| 1 | RESOLUTION #75-2014 |
|---------------------------------------|--|
| 2 3 4 5 | GENERAL CODE OF ONEIDA COUNTY, WISCONSIN ORDINANCE AMENDMENT #5-2014 |
| 5 6 7 | Ordinance Amendment offered by the Planning and Development Committee |
| 8 | WHEREAS, the Planning & Development Committee, having considered |
| 9 10 11 12 13 14 15 | Ordinance Amendment #5-2014, (copy attached) which was filed July 1, 2014 (copy attached) to amend Section 9.56, Domesticated Chickens / Ducks of the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon August 6, 2014 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows: |
| 16 17 18 | WHEREAS, the Oneida County Board of Supervisors approved Resolution 13-2011 allowing a limited amount of chickens and ducks in District #2 Single Family; and |
| 19 20 21 | WHEREAS, the Planning and Zoning Department has not received a complaint related to Resolution 13-2011 since adoption; and |
| 21 22 23 24 25 | WHEREAS, the Planning and Development committee has been requested to allow a limited amount of chickens and ducks in additional zoning districts that already allow livestock on parcels 5 acres or greater; and |
| 26 27 28 | WHEREAS , the Planning and Development committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval. |
| 29 30 31 | NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS: |
| 32 33 34 35 | Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists. Section 2. This ordinance shall take effect the day after passage and publication as required by law. |
| 36 37 38 | Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby. |
| 39 40 41 | Section 4. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]: |
| 42 43 44 45 | Ordinance Amendment #5-2014 authored by the Planning and Development Committee to amend Section 9.56, Domesticated Chickens / Ducks of the Oneida County Zoning and Shoreland Protection Ordinance as follows: |
| 46 | 9.56 DOMESTICATED CHICKENS/DUCKS (#1-2011) |
| 47 48 49 | A. Purpose and Intent |

It is the purpose of this ordinance to provide standards for the keeping of domesticated chickens/ducks. It is intended to enable residents to keep a small number of chickens/ducks on a non-commercial basis.

B. Definitions

- 1. Chicken The common fowl (Gallus gallus) especially when young; also its flesh used as food.
- 2. Pen shall mean a wire enclosure connected to a coop for the purpose of allowing chickens/ducks to leave the coop while remaining in an enclosed, predator-safe environment.
- 3. Duck Any of various swimming birds (family Anatidae, the duck family) in which the neck and legs are short, the feet typically webbed, the bill often broad and flat, and the sexes usually different from each other in plumage.
- 4. Coop shall mean a structure for the sheltering of chickens/ducks. An existing shed or garage can be used for this purpose if it meets the standards contained in this ordinance including the required setbacks from property lines.

C. Number and Type of Chickens/Ducks Allowed

- 1. The maximum number of chickens and/or ducks allowed is eight (8) per lot.
- 2. Only female chickens are allowed, no roosters. Male or female ducks are allowed. There is no restriction on chicken or duck species.

D. Coop and Pen Construction

The chickens/ducks shall be provided with a covered coop and attached pen. Chickens/ducks shall not be allowed out of the coop or pen.

E. Location

- 1. Chicken/duck coops and pens shall not be located closer than fifty (50) feet to any lot line.
- 2. Chicken/duck coops and pens shall not be located closer than seventy-five (75) feet from the ordinary high water mark (OHWM) of any lake, river or stream.
- 3. Chicken coops and pens, pursuant to this section are allowed in District #2 Single Family Residential, <u>District #4 Residential and Farming</u>, <u>District #10 General Use</u>, <u>District #14 Residential & Retail and District #15 Rural Residential</u>
- 4. Minimum lot size is one acre.

F. Other Provisions

Poultry are still allowed in District #4 - Residential and Farming, District #10 - General Use, District #14 - Residential and Retail, and District #15 - Rural Residential pursuant to the requirements in those sections.

| 101 102 103 104 105 | The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #5-2014 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin Department of Natural Resources. | | | | | |
|---------------------------------|--|-------------------|------------------|--|--|--|
| 106 107 108 109 | Approved by the Planning and Development Committee this 3rd day of September, 2014. | | | | | |
| 110 111 | Consent Agenda Item:YES | NO | | | | |
| 112 113 | Vote Required: Majority = | 2/3 Majority = | _ 3⁄4 Majority = | | | |
| 114 115 116 117 | The County Board has the legal authoreviewed by the Corporation Counsel, | | | | | |
| 118 119 | Offered and passage mayed by | | | | | |
| 120 | Offered and passage moved by: | Supervisor | | | | |
| 121 122 | - | Supervisor | | | | |
| 123 124 | - | Supervisor | | | | |
| 125 126 | - | Supervisor | | | | |
| 127 128 | - | Supervisor | | | | |
| 129 130 | | · | | | | |
| 131 132 | Ayes | | | | | |
| 133 | • | | | | | |
| 134 135 | Nays | | | | | |
| 136 | Absent | | | | | |
| 137 138 139 | Abstain | | | | | |
| 140 141 | Enacted | | | | | |
| 142 143 | by the County Board of Supervisors thisday of, 2014. | | | | | |
| 144 145 146 | Defeated | | | | | |
| 147 148 | | | | | | |
| 149 150 | Mary Bartelt, Clerk | David Hintz, Cour | nty Board Chair | | | |