

ARTICLE III. - KEEPING OF ANIMALS

Sec. 8-70. - Livestock and poultry; areas not allowed; exceptions; nuisances prohibited; number limitations.

- (a) No horse, mule, donkey, pony, cow, pig, goat, sheep, or animal raised for fur-bearing purposes, and no dove cote, rabbit warren, or other yard or establishment where small animals or fowl such as ducks, geese, turkeys, pheasants, rabbits, or guinea pigs are kept shall be allowed within the City limits, except in outlying building areas where no house, building, tenement, apartment house, hotel, restaurant, boardinghouse, retail food store, building used for school, religious or hospital purposes, or residence other than that occupied by the owner or occupant of the premises upon which such animals or fowl are kept is less than 150 feet from the outer edge of any barn, coop or enclosure in which said creatures are housed or permitted to run. All said creatures may be kept only when no nuisance is created thereby, and their numbers shall be kept within the limitations set out in Sections 8-71 through 8-75. However, chickens may be kept as permitted in Subsection (b) of this section.
- (b) Excepted from the prohibitions set forth in this section are chickens and chicken coops, which meet the following requirements:
 - (1) *Chickens allowed.*
 - a. The term "chicken" means a domestic fowl of the subspecies *Gallus domesticus*.
 - b. Any person may keep up to four female chickens on any residential zoning lot in the City which contains one single-family residential dwelling unit.
 - c. No roosters shall be allowed to be kept under this section.
 - d. Chickens may only be kept in a chicken coop or the attached and contiguous run located in the rear yard area. The chicken coop or run shall not be located in the front, interior side, or corner side yard of the residential zoning lot.
 - (2) *Slaughtering of chickens.* No person shall slaughter any chicken within the City of Janesville other than at a licensed meat processing facility.
 - (3) *Construction and maintenance of coop.*

- a. A chicken coop means a new or existing enclosed accessory structure designed or modified for the keeping of chickens and meeting the requirements of this section and any applicable provisions of Chapter 10 (Building Code). A coop shall be constructed from conventional building materials in a workmanlike fashion or be a premanufactured enclosed structure designed specifically for the keeping of chickens in an urban environment. Such coop must be secure and impermeable to rodents, wild birds and predators, including dogs and cats, and must be constructed or modified in a fashion to provide a humane environment for the chickens, include adequate ventilation, adequate sun, adequate shade and adequate protection from adverse weather. A newly-built or installed coop shall have a minimum of three square feet per chicken and cannot exceed 24 square feet in size.
 - b. A chicken coop may have a run attached and contiguous to the coop with the run constructed in a fashion to confine the chickens and in compliance with the provisions of this section. A chicken run is a fenced cage that may not exceed 40 square feet in area or one percent of the rear yard area, whichever is greater. However, in no instance, may the chicken run exceed 100 square feet in area.
 - c. Chicken coops and runs must be kept clean, dry, and odor free and kept in a sanitary condition at all times in such a manner as to not disturb the use or enjoyment of adjoining property due to noise, odor or any other adverse impact.
- (4) *Confinement of chickens.* Chickens must be kept in a chicken coop or the attached and continuous run at all times. Between sunrise and sunset, chickens may be allowed outside of the coop in the run. Chickens must be secured within the coop between sunset and sunrise.
 - (5) *Location of chicken coop and run.* A chicken coop must be located no closer than ten feet to the rear wall of a residential dwelling unit located on the zoning lot and no portion of the coop or run shall be located within ten feet of any lot line of the zoning lot upon which the coop and run are located. No portion of the coop or chicken run shall be located within 18 feet of any principal structure located upon any adjacent property.
 - (6)

Annual residential chicken premises permit required. No person shall keep any chickens nor construct any chicken coop or run without first obtaining an annual residential chicken premises permit hereunder.

- a. *Fee.* An initial permit fee in an amount established by the City Council from time to time shall be paid to the City by the applicant when the initial application is filed. An annual renewal permit fee in an amount established by the City Council from time to time shall be paid to the City by the applicant each year thereafter.
 - b. *Application.* The application for the residential chicken premises permit shall be made using such forms required by the City's Building Official and City Clerk-Treasurer and must contain an accurately scaled drawing showing the location of the proposed coop and any chicken run, distances to lot lines and distances to the nearest adjoining principal structure, together with dimensions of the coop and chicken run. Chicken runs are not required to meet the construction standards for fences in Section 42-358. However, all chicken runs constructed shall be of wire normally used for the containment of chickens. If the applicant is not the owner of the parcel, the property owner must sign the application certifying approval for the use of the premises for this purpose. The property owner's signature must be notarized.
 - c. *Registration.* Any permit application shall be accompanied with satisfactory evidence that the applicant has registered the proposed location with the Wisconsin Department of Agriculture, Trade, and Consumer Protection pursuant to Wis. Stats. § 95.51, and Wis. Admin. Code ch. ATCP 17.
 - d. *Permit year.* The permit year shall be January 1 through December 31.
- (7) *Miscellaneous.*
- a. All food supplies maintained for the coop must be kept in a secure and rodent-proof container.
 - b. Should any person feed chickens kept under this section with food meant for human consumption or scraps of such food, it shall only be fed within the coop and shall be prohibited within the chicken run.
 - c.

All waste generated by the operation of the coop and chicken run, including, but not limited to, chicken carcasses, manure, droppings and spoiled feed, shall be disposed of in a bag placed in a City-issued garbage cart or composted according to best practices.

- d. The Neighborhood and Community Services Director, and/or the Property Maintenance Inspector or his or her designee, or a building official may enter the rear yard of a residential zoning lot at any reasonable time to determine if a property is in compliance with the provisions of this section.
- e. A re-inspection fee in an amount established by the City Council from time to time shall be charged by the City against and paid by the property owner if the violation is not corrected by the re-inspection date. A fee in an amount established by the City Council from time to time will be charged for each subsequent re-inspection until full compliance is achieved. Re-inspection fees that are not timely paid shall be entered upon the tax roll as a special charge against the lot or parcel of land, pursuant to the provisions of Wis. Stats. § 66.0627.

(Prior Code, § 7.12(1)(part); Code 1976, § 6.12.010)

Sec. 8-71. - Poultry houses and yards; number of birds or fowl permitted.

Where poultry houses and yards are located at least 150 feet from the structures set out in Section 8-70, the keeping of not to exceed 25 birds or fowl, but no crowing roosters, shall be permitted.

(Prior Code, § 7.12(1)(a); Code 1976, § 6.12.020)

Sec. 8-72. - Rabbit and guinea pig warrens or hutches; number of animals permitted.

Where rabbit and guinea pig warrens or hutches are located at least 150 feet from the structures set out in Section 8-70, the keeping of not to exceed 25 animals shall be permitted.

(Prior Code, § 7.12(1)(b); Code 1976, § 6.12.030)

Sec. 8-73. - Pigeon or dove cotes and yards; number of birds permitted.

Where pigeons or dove cotes and yards are located at least 150 feet from the structures set