



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 75678

File ID: 75678

File Type: Ordinance

Status: Council New
Business

Version: 1

Reference:

Controlling Body: Attorney's Office

File Created Date : 01/19/2023

File Name: Keeping Chickens

Final Action:

Title: Amending Subsections (a) and (b) of Supplemental Regulations related to Keeping of Chickens within Section 28.151 of the Madison General Ordinances to increase the number of chickens allowed as an accessory use.

Notes: 6722KeepingChickens

Sponsors: Grant Foster

Effective Date:

Attachments:

Enactment Number:

Author: Kate Smith

Hearing Date:

Entered by: mglaeser@cityofmadison.com

Published Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	01/19/2023	Referred for Introduction				
Action Text: This Ordinance was Referred for Introduction							
Notes: Madison Food Policy Committee (3/1/23); Plan Commission (3/13/23); Common Council (3/21/23)							

Text of Legislative File 75678

Fiscal Note

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Title

Amending Subsections (a) and (b) of Supplemental Regulations related to Keeping of Chickens within Section 28.151 of the Madison General Ordinances to increase the number of chickens allowed as an accessory use.

Body

DRAFTER'S ANALYSIS: Sections (a) and (b) of "Keeping of Chickens" in the Supplemental Regulations (MGO Sec. 28.151) is amended to increase the number of chickens allowed as an accessory use. In lots with up to four dwelling units, the amount of allowable chickens is increased from four (4) to ten (10). As an accessory use to a museum, school, day care center, or recreation, community or neighborhood center, the amount of allowable chickens is increased from six (6) to ten (10). This increase is in response to resident concerns that the

current amount of allowable chickens is limiting as flocks age and become unproductive.

While the amount of allowable chickens is increased, the measures already in place to enforce any nuisance or unsanitary conditions remain. Madison's zoning code requires that chicken enclosures shall be located at least twenty-five (25) feet from any residential structure on an adjacent lot. MGO Sec. 7.29 prohibits keeping chickens in any unsanitary condition or within such proximity of dwelling houses or in any manner so as to be a nuisance, which is enforceable by Public Health Madison Dane County.

The Common Council of the City of Madison do hereby ordain as follows:

1. Supplemental Regulations related to "Keeping of Chickens" of Section 28.151 entitled "Applicability" of the Madison General Ordinances is amended as follows:

Keeping of Chickens.

- (a) Keeping of up to ~~four (4)~~ ten (10) chickens is allowed as an accessory use on lots with up to four (4) dwelling units.
- (b) Keeping of up to ~~six (6)~~ ten (10) chickens is allowed as an accessory use to a museum, school, day care center, or recreation, community or neighborhood center.
- (c) Keeping of roosters is prohibited.
- (d) Slaughter of chickens is prohibited on site.
- (e) The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.
- (f) The enclosure shall be located at least twenty-five (25) feet from any residential structure on an adjacent lot.
- (g) The owner, operator or tenant must obtain a license under Sec. 9.52, MGO.
- (h) The applicant for the license must notify all residents of the property and the owner or operator of the property if the applicant is not the owner or operator. Notification is not required for renewal of a license.

CITY OF MADISON, WISCONSIN

AN ALTERNATE
ORDINANCE

PRESENTED
REFERRED

February 7, 2023

Plan Commission (3/13/23); Madison
Food Policy Committee (3/1/23);
Common Council (3/21/23)

ALTERNATE: Amending Subsections (a) and (b) of Supplemental Regulations related to Keeping of Chickens within Section 28.151 of the Madison General Ordinances to increase the number of chickens allowed as an accessory use.

75678

Drafted by: Kate Smith

Date: March 29, 2023

SPONSOR: Plan Commission

DRAFTER'S ANALYSIS: Sections (a) and (b) of "Keeping of Chickens" in the Supplemental Regulations (MGO Sec. 28.151) is amended to increase the number of chickens allowed as an accessory use. In lots with up to four dwelling units, the amount of allowable chickens is increased from four (4) to ~~ten (10)~~ eight (8). As an accessory use to a museum, school, day care center, or recreation, community or neighborhood center, the amount of allowable chickens is increased from six (6) to ~~ten (10)~~ eight (8). This increase is in response to resident concerns that the current amount of allowable chickens is limiting as flocks age and become unproductive.

While the amount of allowable chickens is increased, the measures already in place to enforce any nuisance or unsanitary conditions remain. Madison's zoning code requires that chicken enclosures shall be located at least twenty-five (25) feet from any residential structure on an adjacent lot. MGO Sec. 7.29 prohibits keeping chickens in any unsanitary condition or within such proximity of dwelling houses or in any manner so as to be a nuisance, which is enforceable by Public Health Madison Dane County.

The Alternate Ordinance changes the amount of allowable chickens to eight (8) upon the recommendation of the Plan Commission vote at their March 13, 2023 meeting.

The Common Council of the City of Madison do hereby ordain as follows:

1. Supplemental Regulations related to "Keeping of Chickens" of Section 28.151 entitled "Applicability" of the Madison General Ordinances is amended as follows:

Keeping of Chickens.

- (a) Keeping of up to ~~four (4)~~ ~~ten (10)~~ eight (8) chickens is allowed as an accessory use on lots with up to four (4) dwelling units.
- (b) Keeping of up to ~~six (6)~~ ~~ten (10)~~ eight (8) chickens is allowed as an accessory use to a museum, school, day care center, or recreation, community or neighborhood center.

Approved as to form:

- (c) Keeping of roosters is prohibited.
- (d) Slaughter of chickens is prohibited on site.
- (e) The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.
- (f) The enclosure shall be located at least twenty-five (25) feet from any residential structure on an adjacent lot.
- (g) The owner, operator or tenant must obtain a license under Sec. 9.52, MGO.
- (h) The applicant for the license must notify all residents of the property and the owner or operator of the property if the applicant is not the owner or operator. Notification is not required for renewal of a license.