

ORDINANCE 01-2021
AMENDING CHAPTERS 116 & 325
VILLAGE OF COTTAGE GROVE MUNICIPAL CODE

The Village Board for the Village of Cottage Grove, Dane County Wisconsin, does hereby ordain as follows:

SECTION I. – BACKGROUND RATIONALE

Keeping chickens in residential neighborhoods for the purpose of gathering eggs as a local and sustainable food source is an increasingly common trend. The practice is permitted under both Dane County and City of Madison ordinances, among other local jurisdictions.

The Village of Cottage Grove’s Ordinance Review Committee has investigated example ordinances and recommended criteria for consideration in a Village of Cottage Grove ordinance amendment. As the amendment includes portions of Chapter 325, Zoning Ordinance, the Plan Commission has held a public hearing as required by ordinance.

SECTION II. – CURRENT AND AMENDED LANGUAGE

Section 116-3 currently reads:

“No person shall keep within the Village any animal except a domesticated pet unless within a licensed animal hospital or kennel, except on premises on which animals were customarily kept on January 1, 1965.”

Section 116-3 shall be amended to read as follows:

“No person shall keep within the Village any animal except a domesticated pet unless within a licensed animal hospital or kennel, and/or as specifically permitted by Chapter 325, Zoning Ordinance.”

Section 325-38(A)(3)(a) shall be amended to add the following permitted accessory use in the SR-4 district:

“(11) Keeping of chickens.”

Section 325-38(B)(3)(a) shall be amended to add the following permitted accessory use in the SR-6 district:

“(11) Keeping of chickens.”

Section 325-38(D)(3)(a) shall be amended to add the following permitted accessory use in the HR-9 district:

“(11) Keeping of chickens.”

Section 325-49(H), Accessory Land Uses shall be amended to add the following accessory land use:

“(26) Keeping of chickens; description. It is the intent of this section to provide a means of keeping chickens as an accessory land use at a single-family residence.

(a) Regulations.

(1) No more than 4 female chickens are allowed.

(2) Roosters are not permitted.

(3) No slaughtering of chickens shall occur on the property.

(4) Chickens must have access to a coop or covered enclosure meeting the following requirements:

(i) Maximum size: 120 square feet.

(ii) Maximum height: 12 feet.

(iii) Minimum 4-foot setback from any property boundary.

(iv) Minimum 25-foot setback from principal structure on any adjacent lot.

(5) Fowl may not roam free and must be contained in a fenced outdoor enclosure meeting the following requirements at all times:

(i) Fence shall be no less than 6 feet high, and shall meet the requirements of 325-88, Fences and Hedges.

(6) Enclosure must be clean, dry, and odor-free and shall be kept in a manner that will not disturb use or enjoyment of adjacent lots.

(7) Failure to comply with this section shall be deemed a public nuisance per Ch. 24.”

SECTION III. - CONFLICT AND SEVERABILITY

SECTIONS 1-10 and 1-11 of the MUNICIPAL CODE OF THE VILLAGE OF COTTAGE GROVE shall apply to this ordinance.

SECTION IV. - EFFECTIVE DATE

This ordinance shall take effect upon compliance with the publication/posting requirements of the Wisconsin Statutes.

Adopted this 15th day of March, 2021.

BY ORDER OF THE VILLAGE BOARD
VILLAGE OF COTTAGE GROVE

John Williams, Village President

Attest:

Lisa Kalata, Village Clerk