backyard". WHEN did we give away our basic rights, People? This shouldn't even be up for discussion, much less legislation! Let's wake up NOW and stop allowing government -at ANY level- to micromanage us and force us to bow at their feet and ask them PERMISSION to provide for our family as we see fit. The town board needs to get on the right side of this issue!



# Uncle Sam Expects You To Keep Hens and Raise Chickens



## Two Hens in the Back Yard for Each Person in the House Will Keep a Family In Fresh Eggs

**E**VEN the smallest back yard has room for a flock large enough to supply the house with eggs. The cost of maintaining such a flock is small. Table and kitchen waste provide much of the feed for the hens. They require little attention—only a few minutes a day.

An interested child, old enough to take a little responsibility, can care for a few fowls as well as a grown person.

Every back yard in the United States should contribute its share to a bumper crop of poultry and eggs in 1918.

**In Time of Peace a Profitable Recreation  
In Time of War a Patriotic Duty**

*For information about methods of Back-Yard Poultry Keeping suited to your location and conditions, write*

**Your State Agricultural College  
or  
The United States Department of Agriculture  
Washington, D. C.**

This Space Donated by the Publisher

Exhibit A

# How much room do they need?

#CHICKENKEEPINGTIPS

Wilmathewonderhen.com

## Standard size Birds

4sq ft inside coop

8sq ft in run area

## Heavy Breeds

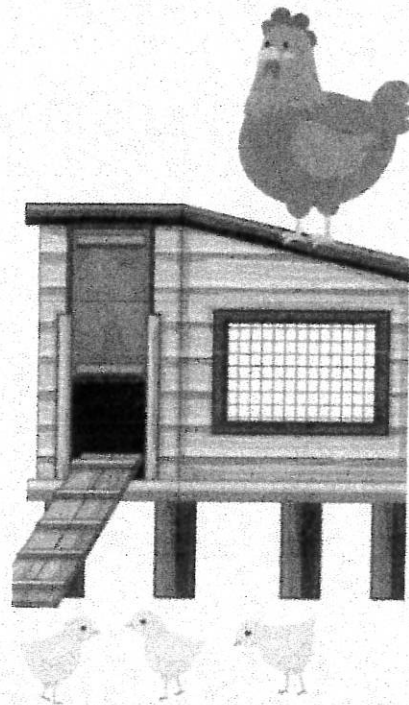
8sq ft inside coop

15sq ft in run area

## Bantams

2-3sq ft inside coop

4-6sq ft In run area



**These are the minimum for each bird.  
More space equals happier chickens!**

Wilmathewonderhen.com

Exhibit B



## Urban Agriculture

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< Back to [Urban Agriculture](#)

# The Environmental Benefits of Backyard Chickens

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Sure, they are fun pets and a good educational tool for your kids, as well as a great source of fresh eggs. But what do chickens have to do with the environment? There are a number of ways that having hens in your backyard can be environmentally beneficial.

## Poultry Pest Patrol

ErinbotC



Jennifer Murtoff of [Home to Roost, LLC](#) with one of her pullets

Forget those nasty pesticides! Chickens are omnivores by nature and thoroughly enjoy chasing down plant-destroying insects like grasshoppers, grubs, beetles, and larvae.

Betsey Miller and her colleagues at Oregon State University recently conducted a [study with red ranger chickens](#) to test the insect-finding power of poultry. They placed hundreds of insect pest decoys in leaf litter, placing some litter in the chicken pen and some outside. A day later, they examined both piles and recovered any remaining decoys. The results: all the decoys remained the control pile, but there were no decoys to be found in the chickens' pile. The birds had gobbled them up!



Farms, run by Tom and Denise Rosenfeld, is a local organic orchard that uses chickens as natural “insecticide.”

## Biddie Biorecycling

Many eco-minded individuals tout a zero-waste trash stream as an important part of their green living plan: no materials leave the home as trash to be added to a landfill. Many people recycle waste, repurpose materials, and compost their vegetable matter. Chickens can be included in this schema as well, helping to reduce the amount of organic waste.



A mother hen teaches her chicks to forage. By fir0002 | flagstaffotos.com.au [[GFDL 1.2](#)], via Wikimedia Commons

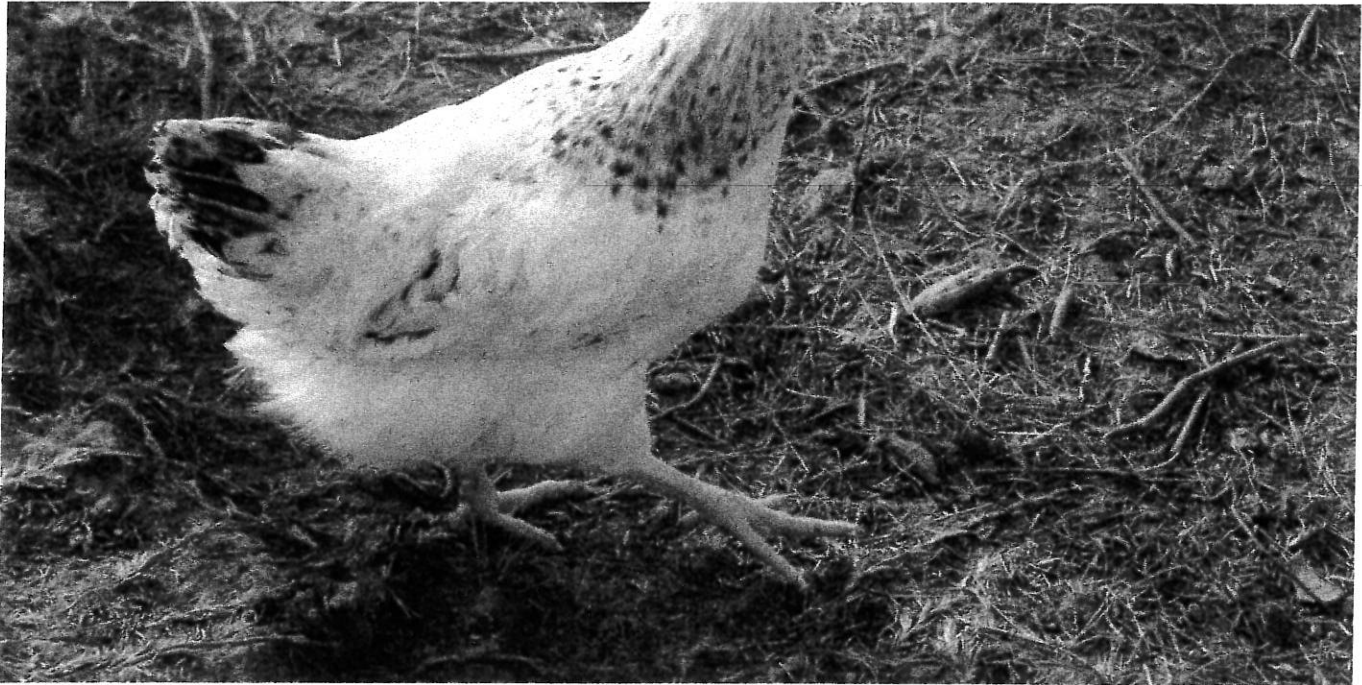
An adult chicken eats around 9 pounds of food per month. For the sake of argument, let's say that 75 percent of that is layer ration (which I recommend for a healthy, balanced diet). That means each bird can biorecycle more than 2 pounds per month in vegetable matter and table waste. A flock of four birds, if fed a diet of 75 percent layer ration and 25 percent food waste, can eat more than 100 pounds per year in waste. If you take layer ration out of the equation completely, four birds can



