

## ORDINANCE NO.2014-

AN ORDINANCE CREATING § 13-2-8(i) KEEPING OF FEMALE CHICKENS  
AND AMENDING § 13-3-6(a)(1)a R-SE SUBURBAN ESTATE DISTRICT  
AND 13-3-7(a)(1)a R-1 SINGLE FAMILY RESIDENCE DISTRICT

THE TOWN BOARD OF THE TOWN OF WAUKESHA DO ORDAIN AS FOLLOWS:

**SECTION 1:** § 13-2-8(i) Keeping of Female Chickens of the CODE OF ORDINANCES OF THE TOWN OF WAUKESHA is hereby created by the addition of underlined text as follows:

**SEC. 13-2-8 GENERAL USE REGULATIONS**

(i) **Keeping of Female Chickens.**

- (1) **Purpose and Intent.** It is the desire of the Town Board to permit residents in single family residential zoning districts with lots one acre or greater in size, to keep a small number of female chicken on their property, on a non-commercial basis, as a permissible accessory use while also protecting neighbors and the community from noise, odors, and other negative aspects of raising chickens.
- (2) (Intentionally left blank for future use)
- (3) The keeping of female chickens is permitted in all single-family residential districts provided that the lot area is one acre or greater in size.
- (4) A maximum of 5 adult female chickens per acre may be kept for non-commercial use.
- (5) Only female chickens may be kept.
- (6) Roosters or female chickens that crow are not permitted.
- (7) All female chickens must be provided adequate shelter with appropriate ventilation. Coops shall conform to the provisions of sec. 13-2-10(d) and the location requirements of the applicable zoning district. However, structures dedicated to the keeping of female chickens shall not be considered in the calculation of the maximum aggregate floor area of structures.
- (8) All female chickens must be allowed to roam outside of the shelter in a confined yard. The confined area must respect the mandatory off-set requirements of the district.
- (9) All feed must be stored in sealed containers to prevent attracting vermin.

**SECTION 2:** § 13-3-6(a)(1)a R-SE Suburban Estate District of the CODE OF ORDINANCES OF THE TOWN OF WAUKESHA is hereby amended by the addition of underlined text and the ~~deletion of text~~ as follows:

**SEC. 13-3-6 R-SE SUBURBAN ESTATE DISTRICT**

(a) **Use Regulations.**

(1) Permitted Uses.

- a. Any use permitted in the R-E Single Family Residence Estate District but the keeping of poultry or domestic livestock shall not be permitted on any lot less than 3 acres and shall be done in accordance with the provisions of the R-E District except as provided hereafter. The

keeping of female chickens shall be allowed in accordance with the provisions of sec. 13-2-8(i).

**SECTION 3:** § 13-3-7(a)(1)a R-1 Single Family Residence District of the CODE OF ORDINANCES OF THE TOWN OF WAUKESHA is hereby amended by the addition of underlined text and the ~~deletion of text~~ as follows:

**SEC. 13-3-7 R-1 SINGLE FAMILY RESIDENCE DISTRICT**

**(a) Use Regulations.**

**(1) Permitted Uses.**

- a. Any use permitted in the R-E Residence Estate District but the keeping of poultry or domestic livestock shall not be permitted in any subdivision or other area platted or developed into lots of less than 3 acres in size and then shall be done in accordance with the provisions of the R-SE District except as provided hereafter. The keeping of female chickens shall be allowed in accordance with the provisions of 13-2-8(i).

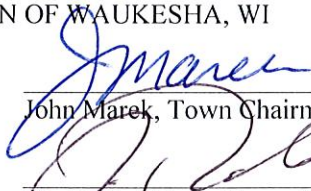
**SECTION 4:** All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

**SECTION 5:** This ordinance shall take effect upon passage and posting as provided by law.

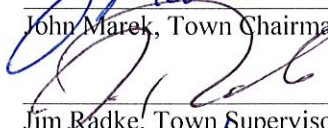
Passed and approved this 12 day of June, 2014

TOWN OF WAUKESHA, WI

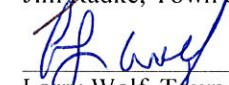
By:

  
John Marek, Town Chairman


By:

  
Jim Radke, Town Supervisor 1

By:

  
Larry Wolf, Town Supervisor 2

By:

  
Mike Doerr, Town Supervisor 3

By:

  
Brian Fischer, Town Supervisor 4

ATTEST:

  
Kathy Nickolaus, Town Clerk-Treasurer