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RESOLUTION # 13-2011

Resolution offered by the Planning and Zoning Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Planning & Zoning Committee, having considered Ordinance Amendment #9-2010, (copy attached) which was filed October 28, 2010, to amend the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon November 17, 2010 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

WHEREAS, chickens and ducks can provide food for families in the form of eggs and meat; and

WHEREAS, a property owner should be allowed to keep a small amount of chickens and ducks on their property; and

WHEREAS, the Planning and Zoning Committee held a Public Hearing and a majority of the public supported the keeping of chickens and ducks without overly burdensome restrictions; and

WHEREAS, the Planning and Zoning Committee has carefully studied the proposed changes after listening to comments made at the Public Hearing and recommends approval.

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

9.56 Domesticated Chickens / Ducks

A. Purpose and Intent

1. It is the purpose of this Ordinance to provide standards for the keeping of domesticated chickens and ducks.

B. Definitions.

1. Chicken – The common fowl (Gallus gallus) especially when young; also: its flesh used as food.

49 2. Duck – Any of various swimming birds (family Anatidae, the duck family) in which
50 the neck and legs are short, the feet typically webbed, the bill often broad and
51 flat, and the exes usually different from each other in plumage.

52 C. Number of Chickens and Ducks allowed.

53 1. The maximum number of chickens and /or ducks allowed is eight (8) per lot.

54

55 D. Location

56 1. Chickens and ducks pursuant to this Section are allowed in District
57 #2, Single Family Residential, only.

58

59 The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment
60 #07-2010 by the Oneida County Board of Supervisors, cause a certified copy thereof to be
61 transmitted by mail to all Town Clerks and The Department of Natural Resources.

62

63 Vote Required: Majority = _____ 2/3 Majority = _____ ¾ Majority = _____

64

65 The County Board has the legal authority to adopt: Yes _____ No _____ as reviewed
66 by the Corporation Counsel, _____, Date: _____
67 Approved by the Planning and Zoning Committee this 5th day of January, 2011.

68

69 Offered and passage moved by:

70

_____ Supervisor

71

_____ Supervisor

72

_____ Supervisor

73

_____ Supervisor

74

_____ Supervisor

75

_____ Supervisor

76

_____ Supervisor

77

_____ Supervisor

78

79 _____ Ayes

80

81 _____ Nays

82

83 _____ Absent

84

85 _____ Abstain

86

87 _____ Adopted

88

89 by the County Board of Supervisors this _____ day _____, 2011.

90

91 _____ Defeated

92

93 _____

94

Mary Bartelt, County Clerk

Ted Cushing, County Board Chair