of Pince in northwest France and Mouscron in Belgium that they are offering chickens to residents. Says the mayor of Pince, "To begin with it was a joke, but then we realized it was a very good idea. It will also reinforce community links: just as people look after their neighbors' cats and dogs while they're away, they'll also look after the chickens."

## Fowl Fertilizer

All the natural waste byproduct, better known as poop, comes out the back end of the bird to the tune of 1 cubic foot of manure every six months. While chicken manure can be messy, stinky, and just all-around not desirable, this "black gold," as some call it, is very high in nitrogen. However, it contains ammonia, which makes it "hot" compost: it needs time to break down into a usable format. When mixed with organic "brown" material such as grass clippings and leaves, the waste eventually decomposes into nitrites (which are toxic to plants) and finally into nitrates (which can be used as fertilizer). This chemical process can take anywhere from six to nine months. The mature compost can be added to the surface of a flower bed or worked into the soil. So a flock of chickens can turn all that vegetable matter from your kitchen into highly effective, free fertilizer.



Chicken feet at work! These feet are made for scratching—and ridding your yard of insect pests.

## Hens and Humus

While chicken manure contributes to your compost bin, the birds can enrich your garden in other ways—with their feet. Chickens are ground birds, with strong, sturdy feet that are meant for digging and scratching in search of food. Turn your birds loose in the garden or on a raised bed and they will till the soil with their feet in search of grubs, worms, bugs, tender shoots, and other tasty tidbits. All this activity will turn leaf litter and dead biomatter into the soil while providing an easy aeration solution. If your soil is in need of a boost, put your chicken to work. When the birds have worked over a garden plot or raised bed, it will be tilled and ready to plant!

## Environmental Egg-sistence

Envision an agribusiness egg farm with stack upon stack, row after row, of hens in cramped cages. You've no doubt questioned the system and its humanity and sustainability. Chicken houses produce tons of manure per year, and the hens who live in these barns may be force molted to keep up egg production by withdrawing food and water. These barns are considered concentrated animal-feeding



Backyard chickens provide a better alternative to the excessive environmental impact of factory farming. Compared to a factory farm, backyard hens produce a fraction of the manure in a much smaller footprint. You can handle their waste properly, returning it to the environment in an eco-conscious manner. If the coop is kept well, there will be little to no odor. In addition, the birds will also be happier and healthier. Their eggs, too, will contain better nutrition due to the birds' ability to forage and eat a varied diet.

Chickens, like most critters, are at their happiest when doing what comes naturally to them—eating veggies and bugs, digging in the dirt, pooping, and living a happy, carefree existence on the open range. So consider adding these delightful birds to your garden as part of an eco-conscious living plan. You'll be thanked with hours of entertainment and the best eggs you'll ever eat!



The best benefit of backyard chickens—the eggs!





# 11 Reasons Why Chickens Make Great Pets

Updated: June 17, 2021 by Jason Roberts



Chickens are often regarded as the "must-have" form of livestock for your farm.

Why?

Not only are they excellent at producing eggs, but they can also be a wonderful source of meat, fertilizer, and free weeding services, too.

However, many people overlook the fact that chickens are also great companions to have on the homestead as pets.

These delightful creatures offer backyard chicken keepers the opportunity to learn a little bit more about sustainability and life itself – plus, you'll be able to enjoy a wide variety of other rewards that no other pet can provide.

Ready to learn more?

Here are all the reasons why you should consider raising a chicken as a pet – as well as tips for getting started and the best breeds for you to consider.

Exhibit D

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## **Are Chickens Good Pets? 11 Reasons Why We Think YES!**

Here are a few reasons why we believe that chickens make great pets:

### **1. They have awesome personalities**



If you've ever interacted with a flock of chickens, you probably already know that each bird has a unique personality.

Each chicken will parade around with a variety of shapes, patterns, colors, behaviors, and quirks to showcase.

Many people name their backyard chickens and trust us, you'll enjoy spoiling your chickens with treats and affection from time to time!

### **2. An endless supply of eggs!**



We all love having dogs, cats, fish, or even reptiles as pets. Yes, these animals offer plenty of affection and fun times.

However, what other pet can you raise that will give you something tangible in return?

No pet – other than the chicken, of course!

Once you've dined on freshly laid chicken eggs that are only minutes old – instead of being weeks or months old from the grocery store – trust us, you'll never want to go back.

Plus, pasture-raised eggs (another way of saying eggs that are raised on green grass and sunshine, and are not the product of a factory-farmed chicken) are much better for you.

The yolks will be a vibrant orange instead of a pale yellow, a testament to the high nutrient content of the eggs.

They will contain higher levels of omega-3 fatty acids, vitamin D, vitamin E, and vitamin A.

They are also lower in saturated fat and cholesterol.

Ohm and know this – you don't need to have a rooster in order to get eggs!

You might see a short decline or halt in laying during the cold winter months or when your birds are molting, but other than that, you can get eggs all throughout the year.

