
LEGISLATIVE/LICENSING COMMITTEE MEETING

Monday, March 14, 2022, at 8:30 a.m.
Caledonia Village Hall – 5043 Chester Lane

1. Call to Order
2. Approval of Minutes
3. **Ordinance 2022-XX** - An Ordinance To Create A New Section 7-1-26, Renumber And Amend The Penalties Section 7-1-27 And Reserve Additional Sections For Future Use Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin, Relating To Keeping Of Chickens In Single-Family Residential Districts
4. **Ordinance 2022-XX** - An Ordinance To Amend Section 7-1-10 Of The Code Of Ordinances For The Village Of Caledonia Relating To The Fee For Animal Feces
5. Adjournment

Dated March 11, 2022

Joslyn Hoeffert
Village Clerk

Only committee members are expected to attend. However, attendance by all Board members (including non-members of the committee) is permitted. If additional (non-committee) Board members attend, three or more Board members may be in attendance. Section 19.82(2), Wisconsin Statutes, states as follows:

If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purposes of exercising the responsibilities, authority, power or duties delegated to or vested in the body.

To the extent that three or more members of the Caledonia Village Board actually attend, this meeting may be rebuttably presumed to be a “meeting” within the meaning of Wisconsin’s open meeting law. Nevertheless, only the committee’s agenda will be discussed. Only committee members will vote. Board members who attend the committee meeting do so for the purpose of gathering information and possible discussion regarding the agenda. No votes or other action will be taken by the Village Board at this meeting.

**LEGISLATIVE/LICENSING COMMITTEE MEETING
CALEDONIA VILLAGE HALL
5043 CHESTER LANE, RACINE, WI 53402
Monday, February 14, 2022**

1. Call to Order

Trustee Wanggaard called the meeting to order at 8:17 a.m. In attendance were:

Committee Members: Trustee Wanggaard and Trustee Stillman.

Absent: None.

Staff/Others Present: Chief Christopher Botsch, HR Manager Michelle Tucker, Village Clerk Joslyn Hoeffert, and Village Administrator Kathy Kasper.

2. Approval of minutes

Trustee Stillman motioned to approve the minutes as printed from January 17, 2022. Seconded by Trustee Wanggaard. Motion carried unanimously.

3. Dog Fancier's Application /Jennifer Laughman 12525 Adams Rd, Franksville

Reading from the report provided by Detective Zoltak, the property and the wellbeing of the dogs pass inspection. There has also been no complaints on this property.

Motion by Trustee Stillman to approve the Dog Fancier's Application/Jennifer Laughman 12525 Adams Road, Franksville and forward to the Village Board for final approval. Seconded by Trustee Wanggaard. Motion carried unanimously.

4. Clerk Authority for Various Permits (Special Events)

Clerk Hoeffert presented the changes that were made to the existing Ordinance regarding Special Events. This would give the Clerk to authority to approve Special Events so that they do not have to go through the Village Board.

Motion by Trustee Stillman to approve the draft Ordinance for the Clerk Authority for Various Permits and to forward to the Village Board for Final Approval. Seconded by Trustee Wanggaard. Motion carried unanimously.

5. Ordinance 2022-XX - An Ordinance To Amend Section 11-2-1(B)(1); Section 11-2-1(B)(2); Section 11-2-1(B)(3); And Section 11-2-1(C)(1) Of The Code Of Ordinances For The Village Of Caledonia Relating To Weapon Discharge

This was brought up to discuss changes to the Village's Hunting map to make sure that new and existing developments are at a safe distance. Chief Botsch did some research and spoke with

**LEGISLATIVE/LICENSING COMMITTEE MEETING
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the DNR regarding the Hunting map. The shooting distance buffer also changed from 300 feet to 500 feet.

Motion by Trustee Stillman to recommend approval of Ordinance 2022-XX - an Ordinance to amend section 11-2-1(b)(1); section 11-2-1(b)(2); section 11-2-1(b)(3); and section 11-2-1(c)(1) of the code of ordinances for the village of Caledonia relating to weapon discharge and forward to the Board with final approval. Seconded by Trustee Stillman. Motion carried unanimously.

6. Adjournment

There being no further business, Motion by Trustee Stillman to adjourn the meeting at 8:25 a.m. Trustee Wanggaard seconded. Motion carried unanimously.

