

ORDINANCE 1435

AN ORDINANCE AMENDING THE MUNICIPAL CODE
TO ALLOW FOR THE KEEPING OF CHICKENS

The Common Council of the City of New London does hereby ordain as follows:

SECTION I: Amend Chapter 17.03 of the Municipal Code of the City of New London, Wisconsin, creating subsection 17.03(06) KEEPING OF CHICKENS IN THE CITY as follows:

KEEPING OF CHICKENS IN THE CITY. In addition to all the regulations in this Chapter, the following shall apply to the keeping of chickens within the City.

(1) Definitions. The following terms, when used in this section, shall have the meanings set forth below:

- a. **Chicken-** a domestic chicken of the sub-species *Gallus gallus domesticus*.
- b. **Keep-** the owning, keeping, possessing, or harboring of a chicken.
- c. **Rooster-** a male chicken of any age, including a capon or otherwise neutered male chicken.
- d. **Coop-** a new or existing enclosed accessory structure designed or modified for the keeping of chickens and meeting the requirements of this section.
- e. **Chicken Run-** a fenced cage attached to a coop.
- f. **Hen-** a female chicken of any age.
- g. **Front Yard** – a front yard shall be as defined by the City of New London Zoning Code under Chapter 17, Appendix: Definitions

(2) Permit Required.

- a. Any person who keeps chickens on land in the City which the person owns, occupies, or controls shall first obtain an initial zoning permit issued by the Community Development Department. A permit application shall be accompanied by an application, an application fee as established by resolution of the Common Council, specification(s) of the proposed coop/run, and a site plan. Upon the issuance of an initial zoning permit, an initial inspection of the coop shall be certified by the Zoning Department and/or designee prior to the occupancy of chickens.
- b. All permit applications shall be accompanied by satisfactory evidence that the applicant has registered the proposed location with the Wisconsin Department of Agricultural Trade and Consumer Protection pursuant to Wis. Stats. §95.51 and ATCP 17 Wis. Admin. Code.
- c. One permit shall be permitted per single family dwelling, or two-family dwellings with the permission of the property owner. The permit shall terminate 60 days after transfer of the real estate unless the permit is renewed pursuant to this ordinance.
- d. Any person other than the recorded title owner requesting a permit to keep chickens shall first provide written consent of the property owner with the zoning review application.
- e. Following the initial approval of a permit, any person who continues to own, harbor,

or keep chickens, shall pay a license fee to obtain a license due at the same time as the registration requirements ATCP 17.02(1)(a) Wis. Admin. Code (every third July 31 after July 31, 2013). The fee shall be a part of Fee Schedule regularly reviewed and set by the Common Council, applied consistently to all applicants.

(3) Keeping of Chickens Allowed.

- a. Up to four (4) chickens are allowed per improved, occupied parcel with a permit.
- b. No person shall keep any rooster.
- c. Chickens shall be provided with fresh water at all times and adequate amounts of feed.
- d. Coops shall be constructed in a workmanlike manner, be moisture-resistant, shall either be raised up off the ground or placed on a hard Surface, be adequately weather proofed and insulated to allow the comfortable living of chickens within the coop year-round.
- e. Coops with or without a chicken run shall be constructed and maintained to reasonably prevent the collection of standing water and shall be cleaned of hen droppings, uneaten feed, feathers, and other waste daily and as is necessary to ensure the coop and yard do not become a health, odor, or other nuisance. All feed containers shall be vermin-proof.
- f. Coops shall be large enough to provide at least three (3) square feet per chicken. Coops and chicken runs shall have an aggregate maximum of sixty-four (64) square feet and the height of the coop shall not exceed seven (7) linear feet as measured from the ground.
- g. No chicken coop shall be located closer than twenty (20) feet to any principal residential structure on an adjacent lot. All coops and runs shall be located at least three (3) feet off of the side and rear yard property line.
- h. No chicken coop shall be located in the front yard of a property as defined herein.
- i. In addition to compliance with the requirements of this section, no person shall keep chickens that cause any other public nuisance as defined by City of New London Municipal Code Chapter 10: Public Nuisances

(4) Public Health Requirements.

- a. Upon the Zoning Administrator and/or designee having reasonable suspicion of any coop or run having unhealthy or unsanitary conditions, any permit or license holder shall allow the Zoning Administrator and/or designee to inspect the condition(s) of the coop and/or chickens upon reasonable notice (no less than 24 hours). The Zoning Administrator and/or designee shall provide notice to the permit or license holder to cure any violation(s) found. Failure to correct said violation(s) may result in the revocation of the permit per Section (5) below.
- b. Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans.
- c. Any person keeping chickens shall immediately report any unusual or sudden death or illness of chickens to the City of New London Zoning Department.
- d. The Zoning Administrator and/or designee may order testing, quarantine, isolation, vaccination, or humane euthanasia of ill chickens, or chickens believed to be a carrier of a communicable disease. The owner of the chicken shall be responsible for all costs associated with the procedures ordered hereunder.
- e. No person may slaughter any chickens within the City unless for personal

- consumption.
- f. The breeding of any chickens is strictly prohibited.
 - g. Sale of eggs and baby chicks prohibited. No person may offer to sell eggs of chicks accumulated from the activities permitted hereunder.

(5) Permit Revocation. A permit is subject to revocation upon failure to comply with any provision of sub. (3) or (4). Such revocation is subject to appeal by the Zoning Board of Appeals, upon the aggrieved filing a written appeal request within thirty (30) days of the revocation with the City of New London.

Once a permit is revoked, a permit shall not be reissued to the permittee, or to the property address until a change of tenancy or ownership occurs and a subsequent application is requested and meets all applicable criteria for approval.

This ordinance shall take effect upon passage and publication.

BY:

Mark Herter, Mayor

ATTEST:

Nicole Ryerson, City Clerk

First Reading: September 19, 2023

Second Reading: October 17, 2023

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