

**CITY OF MAUSTON
ORDINANCE 2020-2024
AMENDING MAUSTON CODE OF ORDINANCES CHAPTER 8 SECTION 8-2 TO ALLOW THE KEEPING OF CHICKENS WHEN
CERTAIN REQUIRED CRITERIA IS MET**

The Common Council of the City of Mauston, Juneau County, Wisconsin, does hereby amend Section 8-2(b) and ordain Section 8-2(c) of the City of Mauston Code of Ordinances as follows:

Sec. 8-2. - Prohibited animals.

(a) No person owning or in charge of any horse, mule, cattle, sheep, goat, swine, geese, chickens or other domestic livestock, poultry or fowl, or any wild, dangerous, vicious, poisonous or carnivorous animal, insect or reptile, shall keep such animals or permit such animals to run at large in any part of the city.

(b) The prohibitions of subsection (a) of this section shall not apply: 1) where husbandry is a permitted use in the zoning district; 2) **chickens kept in compliance with subsection (c) below**; or 3) where the creatures are in the care, custody or control of a veterinarian for treatment; agricultural fairs; 4-H club shows or events; a display for judging purposes; an itinerant or transient carnival, circus or other show; licensed pet shops; licensed nature preserve or zoological gardens; provided:

(1) This location conforms to the provisions of chapter 114.

(2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors and disease.

(3) Animals are maintained in quarters so constructed as to prevent escape.

(4) No person lives or resides within 100 feet of the quarters in which the animals are kept.

(c) A maximum of six (6) chickens may be kept at a single-family detached residence in any residential zoning district provided that **all standards outlined below are met**:

(1) **Chicken coop is defined as a "minor accessory structure" as detailed in Chapter 114, Article IV, Section 114-128(b)**

(2) The owner of the chickens resides on the property where the chickens are kept.

(3) The owner of the chickens provides a copy of current valid registration with the Wisconsin DATCP Livestock Premises Registration Program

(4) The owner of the chickens **submits an application for an annual license and pays the annual fee as established by the Council. At a minimum, the application must include the following**

i. **Site Plan - The applicant shall provide a site plan showing the location and dimensions of the proposed chicken coop and pen, and the distance of the coop and pen from all lot lines and principal structures located on adjacent lots.**

ii. **Inspection Consent - application and issuance of a license under this section constitutes consent by the applicant to the City of Mauston Zoning Administrator and/or his designee/s to enter upon the applicant's property to ascertain compliance with this Section and with the terms of the license, as long as the license is valid.**

(5) No roosters may be kept.

- (6) A chicken coop or other similar structure must provide safe and healthy living conditions for the chickens and direct access to a fenced chicken pen/run.
- i. Soundness of construction - be structurally sound, moisture-proof, kept in good repair, and constructed of material described in the application and approved by the Zoning Administrator.
 - ii. Security - the structure shall have a roof and sides, be enclosed on all sides, and be of a design that is secure from predators. The pen/run shall be covered with screening, or similar material, to prevent escape of chickens and/or entry of predators.
 - iii. Ventilation - the structure shall have adequate windows and vents to provide proper light and ventilation to maintain a healthy environment for the chickens.
 - iv. Sanitation - the coop, pen and surrounding areas shall be clean and well maintained at all times. Manure and other waste shall be removed on a regular basis. While on-site, manure and waste shall be kept in a fully enclosed container with a secure lid. Odors from chickens, chicken manure, or other substances related to the keeping of chickens shall not be perceptible at the property boundaries.
 - v. Restrictive Covenants - The City is not an enforcement authority for private restrictive covenants in place for certain subdivisions. It is the responsibility of the applicant to investigate and comply with any applicable land division restrictive covenants on accessory structures and/or the keeping of poultry within that subdivision.
- (7) A fenced chicken pen/run must provide a minimum of six (6) square feet of ground space per chicken, and may be located no closer than ten (10) feet to a property line and twenty-five (25) feet to a residence occupied by anyone other than the chicken owner.
- (8) Chickens shall not be permitted to run at large, or to cause any public nuisance. Chickens shall be secured within the coop during non-daylight hours.
- (9) Enforcement and Penalties: Chapter 1, Article II, Division 2 and Chapter 24, Article I, Section 24 of the Mauston Code of Ordinances shall apply to violations of any of these provisions, including the revocation or non-renewal of the chicken license.

APPROVED:

ATTEST:

_____/s/_____

_____/s/_____

Brian T. McGuire, Mayor

Randall D. Reeg, City Administrator

- Date of Readings: 2/25/2020 and 3/24/2020
- Date of Adoption: 3/24/2020
- Votes: 6 ayes 4 nays 2 abstentions 0 absent 1
- Date of Publication: 4/2/2020