### **3. They offer free fertilizer for your garden**



If you have a garden, you might have wondered how you can improve the health of your plants without having to add potentially harmful synthetic fertilizers, herbicides, pesticides, or other chemicals.

Lucky for you, a chicken offers more in return for a little bit of feed and attention than just eggs.

Chickens are also a great source of all-natural fertilizer!

Chickens love being able to free-range, and letting them engage in this natural behavior helps kill off unwanted pests on your lawn not only can chickens get rid of a variety of garden pests that can damage your plants, like grubs, earwigs, beetles, or even snakes and small rodents, but they'll also turn their hard work into safe fertilizer.

While you will want to pay attention to how much chicken manure you are adding to your garden – as well as when you are applying it, as it is quite high in nitrogen and can burn your plants if applied too liberally – it is safe to use in any setting.

Plus, chickens love eating grass, so they'll cut down on mowing and weeding you need to do.

They'll gobble up worms, grasshoppers, ticks, and other pests you don't want hanging around your lawn, too.

#### **4. Anyone can have a small flock**

No matter where you live, you can raise chickens.

While some areas have zoning laws that restrict the number of birds you can have and others put bans on roosters, there are very few other regulations about raising backyard chickens.

This is much different than if you were to raise other forms of livestock, like goats or pigs, who are difficult to raise in a small amount of space.

## **5. They provide inexpensive pest control**

We already mentioned that chickens will get after bugs in your garden – but they truly know no bounds and will take care of pests around the rest of your property, too.

Chickens will eat everything from crickets to ants to mosquito larvae – and you don't need to train them to do this, either. It's all instinct!

They will even eat everybody's least favorite pests – spiders, snakes, and mice.

Chickens are obligate omnivores, so anything they can get inside their beaks, they'll eat.

Plus, unlike some other pets (whose name we need not share), they won't feel the need to drag their feast to your doorstep to show it off to you, either.

## **6. They are awesome if you have small children**

Raising a flock of chickens is a great way to instill positive values in your children.

They can help your kids learn more about responsibility as well as the value of hard work.

When you raise chickens, you get to reap the rewards of your hard work every single day – once your kids see how caring for an animal can produce some major benefits, they'll learn that there are some things in life that are just worth doing yourself.

If you have a pet chicken, it can also help teach your kids a little bit more about the value of life.

Not only are they inexpensive, but they're one of the easiest and quickest pets to raise from childhood to adulthood – in the process, they can teach your kids a lot about basic biology, avian behavior, and the circle of life.

## **7. They give you something to do with your leftovers**



Have you ever made a meal and thought, "Ugh. Not my best work."

Chances are, you probably felt guilty about throwing it in the trash, but then were forced to let it rot in the refrigerator because you kept telling yourself you didn't want to waste food – even though nobody was ever going to eat it.

Chickens offer a great solution to this common dilemma.

You don't have to feel guilty about letting your food rot in the fridge or throwing out unwanted leftovers.

You can feed chickens just about any kind of leftover (yes, including meat!) that you don't want.

You will just want to be wary about feeding your chickens leftovers like uncooked eggs, onion, garlic, chocolate, or food that is too rotted, salty, sweet, or moldy.

## **8. They'll perform double-duty in cleaning up your garden**

If you have a large vegetable garden, cleaning up at the end of the growing season can be nothing short of a daunting task.

And from pulling weeds to adding mulch, removing old plant matter and turning your compost, the list of chores you have throughout the year can be exhausting.

Chickens can help make light work of these chores.

They will get right into your compost bin and turn it for you, searching for yummy microorganisms and bugs as they aerate your pile for you.

They will eat weeds that grow among your plants – but know that you will need to be careful, as they will eat other types of garden plants (like your beans!) too.

Chickens will even help you at the end of the season.

Let them free range in your garden for a few days, and they will till up the soil, turning under any weed seeds or dead plants.

They will also eat any leftover plant matter or fruits, and they'll fertilize your garden for free in the process.

## **9. They're low-maintenance and inexpensive to raise**

In many ways, chickens are much easier to care for than other types of pets, like dogs or cats.

They don't need to be walked or groomed (although if you are raising chickens for exhibition purposes, you may have to do some clipping or cleaning every now and then).

You don't even have to feed them twice a day!

If you have auto- or gravity-feeders and waterers, you may need to fill hoppers and drinkers only once a week (or even less).

Anybody can own a flock in the backyard.

You don't have to invest in veterinary fees in most cases, and any expenses you do have can be offset by selling some of your extra eggs.

They are no more work than raising a dog and a cat but it's much easier to take a vacation or trip away from home when you raise chickens.

All you need is somebody to come check on the birds and refill their food once or twice a week while you're gone. Talk about a low-maintenance pet!

## **10. You can have more control over where your food comes from**

If you're hoping to engage in a more sustainable way of living, there's no better way to do that than to invest in a flock of chickens – or even just one chicken! – for you to raise at home.

You won't need to pay money for eggs shipped from halfway across the country.

You won't have to contribute as much waste to the landfill, either, since you can feed a lot of your garden and kitchen waste back to your chickens.

If you want to know exactly where your morning eggs are coming from, raise chickens.

There are a lot of benefits to this knowledge, including the fact that you won't have to worry about whether your chicken was raised ethically or exposed to various chemicals during its life.

Plus, chickens who are raised commercially are often raised in poor conditions.

These birds are often subjected to cramped quarters – even those who are supposedly raised in “cage-free,” “organic,” or “free-range” settings. Not so when you are raising your own backyard pet chicken.

Want food that is not genetically modified? Raised cruelty-free? Organic. You’ve got it.

You get control over every aspect of the process, and there’s definitely something to be said for that.

## 11. Yes, they can be trained!



Chickens are very intelligent, despite some popular beliefs that they are not.

Chickens are fairly easy to train and taught to do tricks – in some cases, you can even teach them to do things on command.

Chickens even have the ability to recall and recognize hundreds of different faces.

All you need is lots of treats and a little bit of patience!

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## Best Breeds to Raise as Pets

If you are looking for a breed of chicken that will help you make the most of the sustainable lifestyle, these are some of the best options for you to consider.

