



Legislation Text

File #: 16570, Version: 1

**Fiscal Note**

No significant fiscal impact is anticipated.

**Title**

Amending Sections 9.52, 28.08(2)(b)8.j., 28.08(9)(b)7.c., 28.08(11)(b)7.c., and 28.08(12)(b)2. of the Madison General Ordinances to change the notification requirements for keeping chickens and provide for revocation of a license.

**Body**

DRAFTER'S ANALYSIS: This amendment changes the notification required to keep chickens. The landlord and tenants of the property on which the chickens will be kept shall be notified by the applicant. Notification is not required for permit renewal. This amendment also authorizes the Zoning Administrator to revoke a permit for three (3) or more violations in any six (6) month period of any ordinance regulating the keeping of chickens.

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1. Section 9.52 entitled "Keeping of Chickens" is amended to read as follows:

**"9.52 KEEPING OF CHICKENS.**

Any person who keeps chickens in the City of Madison shall obtain an annual license prior to January 1 of each year, or within 30 days of acquiring the chickens. The license year commences on January 1 and ends on the following December 31.

Application shall be made to the City Treasurer and the fee for the license shall be ten dollars (\$10.00). The Treasurer or other authorized individual shall collect the fee and shall assess and collect a late fee of five dollars (\$5.00) from every owner of chickens, if the owner fails to obtain a license prior to April 1 of each year, or fails to obtain a license within 30 days of acquiring the chickens. All late fees received or collected shall be paid into the local Treasury.

The Zoning Administrator may revoke a license if there are three (3) or more violations within any six (6) month period of this or any ordinance in Chapter 28, MGO regulating the keeping of chickens.

2. Subparagraph j. of Paragraph 8. of Subdivision (b) entitled "Permitted Uses" of Subsection (2) entitled "R1 Single-Family Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is amended to read as follows:

"j. Keeping of up to four (4) chickens on a lot with up to four dwelling units, provided that:

- i. No person shall keep any rooster.
- ii. No person shall slaughter any chickens.
- iii. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.
- iv. No enclosure shall be located closer than twenty-five (25) feet to any residential structure on an adjacent lot.
- v. The owner, operator, or tenant obtains a license under Sec. 9.52, MGO.vi. The applicant for a license notifies all residents within two hundred (200) feet of the lot all residents of the property and the owner or operator of the property if the applicant is not the owner or operator. Notification is not required for renewal of a license.
- vii. ~~Not more than fifty percent (50%) of the residents notified in vi. above object within fourteen (14) days of notification.~~

3. Subparagraph c. of Paragraph 7. of Subdivision (b) entitled "Permitted Uses" of Subsection (9) entitled "R4L Limited General Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is amended to read as follows:

"c. Keeping of up to four (4) chickens on a lot with up to four dwelling units, provided that:

- i. No person shall keep any rooster.
  - ii. No person shall slaughter any chickens.
  - iii. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.
  - iv. No enclosure shall be located closer than twenty-five (25) feet to any residential structure on an adjacent lot.
  - v. The owner, operator, or tenant obtains a license under Sec. 9.52, MGO.
  - vi. The applicant for a license notifies ~~all residents within two hundred (200) feet of the lot~~all residents of the property and the owner or operator of the property if the applicant is not the owner or operator. Notification is not required for renewal of a license.
  - vii. ~~Not more than fifty percent (50%) of the residents notified in vi. above object within fourteen (14) days of notification.~~
4. Subparagraph c. of Paragraph 7. of Subdivision (b) entitled "Permitted Uses" of Subsection (11) entitled "R4A Limited General Residence" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is amended to read as follows:
- "c. Keeping of up to four (4) chickens on a lot with up to four dwelling units, provided that:
- i. No person shall keep any rooster.
  - ii. No person shall slaughter any chickens.
  - iii. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.
  - iv. No enclosure shall be located closer than twenty-five (25) feet to any residential structure on an adjacent lot.
  - v. The owner, operator, or tenant obtains a license under Sec. 9.52, MGO.
  - vi. The applicant for a license notifies ~~all residents within two hundred (200) feet of the lot~~all residents of the property and the owner or operator of the property if the applicant is not the owner or operator. Notification is not required for renewal of a license.
  - vii. ~~Not more than fifty percent (50%) of the residents notified in vi. above object within fourteen (14) days of notification.~~
5. Paragraph 2. of Subdivision (b) entitled "Permitted Uses" of Subsection (12) entitled "R1-R Rustic Residence District" of Section 28.08 entitled "Residence Districts" of the Madison General Ordinances is amended to read as follows:
- "2. Keeping of up to four (4) chickens per dwelling unit, provided that:
- i. No person shall keep any rooster.
  - ii. No person shall slaughter any chickens.
  - iii. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.
  - iv. No enclosure shall be located closer than twenty-five (25) feet to any residential structure on an adjacent lot.
  - v. The owner, operator, or tenant obtains a license under Sec. 9.52, MGO.
  - vi. The applicant for a license notifies ~~all residents within two hundred (200) feet of the lot~~all residents of the property and the owner or operator of the property if the applicant is not the owner or operator. Notification is not required for renewal of a license.
  - vii. ~~Not more than fifty percent (50%) of the residents notified in vi. above object within fourteen (14) days of notification.~~