

City of Milwaukee Department of Neighborhood Services

Chicken Keeping

FACTS SHEET

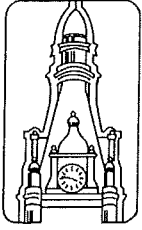
On May 24, 2011, the Milwaukee Common Council passed an ordinance (s. 78-6.5) allowing the keeping of chickens in the City of Milwaukee. It will become effective **July 28, 2011.**

1. Persons desiring to keep chickens must **obtain a one-time only permit.** Permits will cost **\$35.** Permits may be obtained by applying in person at 4001 S. 6th St., 2nd floor, Milwaukee, WI 53221. Before a permit is issued, the applicant shall obtain the **written consent of the owner of the property** where the chickens shall be kept and **owners (not residents) off all directly or diagonally abutting properties, including those across an alley.** Failure to obtain 100% compliance with this requirement will result in the denial of the permit.
2. The keeping of **up to 4 chickens,** with a permit is allowed on a **residential premise only.** Permits will not be allowed on commercial or mixed-use occupancies.
3. **Roosters are not allowed.**
4. **No person shall slaughter any chickens.**
5. Chickens shall be provided with **fresh water at all times** and **adequate amounts of feed.**
6. Chickens shall be provided with a sanitary and adequately-sized, covered enclosure, or coop, and **shall be kept in** the enclosure or a sanitary and adequately-sized and fenced enclosure, or yard, **at all times.** Chicken coops and enclosures may not be homes or garages.
7. Chicken coops shall be constructed in a workmanlike manner, **be moisture resistant,** and either **raised off the ground or placed on a hard surface such as concrete, patio block or gravel.**
8. Chicken coops and yards shall be constructed so they **will not have standing water.**
9. Chicken coops shall be cleaned of hen droppings, uneaten feed, feathers and other waste **daily** and as necessary to ensure a health, odor or other nuisance does not exist.
10. Chicken coops and yards together shall be large enough to provide **at least 16 square feet per chicken.**

11. Enclosures shall **not be closer than 25 feet to any residential structure on an adjacent lot.**
12. Enclosures shall **not be located in the front yard of a dwelling.**
13. Chickens shall not cause any nuisance, unhealthy condition, public health threat or otherwise **interfere with the normal use of property or enjoyment of life** by humans or animals.
14. Unusual illness or death of chickens shall be **reported to the Health Department.**
15. A permit may be **revoked** for failure to comply with provisions of the ordinance and, once revoked, **shall not be reissued.**
16. An inspection of the proposed chicken keeping site will not be conducted by the Department of Neighborhood Services as part of the permitting process. DNS will inspect and determine compliance with the ordinance on a complaint basis or if it believes a violation may be occurring. DNS may take enforcement action it deems appropriate if violations are noted.
17. DNS will answer questions **about the permitting process and the ordinance it is charged with enforcing.** To inquire about the permitting process, one may contact Ms. Herlyn Roberson at (414) 286-5441.
18. DNS will not offer advice or provide suggestions regarding the practice of keeping chickens. For example, DNS will not suggest how to build a chicken coop or enclosure nor advise on where to acquire knowledge related to chicken keeping.

How to apply for a chicken-keeping permit:

1. Complete an approved site plan to the satisfaction of the department. Blank site plans are available from DNS at 4001 S. 6th St., 2nd floor.
2. Complete a Neighbor Approval Statement Form from **every neighbor** required per the ordinance. Blank neighbor approval forms are also available from DNS. DNS strongly recommends that neighboring property owners be provided with a copy of this FACTS SHEET when requesting approval.
3. Present both forms and a check or money order to the clerk at the Department of Neighborhood Services, 4001 S. 6th St., 2nd floor for review (this office does not accept cash as payment). Applicants may apply for permits Monday through Friday, 8:00am to 4:00pm. Approval by the department is contingent on a review for completeness and compliance with the ordinance. The approval may be made over the counter (time permitting) and the permit given to the applicant; the permit may, however, be mailed to the applicant, if approved.