- **Silkie:** These chickens are affectionate, loving, and quite cuddly, too! As fuzzy-feathered birds that are quite small, they aren’t known for being terrific egg layers or meat producers – but they do make excellent pets.
- **Barred Plymouth Rocks:** Another gorgeously feathered bird, this chicken is calm, friendly, and inquisitive. It will also lay a ton of eggs for you, producing up to 250 eggs each year.
- **Orpingtons:** Orpingtons are perfect for backyard chicken coops as they are not only great egg layers, producing up to 200 eggs each year, but they also love to be held and to be fawned over, too.



- **Australorps:** These chickens are great layers and they're also good with children. They look beautiful, too, with glossy black feathers.
- **Cochins:** These chickens are small and do well in confinement. They are low-maintenance, too.
- **Wyandotte:** Wyandottes have some of the most interesting personalities and do quite well in confinement. They are great mothers and are extremely gentle, making them great birds to have as pets.
- **Polish:** Polish chickens aren't great egg layers by any means, but they are certainly quite interesting to look at! These chickens have beards and large poufs of feathers atop their heads. They are extremely docile and great to have in a backyard flock.

Other options to consider include Brahmas, Easter Eggers, Delawares, and Rhode Island Reds. Bantam breeds are usually good options, too.

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## Tips for Raising a Chicken as a Pet

Thinking about raising chickens as pets? Here are a few tips:

### Let them socialize

You might want to consider arising more than just one backyard chicken.

These birds can live for up to ten years, so it's important that you provide them with a good quality of life in the meantime.

Chickens are social animals and like to be around others of their own kind.

Consider raising a handful (at least six) of birds to help keep them entertained.

This is what most people do anyway, as most hatcheries require you to purchase a set number of birds to help them stay warm during shipping.

Most chickens will get along fine with each other, but remember that the pecking order is something to be aware of.

Chickens are not welcoming of new members, so it's best to start your flock together all at once.

In addition, you are going to need to keep an eye on your other household pets, too.

Some dogs can do just fine with chickens as long as they are given ample training. Others will never get along with your chickens.

### Give good housing

We already mentioned that raising a chicken is not expensive.

This is true – but make sure you don't skimp on costs when it comes to building a chicken coop.

This is really the only major expense you will have in raising chickens, and it's a one-time cost that you can easily make up for once you start selling (or even just consuming) your farm fresh eggs.

When you design your chicken coop, make sure it is protected against predators.

Chicken wire often isn't enough – raccoons can easily get through chicken wire, so you will need to use another form of predator proofing, like heavy welded wire.

The coop itself should have at least four square feet of space per chicken, along with spots for roosting, nesting, and food and water.

Provide plenty of good ventilation along with an outdoor run for at least 10 square feet per bird.

You will also need a way to shut your chickens up inside the coop every night.

Most breeds of chickens can survive winter temperatures, but you may need to implement a system to prevent your water from freezing.

Otherwise, shutting them up in the coop at night just helps protect them against predators.

You can do this by hand or you can invest in an automatic door opening and closing system.

## **Make sure you feed them a proper diet**

Chickens need fresh water and food – that's nothing revolutionary, right?

While you can feed your chicken a basic commercial feed, you should make sure you have dialed into the stage of life that your chicken is in so you can provide the optimal levels of nutrition.

Baby chicks, for instance, need more protein in their diets, while laying hens need more calcium. Talk to your local feed store about which options are best for your birds.

## **Know that housebreaking will be next to impossible**

There are some people out there who claim that they have been able to housebreak their chickens, but in most cases, this will be impossible.

Even if you are able to train your chicken to be housebroken, it's not recommended.

Chickens poop – and they poop a lot – and when they do this, they will leave behind tons of nitrogen-rich fertilizer. You don't want this on your carpet or kitchen counter, to say the least!

Although there are some companies that specialize in making chicken diapers, this isn't something you want to get involved with.

Not only is it unpleasant to change a chicken diaper, but chicken manure contains salmonellosis, a dangerous bacterium responsible for serious disease salmonella.

It can easily be transmitted to humans and it's quite dangerous for young children, elderly people, pregnant women, and the immunocompromised.

Therefore, chickens are best raised outside. They can still be your pets, but you do need to keep a bit of a safe distance.

## **Interact with them every day**

Keep an eye on your chickens and try to interact with them each and every day.

This will give you some insight into their personalities as well as their behaviors so that you will be aware if something goes wrong.

Over time, you will get to know the meaning behind the different vocalizations that your chickens make.

You will also know which behaviors are normal for your chickens and which are signs of problems in the flock.

## Keep things clean

Make sure you clean your chicken coop every few weeks.

You can employ the lazy man's technique for cleaning a coop – a method of heavily bedding the chicken coop so you don't need to replace it as often but instead will add more bedding – known as the deep litter method, or you can scrape out all the gunk once a month or so.

Either way, keeping your coop clean and filled with new, fresh bedding will help your birds stay healthy and happy.

You can prevent quite a few chicken diseases and health problems simply by maintaining a hygienic living area.

Plus, then you won't have to worry about dirty eggs every time you collect them!

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## Is a Pet Chicken Right For You?

Whether you're considering raising a pet chicken because you want a pet that is low-maintenance or because you want one that will provide your family with an endless array of benefits, the noble yet mighty chicken might be a good choice for you.

With dozens of fun-loving, beautiful breeds to choose from, why would you invest your time and money in raising any other kind of pet?

### Common Questions

- < [Ducks vs Chickens: Pros and Cons for Raising Each Species](#)
- > [15 Cold Hardy Chickens \(Breed Guide\)](#)

## Leave a Comment

Name \*

Email \*

Mormino, Kathy. "Legalizing Backyard Chickens from a Former Chicken Outlaw and Attorney".


The Chicken Chick.com Feb 2015 <https://the-chicken-chick.com/press-media/> Nov 7, 2023

An Economic History of Zoning and a Cure for Its Exclusionary Effects, Issue 2, Part 3 of Working Paper Series ( Dartmouth College. Dept of Economics) William A Fischel, 2001 Nov 7, 2023

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**Tammie Begotka**

30312 Beachview Ln.  
Waterford, WI 53185



April 21, 2016

**Tom Hincz**

Town of Waterford Chairman  
415 N. Milwaukee St.  
Waterford, WI 53185

Dear Chairman Hincz,

The purpose of my letter is to request placement on the upcoming May agenda to request permission for no more than 4 backyard chickens and no rooster for non-commercial production of eggs for personal consumption.

