



City of Racine

City Hall
730 Washington Ave.
Racine, WI 53403
www.cityofracine.org

Meeting Agenda Board of Health

*President John Berge, PhD
Laura Martinez
Secretary Dottie-Kay Bowersox, MSA
Sarah Fouse, PhD
Elizabeth Hojan, MBA
Vice President Mohammed Rafiullah, MD
Alderman Edward Diehl
, PhD Robert Mozol
Alderman Jim Kaplan*

Tuesday, April 14, 2015

4:15 PM

City Hall, Room 106

1. **Call To Order**
2. **Approval of Minutes for March 10, 2015 Meeting**
3. **Public Comment**
4. **Board of Health Term Expirations**

*The following member's terms will expire the 3rd Tuesday in April:
Mohammed Rafiullah, MD, Robert Mozol, Elizabeth Hojan, MBA and Aldermen Jim
Kaplan and Edward Diehl, PhD. Nominations for Board of Health President and Vice
President will occur at the May meeting.*

5. **Communications**

[14-10796](#) Subject: Ordinance 12-14 Dangerous Animals

To repeal and recreate Sections of Chapter 10 - Animals of the
Municipal Code of Racine, Wisconsin.

Recommendation of the City Attorney: That Ordinance 12-14 be
adopted.

Fiscal Note: N/A

Attachments: [Dangerous Animals Ordinance - Final 4-10-15 REVISED](#)

[15-00330](#) Subject: (Direct Referral) Communication to repeal and recreate
Sections of Chapter 10 - Animals of the Municipal Code of the City of
Raicne, Wisconsin. (Ordinance 04-15 - Urban Chickens)

Attachments: [Urban Chickens Ordinance 04-15 - 4 10 2015](#)

[Ord.04-15](#) Ordinance 04-15 - Urban Chickens

An ordinance to repeal and recreate Sections of Chapter 10 - Animals of the Municipal Code of the City of Racine, Wisconsin.

The Common Council of the City of Racine, Wisconsin do ordain as follows:

Part 1: To amend Sec. 10.1.- Definitions of the Municipal Code of the City of Racine, Wisconsin, by inserting the following definitions in the proper alphabetical order.

Backyard means a portion of a lot enclosed by the property's rear lot line and the side lot lines to the points where the side lot lines intersect with an imaginary line established by the rear of the single family structure and that extends to the side lot lines.

Chicken means the common domestic fowl (*Gallus domesticus*) or its young. There are no restrictions on chicken species.

Chicken Pen means a wire enclosure attached to a henhouse for the purpose of allowing female chickens to leave the hen house while remaining in an enclosed, predator-safe environment.

Chicken Tractor means a moveable hen house/chicken pen lacking a floor.

Hen means the female of the domestic fowl.

Hen House means a structure for the sheltering of hens. An existing shed or garage can be used for this purpose if it meets the standards contained in this subsection including the required distance from property lines and all applicable City of Racine Building Codes.

Nest Box means a box in a hen house in which domestic chickens lay eggs.

Principal Residence means the primary location that a person inhabits.

Rooster means the male of the domestic fowl.

Sanitary Manne means favorable to health and cleanliness with precautions against disease.

Part 2: To repeal and recreate the definition of Livestock in Sec. 10.1. - Definitions of the Municipal Code of the City of Racine, Wisconsin, as follows:

"Livestock means horses, donkeys, mules, cattle, swine (except chickens and pot-bellied pigs as defined in this section), bison, alpacas, llamas, goats, sheep, ducks, turkey, peacocks, ratites, or geese."

Part 3: To amend Chapter 10 - Animals, Article I of the Municipal Code of the City of Racine, by adding the following section:

“Sec. 10.6. - Urban Chickens

(a) Purpose

Provide standards for the keeping of domesticated chickens on a non-commercial basis in zoned residential areas in the City of Racine. The keeping of chickens in the city supports a local, sustainable food system by providing an affordable, nutritious source of protein through fresh eggs. The keeping of chickens also provides free, quality, nitrogen-rich fertilizer; chemical-free pest control; weed control; and animal companionship.

