

The following resolution was presented:

RESOLUTION NO. 18-002
2017 Compliance Maintenance Annual Report

Moved by Alderman Bablick and seconded by Alderman Wartgow to adopt the resolution as presented. Motion carried.

Alderman Bablick presented the following ordinance:

ORDINANCE NO. 18-003
Chicken Ordinance

Moved by Alderman Mader and seconded by Alderman Thier to approve the ordinance as presented. Motion carried, 4-2, Aldermen Dryer and Wartgow voting no. Moved by Alderman Mader and seconded by Alderman Thier to set the original permit fee for the keeping of chickens at \$75.00 with an annual renewal fee of \$20.00 and a late fee of \$20.00. Motion carried, 6-0. Moved by Alderman Wartgow and seconded by Alderman Mader to set the bond for violation of this ordinance at \$25.00. Motion carried.

Mayor Leitl presented his report. He noted that STH 182 resurfacing is complete, and that the beautification group has painted Stueber Pavilion and decorated it and the downtown area with donated flower baskets.

City Attorney Schoenborn presented his report. The following ordinances were introduced:

ORDINANCE NO. 18-004
Section 13-1-26-B: C-2 Commercial District

ORDINANCE NO. 18-005
Section 13-1-26: C-1 Commercial District

ORDINANCE NO. 18-006
Section 13-1-20: Districts Established

Moved by Alderman Bablick and seconded by Alderman Wartgow to approve these ordinances as presented. Motion carried, 6-0.

Clerk-Treasurer Homann informed the Council that she would be attending the League of Wisconsin Municipalities Clerk Treasurer Finance Officer (CTFO) Conference on June 13-15.

Police Chief Straetz and Mayor Leitl presented Police Officer Dominick Koller a Life Saving Award for his actions in response to an emergency call on Monday, June 4, 2018, where Officer Koller performed CPR and saved a man's life.

ORDINANCE NO. 18-003

Section 6-6-1: CHICKEN ORDINANCE

The Common Council of the City of Park Falls ordains the creation of SEC. 6-6-1 as follows:

Section 1:

- (a.) **Purpose.** The purpose of this Ordinance is to allow residents to keep chickens, while providing for and ensuring the health and overall well-being of the surrounding neighborhood.
- (b.) **Permit Required.** No person shall keep chickens in the city without obtaining a valid permit approved by the Board of Public Works and issued by the Building Inspector. The permit process requires a completed application accompanied by the fee as determined by the Common Council. A detailed site plan must be provided to the Board of Public Works with the application. The Board of Public Works can, in its absolute discretion, deny a permit for any reason, including based on the aesthetic nature of the proposed permit. The permit shall expire December 31 of each year. A renewal permit must be applied for annually and a renewal fee paid with each application. Prior to the issuance of a renewal permit, the Building Inspector shall provide proof of annual inspection to the Board of Public Works. The renewal fee shall be determined by the Common Council. A late fee shall be determined by the Common Council. Any resident who is currently keeping chickens shall have until January 1, 2019 to come into compliance with this ordinance. If compliance is not met, the Board of Public Works may order the complete removal of all chicken coops, enclosures, or fenced areas.
- (c.) **Neighborhood approval required.** Before a permit is issued for the keeping of chickens, the Building Inspector shall notify owners and occupants of each abutting property where the chickens will be kept, whether directly or diagonally abutting, or across from an alley, in writing of the applicant's intention to apply for such a permit. If any owner or occupant protests the letter within ten (10) business days, the permit may only be issued by the Board of Public Works upon written request from the applicant. Upon written request from the applicant, the Board of Public Works shall consider the application. The Building Inspector shall notify both the applicant and the objecting owner(s)/occupant(s) in writing at least five (5) days in advance of the Board of Public Works meeting at which the application is to be considered. Renewal of permits shall not require neighborhood approval as set forth herein.
- (d.) **Keeping of chickens allowed.** The keeping of up to four (4) chickens, with a permit, is allowed on a single family residential, non-leased/rental premise, provided the following conditions are complied with:
 - 1. No person shall keep a rooster.
 - 2. No person shall slaughter any chicken.

3. Chickens shall be provided with fresh water at all times and adequate amounts of feed.
4. Chickens shall be provided with a sanitary and adequately-sized enclosure or coop, and shall be kept in an enclosure or a sanitary, adequately-sized, and accessible fenced enclosure at all times.
5. Chicken coops shall be constructed in a workman-like manner, be moisture-resistant and either raised off the ground or placed on a hard surface such as concrete, patio block, or gravel.
6. Chicken coops and enclosures shall be constructed and maintained to prevent the collection of standing water, and shall be cleaned of droppings, uneaten food, feathers, and other waste daily and as necessary to ensure that the coop and yard area do not become a health, odor, or other nuisance.
7. Chicken coops, enclosures, and yards, when considered together, shall be large enough to provide sixteen (16) square feet per chicken. The total area devoted to keeping chickens may not exceed one hundred (100) square feet.
8. No part of any enclosure shall be located closer than twenty-five (25) feet from any residential dwelling on an adjoining lot. No part of any enclosure or fenced area may be located closer than five (5) feet from any lot line. No part of any enclosure or fenced area shall be located nearer than twenty-five (25) feet from any navigable waterway.
9. No enclosure or fenced area may be located in the required front yard area of a lot.
10. No one may keep any chickens in a manner that causes a nuisance, unhealthy condition, or a public health threat.
11. No part of any chicken coop, enclosure, or fenced area may be located on a parcel without a primary structure.

(e.) **Permit revocation.** A permit is subject to revocation by the Board of Public Works upon written recommendation of the Building Inspector. Upon such recommendation, the Building Inspector shall notify the permit holder in writing at least five (5) days in advance of the Board of Public Works meeting at which the revocation is to be considered. Once a permit is revoked, it shall not be reissued for a period of at least two (2) years. Upon the written recommendation of the Building Inspector, the Common Council may order the complete removal of all associated chicken coops, enclosures, and fenced areas. If the owner does not remove all associated chicken related coops, enclosures, and fenced areas within thirty (30) days of an order of removal, the City may remove all such items, and all costs associated with this removal shall be assessed on the property owner's tax bill as a special charge.

Section 2: If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a Court of competent jurisdiction or by any agency or of any kind by anyone else, the remainder of this Ordinance shall not be affected.

Section 3: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4: This Ordinance shall take effect and be in effect June 21, 2018 after passage and publication according to law.

APPROVED:

Daniel G. Leitl, Mayor

ATTEST:

Arla J. Homann, Clerk-Treasurer

Adopted: 06/11/2018
Approved: 06/11/2018
Published: 06/21/2018
Attest: 06/11/2018