I appreciate all of the concerns that were brought up at last year's meeting regarding backyard chickens. I would like the opportunity to address these concerns and outline how neighboring communities have ordinances that already allow for having chickens as pets (please see attached ordinances for East Troy, Rochester, and Norway).

I plan to address the following concerns:

1. Noise control - noise is managed by not allowing a rooster. Hens seldomly cackle or squawk, which is far less quiet than dogs barking. The noise decibel a chicken squawk makes is around 70 decibels, about the same volume as a normal conversation between two people.  
[\(http://blog.mypetchicken.com/2012/07/20/the-6-silliest-arguments-against-backyard-chickens/\)](http://blog.mypetchicken.com/2012/07/20/the-6-silliest-arguments-against-backyard-chickens/)
2. Droppings control- I will be composting most of the droppings. Chickens have far less droppings than even a smaller size dog.
3. Placement of chicken coop - must be placed in backyard and will be kept to a reasonable size ( approximately 76"L x 29"D x 44"H).
4. Health measures - Hens to be cared for with proper hygiene including regular cleaning of the coop, having a balanced diet and clean water.

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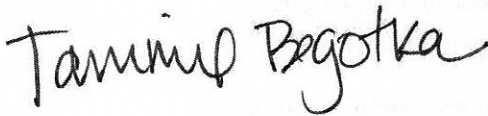
There are many benefits for having chickens as pets. Some of these include:

- 1) Having sustainable, quality food.
- 2) Teaching responsibility to our children.
- 3) Pest control.

I strongly believe that this is a reasonable request considering it is already allowed in neighboring communities not to mention larger cities such Racine.

Ordinance 5.23 states that, Chickens are not allowed on " less than 3 acres, nor any residentially zoned parcel... **unless** given specific permission by the Town Board" (emphasis mine). In accordance with the ordinance, I am requesting permission from the Town Board to have no more than 4 backyard hen chickens and no roosters.

Sincerely,

A handwritten signature in black ink that reads "Tammie Begotka". The signature is written in a cursive, flowing style.

Tammie Begotka

# VILLAGE OF EAST TROY



## LICENSE APPLICATION FOR KEEPING OF CHICKENS

Application must be submitted 30 days prior to event. **Fee: \$35.00** Date Recd: \_\_\_\_\_

Checklist of submittals: (check forms you are submitting)

<input type="checkbox"/>	License Application
<input type="checkbox"/>	Indemnification & Hold Harmless Agreement

### APPLICANT:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

### PROPERTY OWNER CONSENT (IF ABOVE PROPERTY IS NOT OWNED BY APPLICANT):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Signature: \_\_\_\_\_

PROOF OF "LIVESTOCK PREMISES REGISTRATION" FROM THE WI DEPT. OF AGRICULTURE, TRADE & CONSUMER PROTECTION: ( [http://datcp.wi.gov/Farms/Livestock/Livestock\\_Premises\\_Registration/index.aspx](http://datcp.wi.gov/Farms/Livestock/Livestock_Premises_Registration/index.aspx) )  
# \_\_\_\_\_

**BY SIGNING BELOW I DECLARE THAT I HAVE READ AND AGREE TO THE RESPONSIBILITIES AS STATED IN Section 189-13 of the Municipal Code (see other side).**

### INDEMNIFICATION AND HOLD HARMLESS AGREEMENT:

The undersigned agrees to indemnify and save the Village of East Troy harmless from any loss, damage or expense or any legal liability which the Village may suffer, incur or sustain, or for which said Village of East Troy or the undersigned may become liable, growing out of any injury to persons or real property caused by any of the activities performed at:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Agent, Village of East Troy

\_\_\_\_\_  
Date

\_\_\_\_\_  
Approved Building Inspection:

\_\_\_\_\_  
Date

Village of East Troy, WI

Wednesday, July 8, 2015

## Chapter 189. Animals

### § 189-13. Keeping of livestock.

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

#### **LIVESTOCK**

Any wild or domestic animal normally used or raised on a farm, including specifically, but not exclusively, horses, cattle, mules, sheep, goats, swine, chickens, ducks, turkeys, mink and pigeons, but does not include cats or dogs or small animals kept exclusively in the home.

#### **NONAGRICULTURAL AREA**

Any area not zoned in an agricultural classification.

- B. Restrictions. No person shall keep or allow the keeping, or lease property for the keeping, of livestock within the Village in any nonagricultural area.
- C. Exception for chickens. The raising and keeping of chickens is permitted where the principal structure is a detached single-family residence on the following conditions:  
[Added 10-7-2013 by Ord. No. 2013-06]
- (1) License.
    - (a) Prior to the keeping chickens, the owner or occupant must first obtain a license issued by the Village and pay the license fee which shall be set, from time to time, by motion and passage of the Village Board of Trustees.
    - (b) If the residence is not owner-occupied, the tenant shall obtain the owner's consent to the keeping of chickens on the property and provide a copy to the Village upon application for a license.
    - (c) Prior to issuance of a license, the applicant shall provide proof of livestock premises registration with the Wisconsin Department of Agriculture, Trade and Consumer Protection.
    - (d) The license may be revoked if there are two or more violations of this subsection within a twelve-month period.
  - (2) Number of chickens. No more than four chickens may be kept per residential lot.
  - (3) Roosters. Keeping of roosters is prohibited.
  - (4) Sale. The sale of chickens, chicken meat, eggs or other chicken by products is prohibited without approval of the Walworth County Department of Health and Human Services and the Wisconsin Department of Agriculture, Trade and Consumer Protection.<sup>[1]</sup>

[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).



- (5) Chicken coop and run required.
  - (a) Chickens shall be provided with a chicken coop (i.e., a covered roosting area) and an adjacent covered chicken run.
  - (b) The coop shall be a stand alone structure located in the rear yard at least 25 feet from all property lines and at least 10 feet from the principal structure.
  - (c) The coop shall not exceed 32 square feet in area nor 10 feet in height.
  - (d) The chicken run shall be located adjacent to the coop and shall be at least 25 feet from all property lines.
  - (e) The chicken run shall not exceed 64 square feet in area, and the fence surrounding it shall be between 48 and 96 inches in height.
  - (f) Chickens shall not be permitted in any other structure on the lot, including but not limited to garages, basements and attics.
- (6) Accessory structure. The chicken coop and run shall not be considered an accessory structure under Chapter 510, Zoning, of this Code.
- (7) Penalties. Violation of this subsection shall be subject to the penalties found in § 1-4 of this Code.<sup>[2]</sup>

[2] Editor's Note: Original § 7-1-13, Sale of rabbits, chicks or artificially colored animals, § 7-1-14, Providing proper food and drink to confined animals, and § 7-1-15, Providing proper shelter, which immediately followed this section, were repealed at time of adoption of Code (see Ch. 1, General Provisions, Art. II). See §§ 951.10, 951.11, 951.13 and 951.14, Wis. Stats., adopted by reference in § 366-1 of this Code.

