City of Madison

Legislation Details (With Text)

File #:	75678	**Version:** 2 **Name:**	Keeping Chickens
Type:	Ordinance	**Status:**	Passed
File created:	1/19/2023	**In control:**	MADISON FOOD POLICY COUNCIL
On agenda:	3/21/2023	**Final action:**	3/21/2023
Enactment date:	3/31/2023	**Enactment #:**	ORD-23-00048

Title: SUBSTITUTE: Amending Subsections (a) and (b) of Supplemental Regulations related to Keeping of Chickens within Section 28.151 of the Madison General Ordinances to increase the number of chickens allowed as an accessory use.

Sponsors: PLAN COMMISSION, Yannette Figueroa Cole

Indexes:

Code sections:

Attachments: 1. Zoning Text Memo 3-13-23 Increasing Number of Chickens Allowed.pdf, 2. Public Comment.pdf, 3. 031023-032023_CC_public_comments, 4. Common Council 3/21/23 registrant report

Date	Ver.	Action By	Action	Result
3/21/2023	2	COMMON COUNCIL	Adopt Substitue with Recommendations	Pass
3/13/2023	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT WITH CONDITIONS - PUBLIC HEARING	Pass
2/7/2023	1	PLAN COMMISSION	Refer	
2/7/2023	1	COMMON COUNCIL	Add Referral(s)	Fail
2/7/2023	1	COMMON COUNCIL	Refer	Pass
1/19/2023	1	Attorney's Office	Referred for Introduction	

Fiscal Note

No City appropriation required.

Title

SUBSTITUTE: Amending Subsections (a) and (b) of Supplemental Regulations related to Keeping of Chickens within Section 28.151 of the Madison General Ordinances to increase the number of chickens allowed as an accessory use.

Body

DRAFTER'S ANALYSIS: Sections (a) and (b) of "Keeping of Chickens" in the Supplemental Regulations (MGO Sec. 28.151) is amended to increase the number of chickens allowed as an accessory use. In lots with up to four dwelling units, the amount of allowable chickens is increased from four (4) to ~~ten (10)~~ eight (8). As an accessory use to a museum, school, day care center, or recreation, community or neighborhood center, the amount of allowable chickens is increased from six (6) to ~~ten (10)~~ eight (8). This increase is in response to resident concerns that the current amount of allowable chickens is limiting as flocks age and become unproductive.

While the amount of allowable chickens is increased, the measures already in place to enforce any nuisance or unsanitary conditions remain. Madison's zoning code requires that chicken enclosures shall be located at least twenty-five (25) feet from any residential structure on an adjacent lot. MGO Sec. 7.29 prohibits keeping chickens in any unsanitary condition or within such proximity of dwelling houses or in any manner so as to be a nuisance, which is enforceable by Public Health Madison Dane County.

The Alternate Ordinance changes the amount of allowable chickens to eight (8) upon the recommendation of the Plan Commission vote at their March 13, 2023 meeting.

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The Common Council of the City of Madison do hereby ordain as follows:

      1.   Supplemental Regulations related to "Keeping of Chickens" of Section 28.151 entitled "Applicability" of the Madison General Ordinances is amended as follows:

Keeping of Chickens .
- (a)   Keeping of up to ~~four (4)~~ ~~ten (10)~~ eight (8) chickens is allowed as an accessory use on lots with up to four (4) dwelling units.
- (b)   Keeping of up to ~~six (6)~~ ~~ten (10)~~ eight (8) chickens is allowed as an accessory use to a museum, school, day care center, or recreation, community or neighborhood center.
- (c)   Keeping of roosters is prohibited.
- (d)   Slaughter of chickens is prohibited on site.
- (e)   The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.
- (f)   The enclosure shall be located at least twenty-five (25) feet from any residential structure on an adjacent lot.
- (g)   The owner, operator or tenant must obtain a license under Sec. 9.52, MGO.
- (h)   The applicant for the license must notify 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.