

ORDINANCE NO. 1829

ORDINANCE REPEALING AND REPLACING SECTION 11.12 OF THE MUNICIPAL CODE – KEEPING OF GOATS, PIGS, RABBITS, FOWL AND BEES.

WHEREAS, sections of the current municipal code prohibit the keeping of chickens within the City of Kaukauna; and,

WHEREAS, the Common Council of the City of Kaukauna does ordain as follows:

SECTION 11.12 of the Kaukauna Municipal Code is hereby repealed and recreated to read as follows:

Sec. 11.12. – Keeping of goats, pigs, rabbits, fowl, and bees.

- (1) No person shall keep or harbor any reptiles, pigs, sheep, goats, cattle, horses, ducks, geese, bees, or hives of bees within the corporate limits of the city. No person shall keep or harbor any pigeons, doves, or game birds, or build, erect, or maintain and use on any lot or parcel of land within the city limits any building or yard for the purpose of keeping or housing pigeons, doves, or other fowl without first obtaining a written permit from the city board of health and payment of the fee of \$5.00 for a two-year period. The issuance of such written permit shall depend upon the compliance of the applicant with standards of health and sanitation as set down by the city board of health, and such premises shall be at all times open to inspection to representatives of such board.
- (2) No person shall possess, keep, or harbor rabbits in the city as a commercial enterprise. No more than four rabbits shall be permitted to be kept as pets in a household at any time. No person shall keep, possess, or harbor pet rabbits without first obtaining a written permit from the board of health and payment to the city of a \$5.00 fee for a two-year period. No permits shall be issued except upon compliance with standards specified by the city board of health.
- (3) No person shall possess, keep, or harbor chickens in the city as a commercial enterprise. No person shall possess, keep, or harbor roosters in the city.
 - A. Permit Required. No person shall possess, keep, or harbor hens or chicks in the city without first obtaining a Chicken Keeping Permit, and payment to the city of a \$24.00 annual chicken keeping permit fee. No more than a total of six (6) hens and/or chicks shall be permitted to be kept for each chicken keeping permit issued. No more than one chicken keeping permit shall be issued for any property or household.

B. Permits Limited. Not more than 10 chicken keeping permits shall be issued and in effect at any one time. Permits shall be issued to the first 10 applicants evidencing conformance with all requirements set forth in this Section 11.12(4).

C. Property Requirements. A coop shall be located only in the rear yard. Coops shall be located not less than 50 feet from any side and rear lot lines, and shall be a minimum of 100 feet from any dwelling structure and a minimum of 25 feet from any public sidewalk

D. Property Requirement Exceptions For those properties or coop locations that do not meet the setback requirements as set forth in paragraph (4)C. When prior written approval is provided from all abutting property owners that have an occupied dwelling unit within 100' of proposed coop location the following coop location requirements shall apply: A coop shall be located only in the rear yard. Coops shall be located not less than 10 feet from any side and rear lot lines, and shall be a minimum of 25 feet from any dwelling structure or public sidewalk.

E. New Dwellings, New Owners. If a new dwelling unit is built upon, or if a new owner purchases, abutting property after permit is issued, the permit holder shall be responsible for meeting all requirements set forth in this Section, and shall be required to move the coop, obtain written authorization of abutting property owners that have an occupied dwelling unit within 100', or remove the coop from the premises within 30 days of non-compliance resulting from such new dwelling unit or new ownership.


F. Coop Requirements. All chickens shall be kept in a ventilated and roofed coop with the floor area of not less than 3 square feet for each hen. All coops must include an enclosed run area, and all components of the coop shall be enclosed with wire netting or material that prevents chickens from escaping the coop and of adequate structure to prevent predators from entering the coop. All coops must be kept in clean and sanitary condition, and shall not cause any objectionable odor. Chickens shall not be kept upon a vacant lot, inside a residential dwelling unit or attachments thereto, including basements, garages, porches, sheds or other similar structures. Chickens shall not be allowed within a residential dwelling unit.

G. Permit Subject to Review. Premises shall be subject to review by City personnel. Where deficiencies in compliance with this section are noted upon review and/or inspection, permits may be revoked. Upon revocation or expiration of a non-renewed annual chicken keeping permit coops shall be removed within 30 days of such revocation or expiration. If the permit holder, owner or occupant fails or refuses to remove the coop within 30 days of such revocation or expiration, the City shall enter upon the premises and cause the coop and any animals therein to be removed and the city shall recover the costs and expenses thereof from the property owner, occupant, or permit

holder. In addition to any other penalty imposed by this, the cost of abating a non-compliant coop by the city shall be collected as a debt from the owner, occupant, or permit holder, and if notice to abate the nuisance has been given to the owner, such cost shall be assessed against the real estate as a special charge.


This ordinance shall be in full force and effect from and after its adoption and publication.

APPROVED:



Mayor Anthony J. Penterman

ATTEST:



Sally A. Kenny, Clerk

Adopted: 03-16-2021

Published: 03-24/2021