(b) Restrictions

The maximum number of chickens that may be kept on any residential property is four (4). The minimum size requirements for a hen house are three (3) square feet per bird, with seven (7) square feet per bird in a chicken pen. One (1) nest box is required per every two (2) birds.

No person shall keep a rooster.

No person shall keep chickens in any location on the property other than in the backyard.

No person, owner or custodian shall permit any chicken to be left unattended within five (5) feet of a public right-of-way which is not limited to sidewalk, streets alleys, and parking lots.

No person may keep a hen over eight (8) weeks of age in a principal residence.

Chickens may only be kept at single-family residential properties. No chicken may be kept at mobile homes, condominiums, apartment complexes, duplexes, or any other multiple-family property.

Hen houses and chicken pens shall not be located closer than seventy-five (75) feet from the ordinary high water mark of any lake, river, or stream.

If a chicken dies, it must be disposed of promptly in a sanitary manner. No person shall keep or maintain more than seven (7) licensed / permitted animals or a combination of more than seven (7) licensed / permitted animals including four (4) permitted chickens on any parcel.

(c) Care and Health of Fowl

Chickens shall be kept and handled in a sanitary manner to prevent the spread of communicable disease among birds or to humans. Any person keeping chickens shall immediately report any unusual illness or death of chickens to the City of Racine Public Health Department. The Public Health Administrator may order testing, quarantine, isolation, vaccination or humane euthanasia of ill chickens or chickens believed to be a carrier of a communicable disease.

(d) Non-Commercial Use Only

Chickens shall be kept as pets and for personal use only. No person shall sell or barter eggs or engage in chicken breeding or fertilizer production for commercial purposes including, but not limited to, farmer's markets. The slaughtering of chickens is prohibited unless it is accomplished/processed at a licensed facility.

(e) Enclosures

Chickens must be kept in a hen house and chicken pen at all times when not being monitored by a responsible individual, over eighteen (18) years of age and able to immediately return the hens to the chicken pen, hen house, or chicken tractor if necessary. Chickens shall be secured within the hen house during non-daylight hours.

All enclosures for the keeping of chickens shall be so constructed and maintained as to prevent rats, mice, other rodents, and animals from being harbored underneath or within the enclosure. A covered or fenced enclosure must be at least twenty-five (25) feet from a neighboring principal residence, at least two (2) feet from the side and rear property lines, and at least five (5) feet from the residence upon the property where the chickens are kept.

Noise from chickens shall not be loud enough at the property boundaries to disturb a person of ordinary sensitivity.

A well maintained hen house shall be provided and be designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to other residents in the neighborhood.

Enclosures must be clean, dry and kept in a neat and sanitary condition at all times, and exists in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact.

The hen house shall be enclosed on all sides and have a roof and doors. Access doors must be able to be shut and locked at night. Opening windows and vents must be covered with predator and bird proof wire of no more than one (1) inch openings.

The hen house and chicken pen must provide adequate ventilation as well as sun protection, and be sanitary, insulated, weatherproof and impermeable to rodents, wild birds, and predators, including dogs and cats. It must also be structurally sound, moisture proof and maintained in good repair with sufficient space for freedom of movement and retention of body heat with elevated perches for natural roosting position. The nesting boxes must be elevated off the ground.

Only motion-activated lighting may be used to light the exterior of the hen house.

An enclosed chicken pen must be provided consisting of sturdy wire fencing of less than one (1) inch openings. The pen must be covered with wire, aviary netting, or solid roofing long enough to enable running (6-10 feet minimum length), and wide enough to enable wing extension (3-6 feet minimum width).

(f) Bedding

The material that covers the floor of a chicken henhouse is commonly referred to as bedding and should be at least two (2) inches thick. The primary function of the bedding is to absorb moisture from droppings, water spills, limit odors and facilitate coop cleaning.

