

TOWN OF GRANT  
PORTAGE COUNTY WISCONSIN  
FOWL ORDINANCE  
ORDINANCE NO. \_\_\_\_\_

**SECTION 1: TITLE AND PURPOSE**

The purpose of this Ordinance is to regulate the keeping of small flocks of chickens, ducks and/or turkeys in R1 and R2 zoning areas, to protect public health, safety and welfare of the community in the spirit of the policies set forth in the Town of Grant Comprehensive Plan.

The underlying principle of this Ordinance is to recognize a common practice in R1 and R2 zones and establish guidelines such that residents and the aforementioned birds may be kept in a humane and beneficial manner for residents to enjoy as pets and/or a food source. This Ordinance is similar to others in much more densely populated areas and best management practices by University of Wisconsin – Extension, University of Kentucky and the University of North Carolina (see attached bibliography)

**SECTION 2: AUTHORITY**

The Town Board has the specific authority under 60.61 and has the general authority under its village powers under 60.22 Wis. Stats., to adopt this ordinance.

**SECTION 3: ADAPTION OF ORDINANCE**

This Ordinance, adopted by a majority of the Town board on a roll call vote with a quorum present, and voting, and proper notice have been given, provides for the regulation to allow the keeping of chickens, ducks and/or turkeys.

**SECTION 4; DEFINITIONS**

For the purpose of this section, the following terms have the meaning indicated:

- 1. Abutting Property:** All properties that abuts an property located in R1 and R2 zoning districts, at one or more points, except public roads.
- 2. Backyard:** That portion of a lot enclosed by the property's rear lot line and the side lot lines to the points where the side lot lines intersected with an imaginary line established by the rear of the single-family structure and extending to the two side lot lines.
- 3. Chicken:** A female hen of any age, including chicks.
- 4. Chicken Tractor:** A portable screened pen that has sufficient cover for all birds during inclement weather and that is moved daily.

5. **Coop:** An enclosed structure, building or pen within which chickens roost or are housed with the following sizing and construction requirements:
  - Layer type (pullets) 1.5 square feet per bird.
  - Layer type (adults) 2.0 square feet per bird.
  - Broiler type 2.0-3.0 square feet per bird.
  - Vented via ceiling ridge cap, screened/slotted, adjustable vents on 2 of four walls of at least 12 square inches.
  - Adequate heat via brooding light for chicks and pullets
  - Floor litter of 2-3 inches of wood shavings that is not dominated by manure.
  - Adequate ramp size from ground to elevated coop greater than inches from the ground.
  - Constructed floor without contact to the ground except framing.
  - Continuous adequate feeders and source of water (waterer heaters during the winter).
  - Adequate nest box of one cubic foot for every four birds.
    - a. Fenced area that prevents escape of birds with a minimum height of 48 inches.
6. **Duck:** A female or male domesticated duck breed
7. **Fowl:** General term to refer to domesticated ducks, chickens and turkeys
8. **Free Range:** The unrestricted grazing of birds without escapable boundaries.
9. **Rooster:** Male chicken or vocal cockerel sterilized or unsterilized.
10. **Run:** Fenced area connected to a coop where birds may graze on ground.
11. **Turkey:** A female or male domesticated turkey

## SECTION 5: GENERAL PROVISIONS

1. Compliance with the provisions of this ordinance do not require a permit. Any deviation from the provisions will require a Conditional Use Permit.
2. Number of birds are determined by lot size:
  - a. 6 birds for one acre or less
  - b. 12 birds for one to two acres
  - c. 18 birds for lots greater than 2 acres
3. Shall not keep roosters or vocal cockerels
4. Shall not slaughter any chickens on the premises
5. Free range birds are not permitted unless abutting property owners approve. No person shall be responsible for the killing of free-range birds on their property by pets or any other manner.
6. Shall consult with a veterinarian regarding birds that appear ill.
7. Shall ensure birds are provided with access to feed, water and shelter at all times.
8. Birds and their coops shall be kept and maintained at all times in outdoor areas and shall not be permitted inside a residential premises or dwelling, unless for rearing of chicks to the age of six weeks
9. All coops, runs, chicken tractors, shall abide by pertinent setback distances as per Town of Grant zoning requirements.

10. Rearing of chicks up to the age of six weeks of shall be kept in an enclosure with sufficient heat and not exceed one square foot for each bird.
11. Feed shall be contained in vermin proof and dry containers.
12. All coops and backyards where chickens are kept or maintained shall be reasonably free from chicken-produced substances including, but not limited, to chicken manure such that the air or environment around the chickens does not become noxious or offensive or create a condition that would reasonably promote the breeding of flies, mosquitoes, or other insects, or provide a habitat, breeding or feeding place for rodents or other animals, or otherwise be injurious to public health and flock.
13. Fowl manure must be composted, used on site as fertilizer or properly disposed of at the owner's expense. Fowl waste cannot be disposed of at the town's transfer station.

## **SECTION 6: ENFORCEMENT AND PENALTIES:**

1. The Town Zoning Administrator or Town Officer, with 24-hour notice via phone or email with return receipt of being received; or 3-days via letter, can enter the property and buildings where birds are kept to ascertain compliance with this ordinance.
2. The Town Zoning Administrator or Town Officer may issue a citation as authorized by Wisconsin Statute § 66.0113 not exceed \$50.00 for the first violation; \$250.00 for second violation. \$400.00 for third violation. and surrender of birds past the third violation in a 2-year period.

## **SECTION 7: SEVERABILITY**

Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.

## **SECTION 8: VALIDITY**

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

**SECTION 9: DISCLAIMER**

The Town of Grant does not, by issuing a permit, warranty or make assurance of any kind whatsoever, specifically as to whether the subject of the owner is safe, suitable for its intended purpose, merchantable, or in compliance with any applicable codes or regulations.

The Town of Grant voted to adopt this Ordinance on \_\_\_\_\_  
Ordinance #: \_\_\_\_\_

Signed:

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Supervisor

Witnessed:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Posted: Town Hall, Transfer Station, Oak Street and Townline

