

Chapter 197. Animals

§ 197-16.1. Limitation on number of chickens.

[Added 8-5-2019 by Ord. No. 2019-02]

- A. Purpose. The keeping of chickens within the Village of Dane may detract from and may be detrimental to healthful and comfortable life in the Village. The keeping of more than five chickens on any lot is declared a public nuisance.
- B. Number limited.
- (1) An owner or occupant may own, harbor, or keep in its possession up to a total of five chickens upon any lot within the Village upon issuance of a license by the Village Board as set forth in Subsection C below.
 - (2) The keeping of up to five chickens is conditioned upon the following:
 - (a) No owner or occupant shall keep any rooster.
 - (b) No owner or occupant shall slaughter any chickens on the lot.
 - (c) The chickens shall be provided with a covered and fenced enclosure and must be kept in the covered and fenced enclosure at all times.
 - (d) All enclosures shall be at least 25 feet from any neighboring residential structure.
 - (e) All stored feed must be kept in airtight containers impenetrable to rodents.
 - (3) In addition to the requirements of Subsection B(2)(d) above, the covered and fenced enclosure area for any chickens shall conform to any and all regulations regarding accessory buildings for the zoning district in which the covered and fenced enclosure is situated.
- C. License required.
- (1) Any person who keeps chickens in the Village shall obtain an annual license prior to October 1 of each year or within 30 days of first acquiring the chickens.
 - (2) Any person requesting a license shall file an application for a license with the Village Clerk and pay an application fee that shall be established by resolution of the Village Board. The application fee shall be nonrefundable and shall be established to defray the cost of inspecting the applicant's premises for compliance with the terms and conditions of this section. At the time of filing the application, the person requesting the license shall also post with the Village Clerk the fee required for the license. If the license is not granted to the applicant, this fee shall be returned to the applicant.
 - (3) Upon receipt of an application for a license to house chickens (or a subsequent renewal), the Village Clerk shall notify all residents and landowners within 200 feet of the applicant's address of the application being filed. The application for the license shall be heard by the Village Board at the first regularly scheduled meeting of the Village Board following a minimum fourteen-day notification period to the neighboring residents and landowners.
 - (4) The fee for the license shall be established by resolution of the Village Board, and shall be in addition to the application fee. All inspections pursuant to this section shall be conducted by the Village Administrator or their designee.
- D. License revocation. If a complaint is made by anyone to the Village Clerk that the terms of the license issued to the license holder are being violated in any way, in addition to the penalties set forth in § 197-17C of this Code of Ordinances, the Village, on its own motion, may seek to revoke the license of the license holder. To revoke the license, the Village Board shall hold a hearing. At the hearing, the Village and the license holder will be allowed to present testimony as to why the license should be or should not be revoked. Following testimony, the Village Board shall make its decision. The Village shall give at least 14 days' written notice of the hearing to the license holder at the license holder's last known address.

§ 197-17. Violations and penalties.

[Amended 9-10-2012 by Ord. No. 2012-04]

- A. Any person violating § 197-13, 197-14, 197-15 or 197-16 shall be subject to a forfeiture of not less than \$50 and not more than \$200. This section shall also permit the Village Attorney to apply to the court of competent jurisdiction for a temporary or permanent injunction restraining any person from violating any aspect of this chapter.

- B. Anyone who violates §§ 197-2, 197-3, 197-4 and 197-5 of this chapter or Ch. 174, Wis. Stats., shall be subject to a forfeiture of not less than \$25 and not more than \$200 for the first offense and not less than \$100 and not more than \$400 for any subsequent offenses. An owner who fails to have a dog or cat vaccinated against rabies as required in § 197-2 shall be subject to a forfeiture of not less than \$50 nor more than \$100. An owner who refuses to comply with an order issued under § 197-5 to deliver an animal to an officer, isolation facility or veterinarian or who does not comply with the conditions of an order that an animal be quarantined shall be fined not less than \$100 nor more than \$1,000.
- C. Any person who violates §§ 197-6 through 197-12 or § 197-16.1 of this chapter shall be subject to a forfeiture of not less than \$25 and not more than \$100 for the first violation and not less than \$50 and not more than \$200 for subsequent violations. Each day may be considered a separate violation.
[Amended 8-5-2019 by Ord. No. 2019-02]