Village of Rochester  
P.O. Box 65  
Rochester, WI 53167

Application Fee: \$50.00  
Payable to: Village of Rochester

**SPECIAL EXCEPTION ANIMAL PERMIT**

Application Date: \_\_\_\_\_

Property Owner: \_\_\_\_\_

Parcel#: \_\_\_\_\_

Address: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Acreage amount: \_\_\_\_\_

Type of Animals: \_\_\_\_\_

Number of Animals: \_\_\_\_\_

- Site plan attached** (*showing area where animals will be penned, manure storage sites, adequate drainage facilities*)
- Written plan for disposal of manure**

Statement or further explanation for Board to consider for approval:

\_\_\_\_\_

\_\_\_\_\_

• Rochester allows chickens if a resident applies for them with this form

\_\_\_\_\_

\_\_\_\_\_

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# Town of Norway

Sec. 6.02(2)J, Reporting of Biting Incidents  
Sec. 6.02(2)K, Trapping of Animals  
Sec. 6.02(2)M, Vehicle Accidents  
Sec. 6.02(2)O, Injury to Property  
Sec. 6.02(2)P, Waste Products Accumulation  
Sec. 6.02(2)Q, Keeping of Livestock in  
Residential Areas Prohibited  
Ord. 2006-01 4/10/2006

- a. Any person who violates the subsections listed below shall, upon conviction, be subject to a forfeiture of not more than \$500.00, together with the cost of prosecution, and upon default of payment be subject to further penalties, including imprisonment in the county jail, in accordance with state law.

Sec. 6.02(2)E, Animals, Neglected or Abandoned;  
Police powers  
Sec. 6.02(2)F, Providing Proper Food and Drink  
to Confined Animals  
Sec. 6.02(2)G, Providing Proper Shelter  
Sec. 6.02(2)H, Cruelty  
Sec. 6.02(2)L, Dognapping and Catnapping  
Sec. 6.02(2)N, Care of Horses

That 6.02(2)(T) of the Code of Ordinances for the Town of Norway be, and

hereby is, created to read as follows:

## (T) Raising and keeping of chickens

The raising and keeping of chickens is permitted under the following conditions:

### (1) License

- A. Prior to keeping chickens, the owner or occupant must first obtain a license issued by the Town of Norway and pay the license fee set by the Town.  
B. If applicant is not the owner, the tenant shall obtain the owner's consent to the keeping of chickens on the property and provide a written copy to the Town upon application for license.  
C. The license may be revoked if there are 2 or more violations or complaints within a 12 month period.  
D. The license is valid for a period of 2 years.

### (2) Number of Chickens

- A. No more than four chickens may be kept per residential lot.  
B. Keeping of roosters is prohibited.  
C. Sale of chickens, eggs or other by-products is prohibited.

### (3) Chicken Coop and Run

- A. Chickens shall be provided with a chicken coop, (covered roosting area) and an adjacent covered chicken run.  
B. The coop shall be a stand-alone structure located in the rear yard at least 3 feet from all property lines and at least 10 feet from any principal structure.  
C. The coop shall not exceed 32 square feet in area nor 10 feet in height.  
D. The chicken run shall be at least 3 feet from all property lines.  
E. The chicken run shall not exceed 64 square feet in area and the fence surrounding it shall be between 48 and 96 inches in height.  
F. Chickens shall not be permitted in any other structure on the lot, including garages, basements, and attics.  
G. Chickens are not allowed to roam free on the lot.

(4) **Manure Management.**

- A. No accumulation or application of manure or any other material which causes any noxious or offensive odor or dust is permitted.
- B. Applicant shall include a written plan for removal, spreading, or disposal of manure.
- C. Disposal or storing of manure must not become unsightly or emit odor beyond property lines or become a public nuisance.
- D. Adequate drainage facilities must be implemented by property owner so as to protect surrounding properties from surface water discharge containing contaminants or organic waste.

(5) **Penalty.**

- A. Any violation of this section shall be subject to license revocation.
- B. Complaints from neighboring residents will be investigated and may be subject to license revocation.

2. That this ordinance shall take effect upon adoption and publication as provided by law.

Adopted by the Town Board of the Town of Norway, Racine County, Wisconsin, this 12<sup>th</sup> day of November,

2014.

6.03 **Firearms**

(1) Definitions

"Firearms" means any gun, rifle, pistol, air gun, shotgun, soring gun, cannon or other device or type of firearm of any description whatsoever which expels a missile or missiles by some means or element.

(2) Discharge Restricted

No person shall discharge a firearm within the limits of the Town of Norway, except for any of the following purposes:

- A. Any law enforcement officer or their deputies, members of the armed forces in the performance of their duties, or a person in the lawful defense of his person or property.
- B. Any person while on a clearly defined target range, supervised shooting gallery, state licensed shoot preserve, state owned lands, or state lands leased for hunting purposes.
- C. Any resident of the town while on land upon which he resides, or a person while upon land with the owner's or resident's express permission and consent.

D. No person shall fire a rifle, pistol or other solid ball firearm in any residential, commercial or industrial district within the Town of Norway, within 500 feet of any such district or within 500 feet of any residence or structure used for human habitation except as otherwise provided in Section 6.03(2)B of this chapter.

Adjacent Property Owner Consent Form for Backyard Chickens

Applicant Name and Address

Tammie & Brandon Begotka 30312 Beachview Ln.

Your neighbors, Brandon and Tammie Begotka, are requesting permission from the Town of Waterford to keep no more than 4 hen chickens and no roosters for the production of eggs for personal use. The chicken coop will be located within the rear yard. The coop will be kept clean and animals will be cared for responsibly. The chicken coop will be similar to the one in the picture below:



While not required to do so, we are seeking consent from our neighbors before asking permission from the Town of Waterford.