**City
of Milwaukee
Department of
Neighborhood
Services**

**Environmental Section
Chicken Keeping
Application
and Site Plan**

For Office Use Only

Name (print) _____ Phone _____ - _____ - _____

Address _____ Number of hens _____

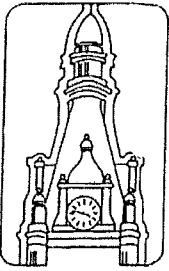
Zip Code _____ E-mail _____

1. Total square feet of coop and enclosure: _____ (Sqft.) Square feet of coop alone (<50) _____

2. Distance of enclosure to nearest habitable structure on adjoining properties (>25 feet) _____

Use the area below to sketch chicken keeping site. Include distances from lot lines, structures (garage, shed), fences/ barriers, pools, etc. Identify neighbors whose property lines connect to your property including diagonals as well as any neighbor across the alley, but not across the street. (See www.milwaukee.gov/chicken for additional information and requirements.)

Issue Date _____ Clerk _____ Permit Number _____ Permit Fee \$ _____



City of Milwaukee
Department of
Neighborhood Services
Environmental Section

Department of Neighborhood Services
 Chicken-keeping Application and
 site plan

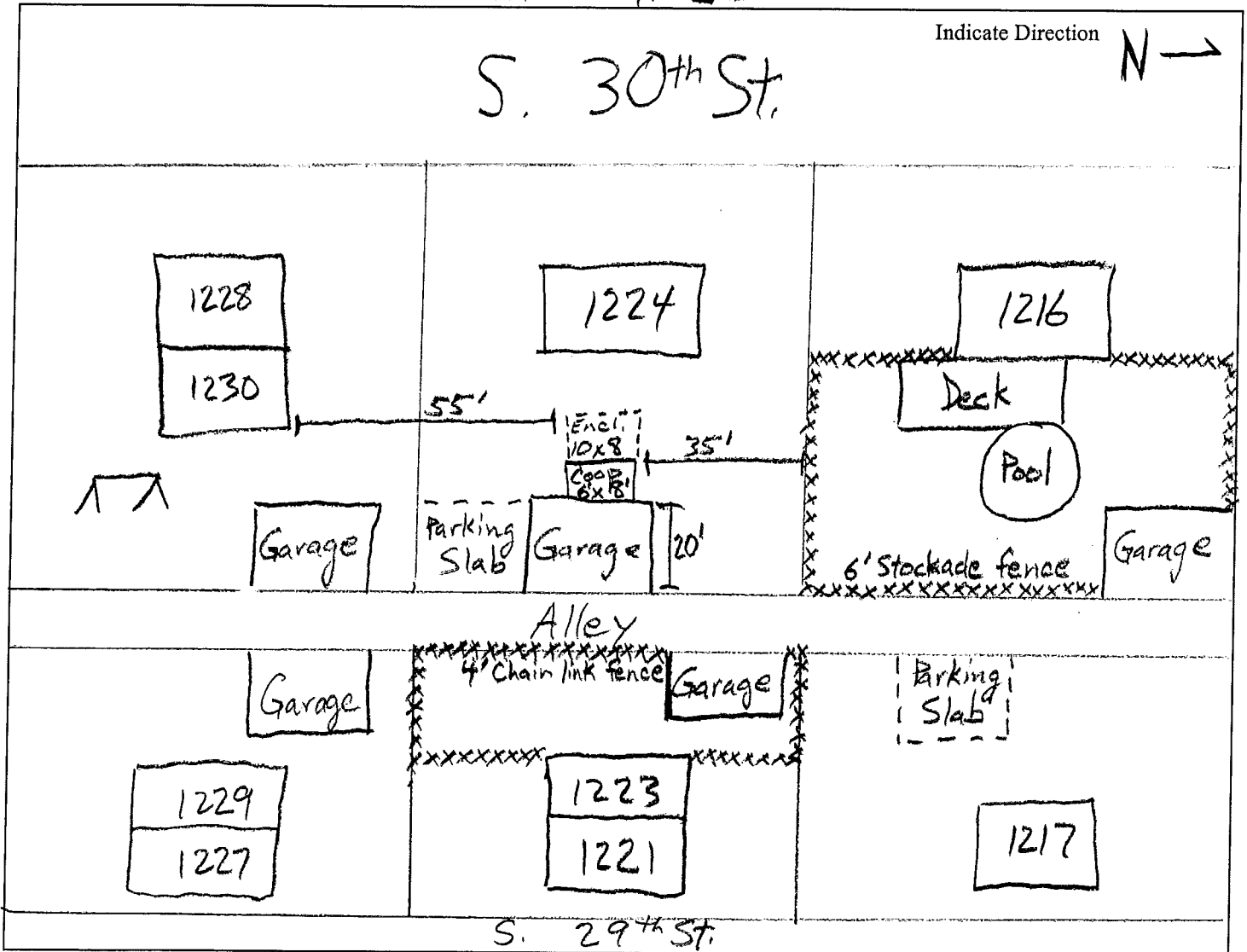
Name (print) John Doe
 Address 1224 S. 30th St.
 E-mail john.doe@doe.com