Respectfully submitted,
Megan O'Brien
Deputy Village Clerk

Ordinance No. 2022-XX

AN ORDINANCE TO CREATE A NEW SECTION 7-1-26, RENUMBER AND AMEND THE PENALTIES SECTION 7-1-27 AND RESERVE ADDITIONAL SECTIONS FOR FUTURE USE OF THE CODE OF ORDINANCES OF THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN, RELATING TO KEEPING OF CHICKENS IN SINGLE-FAMILY RESIDENTIAL DISTRICTS

The Village Board of the Village of Caledonia, Racine County, Wisconsin, do ordain as follows:

1. That Section 7-1-26 of the Code of Ordinances for the Village of Caledonia be, and hereby is, created to read as follows:

"SEC. 7-1-26 KEEPING OF CHICKENS IN SINGLE-FAMILY RESIDENTIAL DISTRICTS

- A. **When Hens Allowed.** Within the jurisdictional limits of the Village, Hens are allowed by permit under this Section on property zoned single family residential that also contains an occupied single-family dwelling if kept in compliance with this Section. This ordinance is adopted under the Village's police power for the health, safety and welfare of its residence and for the protection of property.
- B. **Definitions.**
 - (1) **Chicken.** "Chicken" shall mean in this Section to include both Hens and Roosters generally.
 - (2) **Hen.** "Hen" shall mean in this Section a female Chicken.
 - (3) **Rooster.** "Rooster" shall mean in this Section a male Chicken.
- C. **Prohibitions.**
 - (1) **Roosters Not Allowed.** Roosters are prohibited on property that is permitted for Hens. Note: Roosters remain restricted as livestock under Sec. 7-1-13(e) of this Chapter.
 - (2) **Slaughtering.** Slaughtering of Chickens within the jurisdictional limits of the Village of Caledonia is prohibited except on properties properly zoned and approved for such use.
 - (3) **Bird Fighting.** The raising or keeping of Chickens for fighting and the fighting of Chickens is prohibited within the Village of Caledonia as per § 951.08, Wis. Stats.
 - (4) **Business Or Commercial Use Prohibited.** Nothing herein shall

be interpreted to authorize the conduct of a business or commercial use on a residential property. No sales of eggs, chicks, or chickens shall be made from any residential property.

D. Requirements.

- (1) **Where allowed.** Hens are not allowed in any residential zoning district except for single-family residential districts and on property that contains an occupied single family dwelling. Hens shall not be allowed to roam freely and must be contained to coops and runs as set forth below.
- (2) **Maximum number of Hens.**
 - (a) Up to five (5) hens shall be allowed on parcels that are 4 acres or less in size in compliance with this ordinance.
 - (b) Up to thirty-three (33) hens shall be allowed on parcels that are 5 acres or greater in size in compliance with this ordinance.
- (3) **Feed.** All feed for Hens must be kept in airtight containers that are out of reach of wild animals.
- (4) **Coops.** Hen coops are required to house the Hens on a property in compliance with this ordinance. An accessory building permit is required for all Hen coops. A Hen coop is a building structure that provides housing/shelter for Hens and shall meet the following requirements:
 - (a) Hens must be provided at least 3 square feet of floor space each.
 - (b) A coop must have minimum dimensions of 2 feet long by two feet wide by 4 feet tall.
 - (c) There must be at least 1 nesting box per hen.
 - (d) Coops must include elevated perches to ensure chickens are able to rest in their natural position.
 - (e) Coops must be structurally sound, insulated, moisture proof and kept in good repair.
 - (f) Coops must have vents to ensure proper ventilation during all times of the year.
 - (g) There must be a minimum of 1 foot of window for each 10

feet of wall space.

- (h) Coops must be clean, dry and kept in a neat and sanitary condition at all times and exist in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor, or other adverse impact.
 - (i) Waste from Hens must be properly disposed of according to Sec. 7-1-10.
 - (j) During the winter months to protect from inclement weather:
 - (1) Windows must be covered with clear plastic to minimize drafts. Air vents shall be installed to ensure adequate air quality for the Hens.
 - (2) Heating lamps or other technology may be needed to keep the coop at a temperature of no less than 40° F.
 - (3) Water must not be frozen in the winter.
 - (k) Coops must provide access to the chicken run.
 - (l) No coop shall be located closer than 20 feet to any residential lot line on an adjacent lot. Coops (and their runs) must be located in the rear yard and must meet requirements of accessory structures under Section 16-1-1(a)(11) of this Code.
 - (m) Bedding. The material that covers the floor of a coop is commonly referred to as bedding and should be at least two inches thick. The primary function of the bedding is to absorb moisture from droppings, water spills, limit odors, and facilitate coop cleaning.
- (5) **Chicken Runs.** Hens must have access to an outdoor fenced structure that meets the following requirements:
- (a) Each Hen shall have at least 6 square feet of space each in the run.
 - (b) Minimum dimensions - 2 feet wide by 2 feet long by 3 feet tall.

- (c) Fencing must have spacing of no more than 1 inch.
- (d) Top of the run must be covered with fencing with spacing of one inch or less.
- (e) Fencing shall be buried 1 foot under the ground if the run is not mobile.
- (f) During the winter months to protect from inclement weather:
 - (1) The run must be surrounded by clear plastic on all sides. Air vents shall be installed to ensure adequate air quality for the Hens.
 - (2) The top of the run must be covered in clear plastic.

(6) **General care requirements.** Hens must be properly cared for.

