

## ORDINANCE NO. 2021-02

### AN ORDINANCE, AS AN ADDENDUM TO MUNICIPAL CODE, CHAPTER 9.08

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**PURPOSE:**

To strengthen the existing, Public Peace and Good Order, Municipal Code, 9.08 as adopted by the Town of Sullivan, 07/01/1984.

As Shown below:

**9.08 Animals and Fowl, not to run at large.**

**No person having in his possession or under his control any animal or fowl, shall allow the same to run at large within the town.**

The Board of the Town of Sullivan, Jefferson County, Wisconsin, do ordain as follows:

#### **SECTION 1**

a. Area of Jurisdiction

1. Properties within the Hamlet of Rome, as defined by being serviced by the Rome Sanitary District or located inside of Section 17 of the Town of Sullivan will be required to meet the following additional guidelines for the keeping of Chickens, Ducks, Geese or other fowl.

b. Regulations

1. Fowl shall be kept within a coop or run area at all times. Free Range fowl are prohibited. The run area shall include an area fenced and **roofed** with materials to sufficiently contain fowl.
2. Coops that are 96 square feet in area or less are exempt from a building permit. Coops greater than 96 square feet are required to obtain a building permit.
3. Any electrical work requires an electrical permit through the Building Inspection Department.
4. Chicken coops must conform to the accessory structure requirements of the specific zoning district where located.
5. Selling of eggs from the subject property is allowed.
6. Slaughtering of fowl shall only be allowed within a building, and out of public sight.
7. The Town noise standards in Section 9.06 of the Municipal Code must be adhered to. (i.e. No Roosters are allowed)
8. The Town is not responsible for the enforcement of homeowners' association private covenants and/or deed restrictions. Property owners shall be aware of said requirements regarding the keeping of fowl within a subdivision with private restrictions.

#### **SECTION 2-Filing A Complaint**

a. Residents who would like to file a complaint regarding Fowl at Large may take the following actions:

1. File a written complaint with the Sullivan Town Board, identifying the subject property that is in non-compliance.
2. Acceptable forms of written communication are email to townofsullivan@centurytel.net, or regular mail or hand delivery to Town of Sullivan, N3866 West Street, Sullivan, WI 53178. Provide your address and contact information.

- b. Town Action required for a complaint-Notice of Non-Compliance: Upon receipt of the written complaint, it is the responsibility of the Town Board, to
  - 1. Without trespassing, visually investigate or inspect object in question within 10 days of receiving written complaint
  - 2. Determine if complaint has identified that, Fowl have a direct, negative effect to the surrounding area.
- c. If upon visual inspection the Town finds the property in question appears to be non-compliant:
  - 1. The Town shall send a registered letter to the property owner advising them of non-compliance
  - 2. The letter shall include a 30 day Right to Cure notice effective upon receiving the registered letter

**SECTION 3-Compliance – Right to Cure**

- a. Upon receipt of the Notification of Non-Compliance letter, object owner shall, within 30 days, have options to remedy the violation, including:
  - 1. Provide an acceptable coop or run area as defined in Section 1 or
  - 2. Remove the fowl from the property in question

**SECTION 4-Penalties**

- a. Compliance/Right to Cure not met. Should the owner of the object in question not meet the 30-day Right to Cure, the Town Board may:
  - 1. Issue a fine in the amount of \$100 per day with the Lake Country Municipal Court

EFFECTIVE DATE. This ordinance shall become effective upon passage and publication as required by law.

DATED: \_\_\_\_\_

TOWN OF SULLIVAN

By: \_\_\_\_\_  
 Scott Buth, Town Chairman

ATTEST:

\_\_\_\_\_  
 Dawn Bauer, Clerk

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

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

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