Phone # (414) 555-5555
 Number of hens 4

- Total square feet of coop and enclosure: 128 Square feet of coop alone (<50) 48
- Distance of enclosure to nearest habitable structure on adjoining properties (>25 feet) 60

Use the area below to sketch chicken keeping site. Include distances from lot lines, structures (garage, shed), fences/ barriers, pools, etc.

EXAMPLE



City of Milwaukee
Chicken-keeping permit
NEIGHBOR APPROVAL FORM

My neighbor at _____ in the City of Milwaukee desires to raise chickens at his/her residential property. I understand that my approval is required to allow this activity to occur since the property I own is immediately abutting.

I understand the requirements for chicken keeping within the City of Milwaukee since the applicant has provided a copy of the Department of Neighborhood Chicken-keeping FACTS SHEET.

I verify that I am the abutting property owner. I hereby give my permission for chickens to be kept at this property.

Printed name: _____

Signature: _____

My address: _____

Date: _____

My phone number(s): _____

My e-mail: _____

78-6.5 Animals

b. Property owners shall have 14 working days to file a written objection and request for a hearing to the commissioner if they object to the granting of a permit.

c. If a timely written objection and request for a hearing has been submitted to the commissioner, the commissioner shall hold a hearing within 14 days.

d. Within 10 days of completion of the hearing conducted pursuant to par. c, the commissioner shall mail to the objector and permit applicant his or her written determination on the granting of the permit, taking into consideration factors listed under sub.3.

3. KEEPING OF HONEY BEE HIVES. A permit authorizes the keeping of honey bee hives on a premise, provided the following:

a. No more than 2 hives are allowed on a lot.

b. Honey bees are limited to eastern european races of apismelifera.

c. All honey bees shall be kept in hives with removable frames which shall be kept in sound and usable condition.

d. A minimum 6-foot high closed fence, closed hedge, building or other solid flyway barrier or other barrier which the commissioner determines to be of sufficient height shall be located between hives and the property lines for all hives located within 20 feet of the property line. A supply of water shall be located within these enclosures and flyway barriers. A flyway barrier is not needed if the bee hive is kept at least 10 feet off the ground.

e. All hives and related structures that form the apiary shall be located a minimum of 20 feet from the front property line and 10 feet from all other property lines.

f. Hives shall be located a minimum of 50 feet from dwellings, porches, gazebos, decks, swimming pools, permanently affixed play equipment and any other habitable area on any adjoining lots unless the owner of the adjoining property has provided written permission for closer hive placement.

g. Hives shall be provided with fresh water throughout the day and be designed to allow bees to access water by landing on a hard surface. This is not required during the winter.

h. Hives shall be actively maintained. Hives not under active human management and maintenance shall be dismantled or removed by the most recent permit holder.

i. In any instance in which a hive exhibits unusually aggressive characteristics it shall be the duty of the beekeeper to destroy or requeen the hive. Queens shall be selected from

stock bred for gentleness and non-swarming characteristics

j. In addition to compliance with the requirements of this section, no beekeeper shall keep a hive or hives that cause any unhealthy conditions or interfere with the normal use and enjoyment of human or animal life of others, any public property or property of others.

4. PERMIT REVOCATION. A permit shall be subject to revocation upon failure to comply with any provisions of this section. Once a permit is revoked, a permit shall not be reissued.

78-6.5. Keeping of Chickens in the City.

1. PERMIT REQUIRED. No person shall keep chickens in the city without obtaining a valid permit issued by the commissioner. The permit process requires a completed application accompanied with a fee prescribed in s. 60-7-8. The permit application is also subject to notification and approval pursuant to sub. 2.

2. NEIGHBORHOOD APPROVAL REQUIRED. Before a permit is issued for the keeping of chickens, the applicant shall obtain the written consent of the owner of the property where the chickens shall be kept and owners of all directly or diagonally abutting properties, including those across an alley. Written consent shall be provided at the time of application.