(g) Feed and Water

Chickens must be provided with access to feed and clean water at all times.

All chicken related feed and items likely to attract or become infested by rats, mice, or other rodents and / or insects shall be protected as to prevent such creatures from gaining access to the feed / items.

The main food source for the chickens should be provided in dedicated feeding containers. Scatter feeding is prohibited (small amounts of scratch grains that do not accumulate on the property are allowable).

(h) Waste Storage and Removal

Provisions must be made for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. All manure not stored or used for composting or fertilizing shall be removed. Waste composting on the premises shall be allowed as long as it does not create odors or other nuisances for neighboring properties. In addition, the hen house, chicken pen and surrounding area must be kept free from feathers, trash, and accumulated droppings. Uneaten feed shall be removed daily.

(i) Permit

Any person who keeps chickens in the City of Racine shall obtain a permit from the City of Racine Public Health Department prior to acquiring the chickens by completing the Application for a Chicken Permit form. A person who keeps chickens on his or her property shall comply with all of the requirements listed within this ordinance including acquiring a permit to construct an accessory structure through the City of Racine Building Department, if applicable.

Permit holders must demonstrate compliance with this ordinance at

least annually and more frequently if complaints arise. Compliance shall be demonstrated by an on-site inspection by the City of Racine Environmental Health Division after the Application for a Chicken Permit has been submitted.

In addition, persons must register their parcel as a livestock premises with the Wisconsin Department of Agriculture, Trade, and Consumer Protection. Registration can be completed online at www.wiid.org or by telephone at 888-808-1910 and must be renewed every three (3) years.

(j) Fee

The fee for an annual permit to keep up to four (4) hens greater than eight (8) weeks of age, acquired on or before the date the hen(s) becomes eight (8) weeks of age, is fifty (\$50.00) dollars. This is an annual fee which cannot be prorated. This includes an onsite inspection by the City of Racine Health Environmental Division. Only one license may be issued to each parcel number. Permits must be renewed prior to January 1 and expire December 31 of each year. Late fees will apply after January 31 of each year.

(k) Penalties for Violations

If the requirements of this subsection are not complied with the City may refuse to renew or may revoke any permit granted after providing ten (10) business days' notice of the basis for the revocation or nonrenewal and/or initiate prosecution for a civil infraction violation. Once a permit is revoked, a permit shall not be reissued for three (3) years.

Part 5: To repeal and recreate subsection (a) of Sec. 10.41. - Livestock and restricted animals prohibited of the Municipal Code of the City of Racine, Wisconsin, as follows:

(a) No person shall keep or permit to be kept on his premises any livestock (other than chickens or pot bellied pigs) or other restricted animals.

Part 6: Amend subsection (b) of Sec. 10-4. - Payment of forfeiture in lieu of court appearance of the Municipal Code of the City of Racine by adding the following section:

Section number	Violation	Forfeiture
10-6	Urban Chickens	\$100 - \$500

Part 7: Sections 10-7 - 10-25 are hereby reserved.

Part 8: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or

posting as required by law.

Passed by the Common Council:
Approved:

Mayor

Attest:

City Clerk

Fiscal Note: N/A

6. Grants/Contracts/Communications Status Report

[15-00313](#)

Subject: (Direct Referral) Grant/Contract/Communication Status Report

Attachments: [GRANT-CONTRACT-COMM REPORT Mar2015](#)

7. Reports

[15-00314](#)

Subject: (Direct Referral) March Reports from the Public Health Administrator and Division Managers

Attachments: [PHA Rep Dottie-Kay Bowersox - Mar2015](#)

[CHP CD Rep Bobbi Fergus - Mar2015](#)

[ENV Rep Marcia Fernholz - Mar2015](#)

[LAB Rep Julie Kinzelman - Mar2015](#)

8. Adjournment

If you are disabled and have accessibility needs or need information interpreted for you, please call the Health Department at 262-636-9201 at least 48 hours prior to this meeting.