

ORDINANCE # 2023-12-11
TOWNSHIP OF WATERFORD
RACINE COUNTY, WISCONSIN

AN ORDINANCE ESTABLISHING THE KEEPING OF CHICKENS

THE TOWN BOARD OF THE TOWNSHIP OF WATERFORD, at its regular and duly noticed monthly meeting does hereby allow the keeping of chickens, pursuant to all applicable state statutes and town ordinances and the authority of the Town Board, be as follows:

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

- A. Permit Required. No residential zoned parcel shall keep chickens in the Town without obtaining a valid permit issued by the Clerk. The permit process requires the applicant to complete the License Application for keeping of Chickens. The applicant must also include a detailed site plan showing location of all buildings and lot lines, a manure management plan, property owner obtaining written notification of neighbors, and proof of the livestock premises registration with the Department of Agriculture, Trade and Consumer protection (DATCP), accompanied by the fee set by the Town Board. The Clerk shall put the applicant's request on the next Planning Commission agenda for consideration. Upon approval, the Clerk will issue the permit. The fee shall not be refundable in the event the application 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-used occupancies. This ordinance does not apply to agriculturally zoned properties.
 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 shall also sign the application.
 3. Permits are not transferrable from person to person or property to property.
 4. Permits do not need to be renewed unless there substantiated complaints to cause the Town Board to review the original permit.
 5. The Town is not responsible for issuing a permit that violates any rules or regulations of any neighborhood/owner's association.
- B. Coop and run construction.
1. The coop shall not exceed 32 square feet in area and 10 feet in height. (a structure over 36 sq feet is considered an accessory structure and requires a County zoning permit and Town building permit). 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. The coop and run together shall be large enough to provide at least 16 square feet per chicken.
 2. The coop and run enclosures shall not be located closer than 25 feet to any residential Structure on an adjacent lot, at least 6 feet from property lines and shall be located behind the dwelling or garage as to not be seen from the front street yard. No coop shall be located within 75 feet from the lake, river or pond.
 3. Chicken coops shall have a solid roof that is predator proof, weatherproof and fully ventilated. It shall be moisture resistant and either be raised off the ground or placed on a hard surface such as concrete or gravel. Coops and runs should be designed to prevent the collection of standing water and be easily accessed for cleaning and maintenance. Adequate drainage shall be established to protect surrounding properties from surface water drainage containing contaminants or waste.

C. Raising and Keeping of Chickens Allowed. The keeping of a maximum of four (4) chickens is allowed with a permit.

1. No Roosters shall be kept, nor any other type of fowl.
2. No person shall slaughter any chickens on permitted property
3. Sale of chickens, eggs or other by products are prohibited without approval from the Racine County Department of health and Wisconsin Department of Trade and Consumer Protection (DATCP).
4. Chickens shall be cared for in a humane manner and given fresh clean water and food daily. They shall be kept safe from the elements and predators. Chickens are not allowed to be outside the coop or covered run.
5. Any owner who no longer wishes to possess their chickens must rehome them.
6. No person 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.

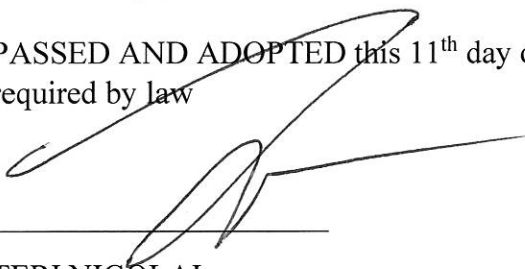
D. Public Health requirements

1. DATCP registration The permit applicant must register the premises with the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) and provide proof of registration to the Clerk at the time application is processed.
2. Chickens shall be kept in a sanitary manner and any unusual illness or death of a chicken shall be reported by the owner to DATCP and any human related illness to the Racine County Health Department.
3. Manure and other by products of chickens need to be properly disposed of away from the property. During the application process, an owner may request to compost or spread the manure.

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 property and a permit shall not be reissued to the same applicant or residence for a period of 12 months. Permits may also be revoked for substantiated complaints.
2. Double permit fees Any person who does not obtain a permit prior to having live chickens on the property shall pay double fees for the permit.
3. Cost of Inspections. Any person found to be in violation of the regulations hereunder shall be responsible for payment of all costs incurred related to inspection of their property.

PASSED AND ADOPTED this 11th day of December, 2023 to take effect upon posting and/or publication as required by law



TERI NICOLAI
Town Chair

ATTEST:



TINA MAYER
Town Clerk