

Memo

To: Village Board

Fr: Mark Roberts, Code and Safety Coordinator

Re: Updating Ordinance Chapter 6 – Animals, Section 6.12 – Keeping Animals

Date: August 9, 2013

We have had a few residents requesting permits for the keeping of chickens. After reviewing the ordinance it was brought to our attention there were a couple of discrepancies in the ordinance and we looked at removing a requirement and adding another. Attached is the current ordinance with the recommended changes in red.

In section 6.12 A. of the ordinance it is written so that it sounds as if all the animals mentioned in the sentence are allowed, if a permit is issued. The section has been reworded and separates the hens from the others animals as being allowed with a permit.

Section 6.12 E (1)(e) required a health check of the hens. After researching other municipalities I could find no others that required this. Further research indicates there is nothing beneficial in requiring this process as far as health and safety are concerned. We also felt this placed an undue hardship on the resident by making them locate a veterinarian who would conduct a health check and then have them pay an average of \$70.00 for the procedure. We recommend deleting this from the ordinance.

We do recommend adding a license to section 6.12 E (1). This would require a resident who wish to own hens to register the hens in much the same manner as we have them register their dogs. The resident would purchase the license for \$5.00 annually for up to four hens. The registration would begin January 1 and end on December 31 of each year with a late fee being added if the hens are over eight weeks old or they register after April 1. This would allow us to keep better track of those who own hens in the same way we keep check on dogs.

Section 6.12 E (6) the word "Animal" was changed to "Hens" which would differentiate confinement of hens to dogs and cats.

Village Board is asked to provide direction on changes to the Animal Ordinance and direct staff to bring updated ordinance to next meeting for approval.

6.12 KEEPING ANIMALS.

- A. The keeping and/or raising of farm animals including but not limited to goats, pigs, cows, roosters ~~and hens without a permit~~, ponies, or horses is hereby declared to be a public nuisance, and is prohibited within any area zoned residential by the zoning regulations of the Village unless upon property constituting a farm of at least 10 contiguous acres. Hens may be kept with a permit.
- B. The keeping and/or raising of any animal, fowl, reptile, mammal, or bird which affects or disturbs the public health, public peace, public safety, or public decency is a public nuisance, and is prohibited within the Village. No action shall be taken under this subsection unless and until the Village of Allouez Animal Control Officer has advised the Village Board that, after due investigation, he has ascertained that the raising and/or keeping of a particular animal, fowl, reptile, mammal, or bird within the Village of Allouez reasonably constitutes a condition which is detrimental to public health, safety, or welfare. For purposes of enforcing this subsection, the Village of Allouez Animal Control Officer may enter any premises for the purpose of inspection. Any person who violates any provision of this subsection shall be notified by the Village Board of the determination that a public nuisance exists on his premises. For purposes of the penalty for violation of this subsection each day that such public nuisance continues after notification by the Board shall constitute a separate violation of this subsection.
- C. Rehabilitators who are part of the Rehabilitation Program at the Green Bay Wildlife Sanctuary, who are trained and have the appropriate State or Federal licenses, and who meet the standards set by the National Wildlife Rehabilitator Association, are allowed to keep and rehabilitate the following injured birds, mammals, reptiles and amphibians for a period of no longer than 90 calendar days, at which time they are released back into the wild.
- Mammals, small to medium size. The largest would be a raccoon.
Birds - song birds, game birds, waterfowl. Birds of prey are excluded. Reptiles and amphibians native to northeastern Wisconsin.
- D. Rabbits and falcons shall be allowed on residentially zoned properties with a limit of two (2) per parcel and shall be kept in a sanitary manner so as not to create a public nuisance.
- E. No person shall own, harbor or keep in his or her possession more than four (4) hens per any lot.
- (1) The keeping of poultry hens shall be permitted subject to the following conditions. No person shall keep any rooster or other fowl.
- (a) No person may slaughter any hen.
- (b) Hens shall be provided with a covered enclosure and kept in a covered or fenced enclosure all the time.
- (c) No permanent enclosure may be closer than twenty-five (25) feet to any residential structure on adjacent lots and no

closer than ten (10) feet to any lot line.

- (d) Owner shall obtain a permit - in doing so will submit permission (signatures) from all adjacent neighbors stating that they approve of the hens.

~~(e) A health check is to be submitted on all hens.~~

- (e) LICENSE REQUIRED. The owner of any hen (female *Gallus gallus domesticus*) more than eight weeks of age shall annually, or on or before the date the hen becomes eight weeks of age, pay the hen license fee and obtain a license. The word "owner" shall include every person who owns, harbors, or keeps a hen.

- (f) FEE. The license fee shall be \$5 for a single license to keep up to four hens. The license year commences on January 1 and ends on December 31.

- (g) LATE FEES. The Village Clerk shall assess and collect a late fee of \$5 from every owner of a hen eight weeks of age or older if the owner fails to obtain a license prior to April 1 of each year, or within 30 days of acquiring ownership of a licensable hen, or if the owner fails to obtain a license on or before a hen reaches the licensable age.

- (h) ISSUANCE OF LICENSES. Only one license may be issued to each parcel number. Upon payment of the required hen license fee, the Village Clerk shall complete and issue to the owner a license stating the owner's name and address, parcel number, date of issuance, and date of license expiration. The Village Clerk shall keep a duplicate copy of the license on file.

- (2) Permit required: No person shall possess any hen without first obtaining a permit. Please note rabbits are not licensed but allowed in the Village.
- (3) (removed on 11/15/11)
- (4) Construction of Animal Shelters: All coops, yards, pens or other structures wherein any hen is kept shall be constructed so as to be easily cleaned and kept in good repair. The inside and outside of such structures shall be white-washed or painted as often as necessary to keep them clean or finished with such material as can be easily cleaned. All such structures shall be kept clean and sanitary and shall not cause any objectionable odor. All structures will be secured from predators.
- (5) No person possessing a hen shall permit more than twenty-four (24) hours of accumulation of such animal's manure to remain on property under possessor's control.
- (6) ~~Animals-Hens~~ are to be confined - must follow the current animal ordinance. Permits can be pulled immediately for any violations.

Village of Allouez

CHICKEN LICENSE

This license allows you to keep up to four hens (no roosters) in compliance with the Allouez Village Ordinance 6.12(E).

Annual license fee: \$5

This form must be completed and submitted, with the proper fee, in person or by mail to:

Allouez Village Clerk
1900 Libal Street
Allouez, WI 54301

Owner's Name:	
Owner's Address:	
Parcel #:	Phone #:

RENEWAL: This license must be renewed annually between January 1 and March 31 of the license year. An additional \$5 fee will be added on for any renewal application received on or after April 1.

CLERK USE ONLY:

Fee collected (including late fee):	Paid on:
Issue date:	Expiration date:
Clerk signature:	