I, the undersigned, consent to the keeping of no more than 4 hens and no rooster as described above.

Name Bette Latiff Address 30304 Beachview Ln.  
Name Jayne Van Male Address 30320 Beachview Ln, Waterford  
Name Gregory Pittman Address 30307 Beachview Ln Waterford  
Name Jason & Marilyn Hrouda Address 4214 Mountain Lane

▶ Verbal and electronic consent given as they are on vacation until 4/24/16

**PLANNING COMMISSION MEETING  
415 N. MILWAUKEE ST.  
SEPTEMBER 8, 2015 @ 5:30 PM  
APPROVED/OFFICIAL MINUTES**

1. Planning Commission meeting was called to order at 5:30 PM by Chairman Hincz. Present: Commissioners Luick, Wenck, Smith, Konczal, Hardy, Atty. Dubis and residents of the Town. Commissioner Schmidt was excused.
2. Chairman Hincz led the Pledge of Allegiance.
3. Commissioner Hardy motioned to approve the August 3, 2015 meeting minutes as presented, seconded by Commissioner Luick. Vote taken: 6-0. Motion carried.
4. Correspondence- None
5. Pier Permit- Marek, 28927 Elm Island Dr.- Chairman Hincz questioned the current figuration as it did not match the approved pier permit from 2002. Marek replied that the end of the pier had deteriorated, causing his wife to fall through at one point, so he removed that and moved it down and put a lowered portion on to accommodate his wife when she uses her kayak. Commissioner Luick motioned to approve the pier as presented, seconded by Commissioner Wenck. Vote taken: 6-0 Motion carried.
6. Town Level Variance- Bieringer, 28508 Anlace Dr.- Request to construct an over-sized garage- Chairman Hincz indicated that the garage is 16 sq. ft. over the required size, and that the major issue was that the proposed building was within the easement. He further indicated that as long as Bieringer stays within the building setbacks he would not have a problem. Commissioner Hardy motioned to approve the garage with the size presented as long as the building stays within the building setback lines as shown on the plat, seconded by Commissioner Luick. Vote taken: 6-0. Motion carried. Bieringer to provide the Clerk's office a revised plan prior to Monday's Town Board meeting.
7. CSM/Conceptual Plan Rausch, lot located in between 6831 and 6911 Big Bend Rd. to create two lots- Gary Foat appeared as the representative. Chairman Hincz questioned both the timing on the CSM as well as parking for the petting zoo. Foat indicated that the parking would still be behind lot 2 of the proposed CSM and that they would just be accessing it from the existing southerly driveway, through the main farm parcel. Chairman Hincz inquired about one of the parcels becoming land-locked. Chairman Hincz further noted that he would like to see the driveway shown on the map. Commission Luick motioned to approve the conceptual CSM for two lots and request that the new entrances to be the properties be shown on the map, seconded by Commission Konczal. Vote taken: 6-0. Motion carried.
8. WWMD- Chairman Hincz informed the commission and public that the WWMD was proposing a project to convey dredged sediment from the Fox River, by pumping it through piping to the Super Mix property, 32409 High Dr. The proposed piping would run through both private property and Town right-of-way. Paul Kling, 5718 Island View, WWMD, noted that materials would be dredged and pumped to Super Mix and that the materials would be used in a reclamation project to restore the pit in the southeast corner that has been depleted. Kling was asking the Town for their support as well as allowing for easements in the right-of-way. WWMD is still 30-40 days away from the final permit application. It was also noted that whoever is awarded the contract for the project would be responsible for posting all bonds. Robert Marek, 28927 Elm Island Dr. questioned if there was water already at the pit and what would happen to wells? Chairman Hincz felt, in his opinion, that it wouldn't be an issue but there would be a public hearing where residents can voice their concerns. Dan Eagan, 32610 Sunburst Ct., noted that although he was neither for nor against the project, he just wanted to ask questions that would be entered into record. Eagan stated that he would like to be given the opportunity to ask questions prior to the board taking action. Chairman Hincz indicated that this was not a Town project and therefore the board would not be approving nor disapproving the project in of itself but rather only on the issuing easements for the right-of-way. Atty. Dubis stated that the WWMD is an entirely separate entity. Eagan submitted questions that will be distributed to the Planning

Commissioners and Town Board members. Paul Kling offered to speak with the residents after the meeting. Commissioner Luick motioned to grant the WWMD easements in the right-of-way so that they can continue with the project, seconded by Commissioner Konczal. Vote taken: 6-0. Motion carried.

9. Begotka, 30312 Beachview Ln.- Discussion regarding chickens- Chairman Hincz gave the Commissioners an aerial map of the property. Tammie Begotka indicated that she would like the chickens for various reasons including quality food with the eggs, allowing for teaching children responsibility and that they would be pets. She further noted that there is a growing trend in allowing chickens. Commissioners raised questions about housing, diseases, smell and enforcement. Begotka stated that it is no different than allowing dogs and that her neighbors are in favor of the idea and that communities are starting to open up to the idea. Begotka stated she would like to know what she could do to convince/educate the Town to allow residential lots to raise chickens; not just for herself, but for the entire community. Commissioner Wenck stated that his concern would be for the health and well-being for the birds as well as the other concerns and suggested that if Begotka wanted to pursue this matter that getting her homeowners' association on board would be the first step.

10. Shoreland Contract Report- New single family residence-30756 Morning view Cr.

11. Announcements/Discussion-

Commissioner Luick motioned to adjourn the meeting at 6:26 PM, seconded by Commissioner Hardy: Vote taken: 6-0. Motion carried.

Respectfully submitted,

Heather Stratton, Deputy Clerk/Treasurer

ArcGIS Web Map





### **Keeping of backyard chickens.**

Chickens may be kept in the Town under the provisions set forth herein.

A. Permit required. No person shall keep chickens in the Town without obtaining a valid permit issued by the Clerk. The permit process requires a completed application, including a site plan and a manure management plan, accompanied by the fee set by the Town Board. The permit application is also subject to notification and approval pursuant to Subsection B. The fee shall not be refundable in the event that the license is denied.

