

**VILLAGE OF WINDSOR
ORDINANCE 2020-07**

**AN ORDINANCE AMENDING CHAPTER 52 OF THE CODE OF ORDINANCES
REGARDING STANDARDS FOR KEEPING CHICKENS IN SINGLE FAMILY
RESIDENTIAL YARDS**

WHEREAS, the Village Staff recommends certain amendments be made to the Village of Windsor Code of Ordinances regarding standards for keeping chickens in single family residential yards; and

WHEREAS, the Village of Windsor Plan Commission held a public hearing regarding the request on August 13, 2020; and

WHEREAS, the Plan Commission recommended approval of amendments to Chapter 52, Section 52-29 of the Windsor Code of Ordinances in Plan Commission Resolution 2020-11; and

WHEREAS, the Village Board finds it to be in the public interest to amend Chapter 52 concerning standards for keeping chickens in single family residential yards.

NOW, THEREFORE, the Village Board of the Village of Windsor, Dane County, Wisconsin do ordain as follows:

SECTION 1. Chapter 52, Section 52-29 of the Windsor Code of Ordinances is hereby amended as set forth in Exhibit A attached hereto.

SECTION 2. All other provisions of Code of Ordinances not specifically amended herein shall remain unmodified and in full force and effect.

SECTION 3. This ordinance shall take effect upon passage and publication as provided by law.

The above and foregoing Ordinance was duly adopted at a meeting of the Village Board of the Village of Windsor held on August 20th, 2020, by a vote of 5 in favor and 0 opposed.

VILLAGE OF WINDSOR

Robert E. Wipperfurth

Robert E. Wipperfurth, Village President

Attested by:

Christine Capstran

Christine Capstran, Village Clerk

Published: August 27, 2020

Effective: August 28, 2020

Incorporated by Reference:

Exhibit A: Chapter 52, Section 52-29 – Standards for Keeping Chickens in Single Family Residential Yards

EXHIBIT A

CHAPTER 52. ZONING DISTRICTS ARTICLE III. GENERAL PROVISIONS, REGULATIONS, AND STANDARDS

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Sec. 52-29. - Standards for keeping ~~domestic fowl~~chickens in single family residential yards.

1. *Purpose.* To provide standards that shall apply to the keeping of ~~domestic fowl~~chickens in the yards of single-family residences. The standards are designed to ensure that the keeping of ~~chickens~~fowl is done in a responsible manner that protects the public health, safety, and welfare and avoids conflicts with neighboring uses.
2. *Use.* ~~The keeping of six domestic fowl in the yards of single family residences on lots of at least one acre in area located in any zoning district.~~The keeping of six (6) chickens on lots of at least one acre in area located in a Single Family Residential District (R-1, R-2, R-3 or R-4) shall be a permitted use, if such use complies with the following:
 - (a) ~~Domestic fowl~~Chickens shall be limited to non-crowing females;
 - (b) ~~Domestic fowl~~Chickens shall not be slaughtered;
 - ~~(c) Domestic fowl must have access to a covered enclosure;~~
 - ~~(d) Domestic fowl shall not be allowed to roam free and must be kept in a covered enclosure or fenced enclosure at all times; and~~
 - ~~(e) Covered and fenced enclosures must be clean, well ventilated, dry and odor free, and kept in a manner that will not disturb the use or enjoyment of adjacent lots.~~
 - (c) Chickens shall not be allowed to roam free;
 - (d) Chickens shall be kept in a covered and fenced enclosure. The covered and fenced enclosure shall:
 - i. not exceed 60 square feet in size;
 - ii. include a covered enclosure (coop), one egg-laying nest box, and an attached run;
 - iii. be well ventilated, dry, odor free, and easy to clean;
 - iv. be constructed of predator- and rodent-proof building materials on all sides; and
 - v. be constructed and maintained in a manner that is compatible with the character of the area and so as to not constitute a public nuisance.
3. *Permit for a covered and fenced enclosure.* A building and zoning permit shall be required prior to the erection, placement or construction of a covered and fenced enclosure ~~and shall conform to the requirements for accessory structures per subsection 52-20(4).~~
4. *Location for a covered and fenced enclosure.* A covered and fenced enclosure shall be located:
 - (a) Within the side or rear yard only;
 - (b) At least 4 feet from any side or rear lot line;
 - (c) At least 25 feet from any residential structure on an adjacent lot; and
 - (d) At least 75 feet from the ordinary high-water mark of any lake, river, or stream.

5. *Violations.* Any violation of these standards shall be subject to the penalties set forth in subsection 52-100(7)(b).
6. *Special exemption.* The Village Board may grant a special exemption from the minimum lot size requirement of one acre in area upon application by the property owner demonstrating said special exemption will not be contrary to the intent of this section.