

## TOWN OF MERRIMAC ORDINANCE 2012-09

### AN ORDINANCE AMENDING SECTIONS OF THE TOWN OF MERRIMAC ZONING ORDINANCE

The Town Board of the Town of Merrimac, Sauk County, Wisconsin, do ordain as follows:

Repeal Section 7.02 (5) (a), (b) and (c) and replace with the following new section (**new language is in bold**):

5) Animals and fowl other than household pets shall be permitted with the following limitations:

- a) **Keeping of chickens on lots that are a minimum of 1.15 acres up to no more than 4.99 acres may be permitted with the following limitations:**
  1. **Keeping of roosters is prohibited.**
  2. **A maximum of 20 chickens may be kept on any property.**
  3. **Coop and run required.**
    - a) **Chickens shall be provided with a coop (i.e. a covered roosting area) and an adjacent run (i.e. enclosed area in which chickens are allowed to walk and run about).**
    - b) **The coop shall not exceed 100 square feet in area or 12 feet in height.**
    - c) **The coop and run shall be located in the rear yard at least 25 feet from all property lines and at least 10 feet from the principal structure.**
    - d) **The coop and run shall be set back a minimum of 75 feet from any ordinary high water mark, wetland, floodplain, and perennial or intermittent drainage way (as depicted on USGS 7.5-minute quadrangle maps).**
    - e) **The run shall be surrounded by a fence that is between 36 and 96 inches in height.**
    - f) **Chickens shall not be permitted in any other structure on the lot, including garages, basements, and attics, nor outside of the coop or run.**
    - g) **The sale of live chickens, meat, eggs, or other by-products is prohibited without the approval of the Wisconsin Department of Agriculture, Trade, and Consumer Protection.**
    - h) **The property owner shall register with the Wisconsin Department of Agriculture, Trade, and Consumer Protection in accordance with WI Administrative Code DATCP 17.02.**
  4. **A permitted use to keep chickens may be suspended or revoked by the Zoning Administrator where there is a risk to public health or safety, or for any violation of or failure to comply with any of the provisions of this ordinance, including encroachments onto other properties, or with the**

**provisions of any other applicable ordinance or law. The property owner may appeal the Administrator's decision to the Town Board of Appeals.**

- b) Lots or parcels on which such animals or fowl (**described in Subsection 5), above**) are maintained shall contain a minimum of 5 acres. **In addition:**
  - 1. Any building housing such animals or fowl shall be not less than 100 feet from any lot line; **and,**
  - 2. Appropriate confinement must be provided.
- c) Signs – only those meeting the standards of this Ordinance.

Recommended for Approval by the Planning & Zoning Commission – August 15, 2012

Approved by the Town Board – September 5, 2012

Approved by the Sauk County Board – November 8, 2012