- (1) Permits shall only be issued to persons living in single-family or two-family residential premises. No permits will be issued for commercial buildings or mixed-use occupancies.
- (2) If the applicant is a tenant, the owner of the property must also sign the application. If the building contains two dwellings, the other tenant(s) shall also sign the application.
- (3) Permits are not transferable from person to person or property to property. If the permit holder moves, a new permit must be applied for.
- (4) Permits shall expire on March 31 of each year, regardless of the date of issuance, and must be renewed annually. The fee shall not be prorated for partial years.
- (5) The applicant should check all of the rules and regulations of their neighborhood or owners' association prior to making the application. The Town is not responsible for issuing a permit that violates any such rules or regulations.

B. Permit issuance.

(1) Initial issuance. Before an initial permit is issued for the keeping of chickens in a particular location, the following process shall be followed:

(1) Neighborhood approval required.

[1] Once a permit is applied for, the property owner, if someone other than the applicant, and the owners of all directly or diagonally abutting properties, including those across an alley, along with tenants in the same building, shall be notified by the Clerk. This shall be done via first-class U.S. mail.

[2] Property owners, and tenants of the same building, shall have 14 working days to file a written objection and request for a hearing to the Clerk if they object to the granting of a permit.

- [3] If a timely written objection and request for a hearing has been submitted to the Clerk, the Clerk shall schedule the matter for a public hearing to be held at the next available Town Board meeting, and shall notify the objector(s) and the applicant of the date and time of the hearing.
- [4] Within 10 days of completion of the hearing conducted pursuant to Subsection B(1)(a)[3], the Town Board, through the Clerk, shall mail to the objector(s) and the permit applicant its written determination on the granting of the permit, taking into consideration factors listed under Subsections C and D.

(2) Coop inspection and construction.

- [1] Building permit. Prior to permit issuance, the applicant shall obtain a building permit for the coop and run and pay the applicable building permit fee therefor, notwithstanding any provision of Chapter 98 to the contrary. The Building Inspector shall inspect the coop and run for size, placement, and conformance with the requirements below prior to issuance of the permit. (Someone needs to talk with Lee)
- [2] Coop and run construction.
  - [a] A chicken coop is considered an accessory structure.
  - [b] The coop and run enclosures shall not be located closer than 25 feet to any residential structure on an adjacent lot, at least three feet from property lines and shall be located behind the dwelling or garage so as not to be seen when the property is viewed from the front street yard. No coop or run shall be located in the front or side yard of a dwelling or within 75 feet from the lake, river, pond.
  - [c] Chicken coops and runs together shall be large enough to provide at least 16 square feet per chicken. (4' x 4')
  - [d] A chicken coop shall have a solid roof, and shall be predator-proof and thoroughly ventilated. It shall be moisture-resistant and either raised up off the ground or placed on a hard surface such as concrete, or gravel. A chicken run need not have a solid roof, but if it does not, it shall be covered with a net, mesh, wire, or similar material to prevent the chickens from escaping.
  - [e] Coops and runs shall be designed to prevent the collection of standing water, and to be easily accessed, cleaned, and maintained by the owners. Adequate drainage shall be established so that surrounding properties are protected from surface water drainage containing contaminants or waste.
  - [f] Coops shall be properly constructed as to provide adequate protection from predators and weather conditions.

- (2) Renewal of permit. No neighborhood notification or coop inspection is required prior to renewal of a permit. Upon an application for renewal, the Clerk shall review the record of all violations and complaints filed, and may refer the matter to the Town Board for consideration of the renewal, or may issue the renewal permit.

C. Raising & keeping of chickens allowed. The keeping of a maximum of four chickens, with a permit, is allowed on a one- or two-family residential lot, provided the following:

- (1) No person shall keep any rooster. No person shall keep any other type of fowl, including but not limited to turkeys, guinea fowl, pheasants, pigeons, or ducks.
- (2) No person shall slaughter any chickens on the permitted property.
- (3) Sale of chickens, eggs or other by-products are prohibited (is this ordinance just for residentially zoned properties?)
- (4) Chickens shall be provided with fresh, clean water at all times, adequate amounts of food as well as proper care.
- (5) Chickens shall be provided with a sanitary and adequately sized covered coop, and shall be kept in the coop or in a sanitary and adequately sized and accessible covered enclosure or run, at all times.
- (6) Chickens must be provided adequate relief from heat, sun, rain, snow and freezing temperatures.
- (7) Chicken coops and covered runs shall be maintained to reasonably prevent the collection of standing water, and shall be cleaned of droppings, uneaten feed, feathers and other waste daily and as is necessary to ensure that the coop and run do not become a health, odor or other nuisance. Adequate drainage shall be maintained so that surrounding properties are protected from surface water drainage containing contaminants or waste.
- (8) Chickens shall not be allowed outside the coop or the covered run.
- (9) An owner who may no longer want their chicken(s) may not surrender the chicken to the contracting Humane Society, and is required to personally rehome the chicken.
- (10) In addition to compliance with the requirements of this section, no one shall keep chickens that cause any nuisance, unhealthy condition, create a public health threat or otherwise interfere with the normal use of property or enjoyment of life by humans or animals.

D. Public health requirements.

- (1) DATCP registration. The permit holder shall register the premises with the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) and provide proof of the registration to the Clerk prior to issuance of the permit.
- (2) Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans.

- (3) Any person keeping chickens shall immediately report any unusual illness or death of a chicken to DATCP, and any human illness related to a chicken to the Health Department.
- (4) The DATCP, Town or Health Department may order testing, quarantine, isolation, vaccination or humane euthanasia of ill chickens or any chicken believed to be a carrier of a communicable disease.
- (5) Manure, feathers and other materials shall be disposed of away from the property. They may not be spread as fertilizer or composted on the property.

E. Violations. The Clerk shall keep a record of all complaints, charges, warnings and other reports filed against the permit holder. Any person violating this section is subject to the following:

- (1) Permit revocation. A permit is subject to revocation by the Town Board upon notification of a conviction for failure to comply with any provision of Subsections C or D. The Town Board shall notify the permit holder of its consideration of the revocation, and shall allow the permit holder the opportunity to be heard. Once a permit is revoked, the chickens shall be removed from the Town and a permit shall not be reissued to the same applicant or residence for a period of 12 months.
- (2) Double permit fees. Any person who does not obtain a permit prior to having live chickens on their property shall pay double fees for the permit and building permit.
- (3) Cost of inspections. Any person found to be in violation of the regulations hereunder shall be responsible for payment of the Town's costs related to inspection of the property. (who is inspecting?)