3. KEEPING OF CHICKENS ALLOWED. The keeping of up to 4 chickens, with a permit, is allowed on a residential premise, provided the following:

a. No person shall keep any rooster.
b. No person shall slaughter any chickens.

c. Chickens shall be provided with fresh water at all times and adequate amounts of feed.

d. Chickens shall be provided with a sanitary and adequately-sized covered enclosure, or coop, and shall be kept in the covered enclosure or a sanitary and adequately-sized and accessible fenced enclosure, or yard, at all times.

e. Chicken coops shall be constructed in a workmanlike manner, be moisture-resistant and either raised up off the ground or placed on a hard surface such as concrete, patio block or gravel.

f. Chicken coops and yards shall be constructed and maintained to reasonably prevent the collection of standing water, and shall be cleaned of hen droppings, uneaten feed, feathers and other waste daily and as is necessary to ensure that the coop and yard do not become a health, odor or other nuisance.

g. Chicken coops and yards together shall be large enough to provide at least 16 square feet per chicken.

h. No enclosure shall be located closer than 25 feet to any residential structure on an adjacent lot.

i. No enclosure shall be located in the front yard of a dwelling.

j. In addition to compliance with the requirements of this section, no one shall keep chickens that cause any nuisance, unhealthy condition, create a public health threat or otherwise interfere with the normal use of property or enjoyment of life by humans or animals.

4. PUBLIC HEALTH REQUIREMENTS.

a. Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans.

b. Any person keeping chickens shall immediately report any unusual illness or death of chickens to the health department.

c. The commissioner may order testing, quarantine, isolation, vaccination or humane euthanasia of ill chickens or chickens believed to be a carrier of a communicable disease.

5. PERMIT REVOCATION. A permit is subject to revocation upon failure to comply with any provisions of sub. 3 or 4. Once a permit is revoked, a permit shall not reissued.

78-7. Kennels, Horse Stables and Animal Fancier Permits.

1. KENNELS AND HORSE STABLES. a. Permit Required. No person shall operate a kennel or horse stable without a valid permit issued by the commissioner. When all applicable provisions of this section along with applicable federal and state of Wisconsin requirements have been complied with by the applicant and a valid occupancy permit for this business has been issued by the commissioner of city development, the commissioner shall issue a permit to operate upon payment of the fee required in s. 60-51.

b. Kennels; Operation. Kennels shall be operated in accordance with the following requirements:

b-1. All animals shall be maintained in a healthy condition, or if ill shall be given appropriate treatment immediately.

b-2. The quarters in which the animals are kept shall be maintained in a clean condition and in a good state of repair.

b-3. Animal pens or enclosures shall be large enough to provide freedom of movement to

the animals contained therein and shall be constructed of nonporous and noncorrosive materials. Dogs and cats over the age of 5 months shall be housed in separate enclosures with enough space as set by applicable federal requirements with no more than 3 dogs or 3 cats contained within the same enclosure. Animals shall not have the freedom to roam the business establishment.

b-4. Food supplies shall be stored in rodent-proof containers and food and water containers shall be kept clean.

b-5. Litter or bedding material shall be changed as often as necessary to prevent an odor nuisance.

b-6. Feces shall be removed from yards, pens and enclosures at least daily and stored in tightly covered metal containers until final disposal.

b-7. Yards, pens, premises and animals shall be kept free of pest infestations.

b-8. No odor nuisance shall be permitted. Any animal holding area containing animals shall be provided with fresh air by means of windows, doors, vents, exhaust fans or air conditioning so as to minimize drafts, odors and moisture condensation.

b-9. Kennels shall also be operated in accordance with requirements set forth in s. 78-9-3 to 5. Nothing in this section shall apply where kennel services are incidental to the operation of a veterinary hospital.

c. Horse Stables; Operation. Horse stables shall, in addition to the requirements set forth in sub. b-1, 2, 4 to 8 and s. 78-5, be operated in accordance with the following:

c-1. Horse stalls or enclosures shall be large enough to provide freedom of movement to the animals contained therein and shall be constructed of such materials and in such a manner as to comply with all local, state and federal requirements.

c-2. Horses shall be stabled indoors.

c-3. The temperature of the stable shall comply with all local, state and federal animal welfare regulations.

c-4. An approved water supply shall be provided to all parts of the stable for the horses and to be used for wet cleaning.

c-5. Floor drains connected to an approved sewage system must also be provided.

2. ANIMAL FANCIER PERMITS.

a. The commissioner shall issue an animal fancier permit upon the payment of all applicable fees required in s. 60-3, provided that the owner has no outstanding violations under this chapter.