

# **TOWN OF HARMONY**

## **CHAPTER 19 OF THE MUNICIPAL CODE OF THE TOWN OF HARMONY, WISCONSIN**

### **KEEPING CHICKENS IN RURAL RESIDENTIAL ZONING**

#### **SECTION 1. PURPOSE AND INTENT.**

It is the purpose of this Chapter to provide standards for the keeping of domesticated chickens, which standards will protect the health and safety of Town residents.

#### **SECTION 2. DEFINITIONS.**

1. Chicken – shall mean the common fowl kept for its eggs or meat.
2. Pen – shall mean a wire enclosure connected to a coop for the purpose of allowing chickens to leave the coop while remaining in an enclosed, predator-safe environment.
3. Coop – shall mean a structure for sheltering of chickens. An existing shed or garage can be used for this purpose if it meets the standards contained in this ordinance, including but not limited to, the setbacks from property lines.

#### **SECTION 3. NUMBER AND TYPE OF CHICKENS ALLOWED.**

Each owner of a parcel in the R-R (Rural Residential) Zoning District who obtains a Chicken Permit under this Chapter may keep a maximum of four (4) chickens per parcel on each parcel for which a Permit is obtained. Only female chickens are allowed. Roosters are strictly prohibited. There is no restriction on specific chicken species.

#### **SECTION 4. COOP AND PEN RESTRICTIONS**

1. Chickens shall be provided with a covered coop and attached pen. Chickens shall not be allowed out of the coop or pen.
2. The footprint size of chicken coops and pens shall be a minimum of four (4) square feet per chicken for coops and eight (8) square feet per chicken for pens.

3. Chicken coops and pens shall not be located closer than ten (10) feet from the parcel boundary line, nor closer than thirty (30) feet from the nearest residence on neighboring property, and shall be located behind the front building line of any residence located on the parcel in relation to the road representing the residence address.
4. Chicken coops and pens shall be cleaned as necessary to prevent odorous and/or unsightly coops and pens.
5. To the extent required by the Wisconsin Department of Agriculture, Trade and Consumer Protection, the property owner must maintain a valid, current registration with that agency for the keeping of chickens.

#### SECTION 5. PERMIT PROCESS

Property owners desiring to have chickens on their property shall first obtain a Chicken Permit under this Chapter. A Chicken Permit may be sought by submitting to the Town Clerk, in writing, an application describing: 1) the number of chickens to be maintained; 2) proof of appropriate registration with the Wisconsin Department of Agriculture, Trade and Consumer Protection and the date when such registration will expire or must be renewed, and 3) a detailed drawing or picture of the proposed coop and pen area (collectively the "permit application"). The Town Clerk shall issue a Chicken Permit if the application is complete, subject to the provisions below for reapplication following revocation of permit. The fee for the permit shall be \$10, or such other fee as set by the Town Board by resolution. The permit shall be personal to applicant, and does not run with the land. New property owners must obtain a new permit.

If, during any six-month period, the Town Board receives three or more written complaints from owners of neighboring parcels, claiming that the keeping of chickens on the parcel for which the Permit has been issued is causing an undue annoyance, and if the Zoning Officer confirms that such complaints raise valid concerns with regard to the effect of the chickens on neighboring parcels, or in the event that the Town Board believes the applicant is non-compliant with the terms of this Chapter, the Town Board shall place the matter on the agenda for the Town Board's next regularly-scheduled meeting to consider rescinding the Chicken Permit. The holder of the Permit and those who have complained shall have an opportunity to be heard at the Town Board meeting. If the Town Board finds that the chickens being kept are causing an undue annoyance or that a violation of the terms of this Chapter has occurred, the Chicken Permit shall be revoked.

Upon expiration of no less than six months after revocation, the holder of the revoked Permit may apply for a new Chicken Permit but no application shall be

issued to a property owner or a resident member of the immediate family of a property owner whose permit has been revoked without an express finding by the Town Board that the granting of such a permit is unlikely to result in the same problems that led to the original revocation.

Any Chicken Permit issued hereunder shall be deemed automatically revoked if any Wisconsin Department of Agriculture, Trade and Consumer Protection registration for the parcel expires without timely renewal or if such registration is revoked.

#### SECTION 6. SLAUGHTERING

In the R-R District, only chickens raised on a parcel for which a Chicken Permit has been issued under this Chapter may be slaughtered on that parcel. Slaughtering shall be limited to no more than four (4) chickens per month.”