

ORDINANCE 1133-2022

**AMENDMENT TO CHAPTER 150 ANIMALS OF THE MUNICIPAL CODE OF THE
CITY OF MAYVILLE**

**THE COMMON COUNCIL OF THE CITY OF MAYVILLE DOES ORDAIN AS
FOLLOWS:**

§ 150-1 Animals and fowl not to run at large.

[Amended by Ord. No. 720-90B]

- (a) No person having in his possession or under his control any animal or fowl shall allow the same to run at large within the City.

§ 150-2 Restrictions on keeping certain animals and fowl.

[Amended by Ord. No. 720-90B; 12-9-2013 by Ord. No. 1060-2013]

- (a) Except as otherwise provided in this Chapter, no person shall keep or maintain any poultry, fowl or any livestock such as horses, cattle, sheep or goats in any zoning district except agricultural districts.

§ 150-2.1 Restrictions on keeping rabbits.

[Added 12-9-2013 by Ord. No. 1061-2013]

- (a) It shall be lawful to keep rabbits subject to the provisions of this section. The keeping of more than four rabbits in any outside or yard area of any dwelling or any building structure accessory thereto is prohibited. For the purposes of this section, rabbits shall not be considered until they have reached the age of four months.
- (b) Sanitary requirements. All structures, pens, buildings, coops or yards where rabbits are kept shall be maintained in a clean and sanitary condition, free of rodents, vermin and objectionable odors.

§ 150-2.2 License to keep hens.

- (a) License required. The owner of any hen (female Gallus gallus domesticus) more than eight weeks of age shall annually, or on or before the date the hen becomes eight weeks of age, pay the hen license fee and obtain a license. The term "owner" shall include every person who owns, harbors, or keeps a hen.
- (b) Fee. The license fee shall be \$25 for a single license to keep up to six hens per licensed parcel. The license year commences on January 1 and ends on December 31.
- (c) Late fees. The City Clerk shall assess and collect a late fee as provided in the City Fee Schedule from every owner of a hen eight weeks of age or older if the owner fails to obtain a license prior to April 1 of each year, or within 30 days of acquiring ownership of a licensable hen, or if the owner fails to obtain a license on or before a hen reaches the licensable age.

- (d) Issuance of licenses. Only one license may be issued for each real estate parcel number within the City. Upon payment of the required hen license fee, the City Clerk shall complete and issue to the owner a license stating the owner's name and address, parcel number, date of issuance, and date of license expiration. The City Clerk shall keep a duplicate copy of the license on file.
- (e) Penalties. Any person who shall violate any of the provisions of this section shall be subject to a forfeiture of not less than \$25.00 nor more than \$1,000.00 for the first offense and not less than \$50.00 nor more than \$1,000.00 for subsequent offenses.

§ 150-2.3 Hens to be confined.

- (a) No person, owner, or custodian shall permit any hen to be at large within the City. Any fowl shall be deemed to be at large when it is off the premises owned or leased by its owner or custodian unless crated, penned, or under the control of a person able to control the fowl by means of a leash of sufficient strength to control the action of the fowl.
- (b) No person, owner, or custodian shall permit any fowl to be left unattended within five feet of a public right-of-way.
 - 1. Such public rights-of-way include, but are not limited to, sidewalks, streets, alleys, and parking lots.
 - 2. Unattended fowl shall include those animals which are crated, penned, or leashed but which are without personal supervision or control sufficient to properly restrain the animal.
- (c) Confinement of hens. In addition to any other provisions in this chapter, hens shall be kept in the following manner:
 - 1. No person may keep a hen over eight weeks of age in a principal structure.
 - 2. Hens shall be kept within a structure such as a coop or fenced area used to keep hens.
 - 3. No structure used to keep hens shall be located within 25 feet of any principal structure which is not owned by the person licensed to possess said hens.
 - 4. No structure used to keep hens shall be located in a front or side yard.
- (d) Construction of hen structures. All coops, yards, pens, or other structures wherein any animal is kept shall be constructed so as to be easily cleaned and kept in good repair. The inside and outside of such structures shall be whitewashed or painted as often as necessary to keep them clean or finished with such material as can be easily cleaned. All such structures shall be kept clean and sanitary and shall not cause any objectionable odor.

§150-2.4 Removal of animal waste.

- (a) No person who possesses an animal shall permit such animal to defecate upon any property other than that of its owner or custodian unless the custodian immediately thereafter cleans up and removes such animal excreta from such property.

§150-2.5 Keeping of hens subject to nuisance ordinance.

- (a) The keeping of hens shall be subject to the provisions of Chapter 303 of this code.

§150-2.6 Prohibited practices.

The following practices shall be prohibited under this ordinance:

- (a) The keeping of roosters, defined as a male domestic fowl older than three months, of any species.
- (b) The slaughter of any poultry or other fowl.

§150-2.7 Premises registration.

- (a) The keeping of fowl shall be subject to the premises registration and all other requirements contained in Wis. Stat. s. 95.51 and Wis. Admin Code Ch. ATCP 17, as amended, which are hereby incorporated into this ordinance.

§ 150-3 Violations and penalties.

- (a) Any person who shall violate any provision of this article shall be subject to a penalty as provided in § 1-4 of this Code.

John Guinn
Mayor

Introduced: September 12, 2022

Adopted: October 10, 2022

Attest: _____

Sara Decker
City Clerk