

§ 380-17(H) **Keeping of chickens in R-1 Zoning.**

- A. Chicken keeping in R-1 zoning districts. Hen chickens for egg production for personal use may be kept as an accessory use in the R-1 Single-Family Residential Districts in accordance with the following requirements and standards:
- (1) A maximum of five hen chickens on a lot of at least one acre in size may be kept. Roosters are not allowed.
 - (2) Chickens shall be kept in a coop which may have an adjacent fence enclosed area. A coop shall be located in the rear yard only, and shall not exceed 100 square feet in area and eight feet in height. No portion of the coop or fenced area shall be closer than 25 feet to any lot line. Applicant is responsible for determination of all applicable lot lines. Such facilities shall not conflict with any public or private utilities, drainageways or any easements related thereto. Chickens must be contained within a coop or enclosed chicken run and may not be allowed to roam at large within or beyond the property.
 - (3) Slaughter of chickens for personal use only is allowed on the property.
 - (4) Chicken keeping shall be maintained in a clean, sanitary, sound and usable condition, free of rodents, vermin and objectionable odors or noise.
 - (5) It shall be the property owner's responsibility to verify that chicken keeping and chicken coops are permitted uses in any deed restrictions or covenants applicable to the subject property.
 - (6) Prior to establishing the use, a building permit shall be obtained from the Building Inspector for construction of the coop and related fencing. The application for the permit shall include a location sketch, drawn to scale, of the coop and fencing showing property lines and nearby structures and design information for the coop. A fee shall be paid with submittal of the application in accord with the Town's fee schedule. A Zoning Permit shall also be required. A building inspection of the finished coop, coop's location, and applicable property setbacks is required before chickens can be kept on the property.
 - (7) Coops. "Coop" means a new or existing enclosed accessory structure designed or modified for the keeping of chickens and meeting the requirements of this section. A coop of 100 square feet or less shall not be considered an accessory building under § **380-107** of the Town Code of Ordinances. Coops shall be constructed in a workmanlike manner, be moisture resistant and either raised up off the ground or placed on a hard surface such as concrete, patio block or gravel. Coops shall prevent the collection of standing water, and shall be cleaned of hen droppings, uneaten feed, and other waste daily as necessary to ensure that the coop and yard do not become a health, odor, or other nuisance.
 - (8) Runs. Related fencing or chicken run means a fenced cage attached to a coop at least 10 square feet in area per chicken and not to exceed 120 square feet in area.
- B. Annual permit required.
- (1) Any person who keeps chickens on land in the Town which the person owns, occupies or controls shall obtain a permit issued by the Town Administrator/Clerk/Treasurer in accordance with the Official Fee Schedule referenced by the Town Code of Ordinances. The permit is valid January 1 through December 31. The initial permit fee shall be \$50. Permit renewals shall be \$30 annually. The annual permit fee shall be paid no later than January 31 of each year. Any fee payments not paid within 30 days of the permit required will become void and the requester will need to reapply. Proof of current registration with the Department of Agriculture, Trade and Consumer Protection shall be submitted with the initial permit application and with all subsequent license renewal applications.

- (2) Permit applications submitted by a person other than a record title owner of the property upon which chickens will be kept shall provide written consent of the property owner with the permit application.
 - (3) Annual permit applications. Upon receipt of an application for a license to house chickens (or a subsequent renewal), the Town Administrator/Clerk/Treasurer shall notify all residents owning property adjoining the applicant's property of the application being filed. If all the residents owning property adjoining the applicant's property object in writing within 14 days of being notified, or if any adjoining resident produces documented proof that they are allergic, the license shall be denied by the Town Board. Otherwise, the application for the license can be granted by the Town Administrator/Clerk/Treasurer provided all other provisions of this section are satisfied.
 - (4) The keeping of chickens in the Town by any person not in compliance with this section is prohibited. Violations shall be subject to the penalties set forth in the official Fee Schedule of the Town Code of Ordinances.
- C. Sale of chicks/chickens. All chickens and eggs produced in any Town coops in R-1 Zoning Districts are for personal use only and shall not be sold at the residential property.
- D. Public health requirements.
- (1) All chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds, animals or to humans.
 - (2) Any person keeping chickens shall immediately report any unusual illness or death of chickens to the Wisconsin Department of Agriculture, Trade and Consumer Protection and the Town of Trenton.
 - (3) The Town 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. The Town Board reserves the right to revoke any chicken license for cause.