

# Town of Delafield

## Keeping of Chickens License Application

### \$75 Application Fee/\$25 Renewal Fee

**Instructions**

1. Please complete and sign this form
2. Prepare supplemental information to submit with the application: Survey showing the location of the proposed chicken coop and chicken run, setback distance from the road right-of-way to the chicken coop and chicken run, offset distance from the chicken coop and chicken run, size of the chicken coop
3. Submit it with a \$75 application fee and the supplemental information to the Town Clerk
4. Keeping of chickens is subject to compliance with all requirements of the Town of Delafield Town Code, including, but not limited to, Section 17.06 5, entitled "Keeping of Chickens" and Section 12.09, entitled "License for Keeping Chickens."
5. After review by staff and approval by the Town Board, the Town Clerk will provide you with a signed copy of the license indicating all conditions under which the license is issued.

### Owner Information

Owner's Name:	
Owner's Address:	
City/Zip Code:	
Telephone:	
E-mail:	
Anticipated Number of Chickens:	
Size of Chicken Coop:	

Check One:

NEW

RENEWAL

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

---

FOR OFFICE USE

License Number: \_\_\_\_\_

Receipt No. \_\_\_\_\_

**Section 17.06 5.**

4. Letters of approval or disapproval from neighboring property owners shall be considered by the Code Enforcement Officer or Plan Commission in making their determinations hereunder.

5. **KEEPING OF CHICKENS.** (created 2012-02)

Certain zoning districts describe within their use regulations that the keeping of chickens is allowed subject to the requirements of this section. In all such cases, the use is subject to all of the following requirements:

- A. No more than 8 chickens shall be allowed per lot.
  - B. Roosters shall be prohibited.
  - C. Owners shall acquire and maintain in effect an annual license from the Town of Delafield in accordance with Chapter 12 of the Town Code of Ordinances. The license shall apply to the individual applicant, to authorize keeping of chickens on the parcel that is subject to the application, and shall not be transferable to new persons or entities, or to new properties. The license shall apply to all chickens on the parcel, not to particular chickens which may change over the term of the license.
  - D. Chickens shall be kept in a chicken coop and/or chicken run as defined in this code. Slaughtering may take place in an enclosed area on the property. No more than one chicken coop and run shall be allowed on any one property. The chicken coop shall be equal to or less than 50 square feet and shall not be included in the open space calculations, composite area of all accessory buildings or be included in the number of accessory buildings requirement of the district in which they are located.
  - E. All chicken coops must meet double the required setback and offset provisions for structures in the district in which they are located; or if said doubled setbacks and offsets cannot be met due to lot dimensions, must be located the maximum distance as far off the property lines as is feasible. Chicken runs shall meet the required setback and offset provisions of the district in which it is located.
  - F. No commercial activities shall be permitted by the homeowner, such as sale of eggs at a roadside stand, sale of live or dressed chickens, sale of live chicks, feathers, etc.
  - G. Owners shall exercise proper care and control of the chickens to prevent them from becoming a public nuisance.
  - H. Chicken coops and chicken runs shall be removed no later than 12 months after the keeping of chickens is no longer a use on the property.
6. **WIRELESS TELECOMMUNICATIONS MOBILE SERVICE FACILITIES.** (created 2013-10)
- A. **Purpose.** This section is intended to regulate mobile service facilities to the full extent allowed by Wisconsin Statutes Section 66.0404 and other applicable laws. Nothing herein is intended to regulate or to authorize the regulation of mobile service facilities in a manner that is preempted or prohibited by Wisconsin Statutes Section 66.0404 or other applicable laws.
  - B. **Definitions.** All terms used herein shall have the meaning described in Wisconsin Statutes

(b) VIOLATIONS.

1. PENALTIES. Any Person who violates this Section will be subject to a monetary forfeiture in the amount of \$500.00 plus the costs of prosecution for each violation. Each day that each violation exists shall constitute a separate violation and be punishable as such.
2. INJUNCTION. Compliance with the provisions of this Section may also be enforced by an injunction properly issued by a court of competent jurisdiction upon the request of the Town.
3. NON-EXCLUSIVITY. The imposition of any penalty under this Section or the seeking of an injunction shall not impair the right of the Town to seek a non-renewal, suspension or revocation of a license as provided in this Section.

**12.09 LICENSE FOR KEEPING CHICKENS.** (created 2012-04)

- (1) LICENSE REQUIRED. The keeping of chickens in residential districts is subject to Section 17.06 5. of this code, as and to the extent described therein and within the zoning regulations of the Zoning Code. Such use is subject to payment of a fee as described in Section 12.01, the general provisions as to licenses as described in Section 12.02 and the additional and different license regulations of this section.
- (2) APPLICATION OF GENERAL PROVISIONS. The general provisions as to licenses described in Section 12.02 of this Code shall apply, except as follows. No bond or insurance shall be required for a license to keep chickens. The term of this license shall be for one calendar year, to end on December 31 of each year, rather than June 30<sup>th</sup>.
- (3) LICENSE APPROVAL OR DENIAL. Upon receipt of a completed license application and upon payment of the required fee, the Town Clerk shall place the license application on an upcoming agenda of the Town board for consideration and possible action. The Town Board shall have discretion to determine whether issuance of the license, and/or renewal of a license that has previously been issued, is in the best interests of the Town of Delafield and in particular the neighborhood where the use is located. The Town Board may approve, deny or conditionally approve the issuance of license subject to reasonable conditions.
- (4) RENEWAL. The license may be renewed for a subsequent year upon petition to the Town Clerk and approval of the Town Board. Such application and accompanying fee must be filed prior to the expiration of the license. To avoid a lapse in the license term, the licensee must apply for renewal at least sixty (60) days prior to the expiration of the license.
- (5) OBLIGATIONS UPON EXPIRATION/TERMINATION. No chicken shall be kept on the property following the expiration or termination of the license, unless and until a new license is obtained for the keeping of chickens. All chicken coops, fences, chicken runs, and other structures and facilities associated with the keeping of chickens shall be removed from the property no later than twelve (12) months after the expiration or termination of the license or cessation of the use, whichever shall occur first.
- (6) DISCLAIMER. The grant of a license for keeping of chickens by the Town of Delafield does not supersede or abrogate any private deed restrictions, homeowner's association regulations or bylaws, or other private restrictions that may apply and may be more restrictive. Persons requesting a license to keep chickens are solely responsible to know and to comply with any such private limitations.
- (7) PUBLIC NUISANCE. Keeping of chickens in violation of chapter 12 and/or chapter 17 of the Town of Delafield Municipal Code shall constitute a public nuisance.