- (a) Feed must be provided daily and must be proper for Hens in accordance with § 951.13.(1), Wis. Stats.
- (b) Clean water must be provided at all times and changed daily in accordance with § 951.13. (2), Wis. Stats.
- (c) All enclosures for the keeping of Hens shall be so constructed and maintained as to prevent rats, mice, other rodents, and animals from being harbored underneath or within the enclosure.

E. **Permit; Application and Review Process.** A permit from the Village is required in order to keep Hens on property as provided for under this ordinance. Only one permit shall be issued to each parcel number. Permits expire December 31 of each year. Applications shall be made prior to December 1st of each year including for renewals. Late fees will apply after January 31st of each year

- (1) Applicant shall submit the following to the Village Clerk's office:
 - (a) Completed initial or renewal permit application in a form from the Village's Clerk's office.
 - (b) A copy of the proof of registration of the property where

Hens will be kept with the Wisconsin Department of Agriculture, Trade, and Consumer Protection.

- (c) A plan that includes a scaled drawing of the parcel showing the proposed location of the coop and run. The drawing shall include dwelling units on properties within 100 feet of the proposed coop and run location.
- (d) Fees as may be applicable

(2) Review and Approval.

- (a) **Plan Review.** Prior to approval of the initial permit, the plan and location shall be reviewed and approved by Building Inspector or designee prior to approval of the initial Permit. Renewal applications do not require resubmission of the plan.
- (b) **Site Inspection.** Prior to the initial permit, the intended site for the keeping of the Hens shall be inspected by the Zoning Administrator or their designee. Renewal applications do not require a site inspection if there have been no complaints and the plan has not changed.
- (c) **Approval.** Initial and renewal permit applications shall be reviewed by the Village Clerk. The Village Clerk shall approve or deny such application or may, in their discretion, refer the application for review and action by the Legislative and Licensing Committee. Upon referral, the Legislative and Licensing Committee may approve or deny the application utilizing the same criteria under this Subsection. An “initial” application under this Section shall mean an application by a person that has not previously received a permit under this Section for the applied for location. A renewal application shall mean an application by a prior permittee for the same site with the same plans.

F. **Application and Permit fee.** All fees under this ordinance shall be as set forth in the fee schedule as set by the Village Board by Resolution from time-to-time. The fees to be established are as follows: application fee, initial permit fee, renewal permit fee and late fee. These fees will not be prorated.

G. **Complaints; Animal Cruelty.**

- (a) **Complaint Process; Revocation.** Any complaints about Chickens

on property, whether for noncompliance, noise or nuisance, shall be made to the Village Clerk's office. Whenever the Village, through its agents or employees, upon inspection of the property complained of, finds the condition of the property to be in violation of this Section, an order shall be issued by the Zoning Administrator or their designee, to the owner of the property (and occupant if different from owner) to correct said condition within 10 days. If the order is not complied with or the requirements of this Section are not met, the Village may refuse to approve or renew a permit under the Section. The Village may also revoke any permit granted for noncompliance after providing ten business days notice of the basis for the revocation and opportunity for hearing. Any permittee facing revocation may request a hearing before the Legislative and Licensing Committee pursuant to Title 4 of this Code. Once a permit is revoked, a permit shall not be reissued for three years. Nothing herein shall prevent the Village from issuing a citation for violation of any provisions of this Section at the time an order to correct is issued or notice of intent to revoke a permit is issued

- (b) **Animal Cruelty violations.** The following conditions are hereby determined to be animal cruelty under Sec. 7-1-18 of the Village's Code of Ordinances: noncompliance with the requirements for the care and keeping of Hens under this ordinance including inadequate food or water, dirty coop, improper temperature conditions, sick or unhealthy Hens, and improper size coop and run.
- (c) Multiple violations of this Section are a sufficient basis for the Village's revocation of a permit, non-issuance of a permit and/or nonrenewal of a permit.”

2. That Section 7-1-26 of the Code of Ordinances for the Village of Caledonia be, and hereby is, renumbered and amended to read as follows:

"SEC. 7-1-30 PENALTIES.

- (a) Any person violating Sections 7-1-5, 7-1-15, 7-1-16, 7-1-17, 7-1-18, 7-1-19, 7-1-20, 7-1-21, 7-1-22, 7-1-23, 7-1-24, 7-1-25 and 7-1-26 shall be subject to a forfeiture of not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$200.00). This Section shall also permit the Village Attorney to apply to the court of competent jurisdiction for a temporary or permanent injunction restraining any person from violating any aspect of this Ordinance.
- (b) (1) Anyone who violates Sections 7-1-1, 7-1-2, 7-1-3, and 7-1-4 of this Code of Ordinances or Chapter 174, Wis. Stats., shall be subject to a forfeiture of not less than Twenty-five Dollars (\$25.00) and not more than Two

Hundred Dollars (\$200.00) for the first offense and not less than One Hundred Dollars (\$100.00) and not more than Four Hundred Dollars (\$400.00) for any subsequent offenses.

- (2) An owner who refuses to comply with an order issued under Section 7-1-5 to deliver an animal to an officer, isolation facility or veterinarian or who does not comply with the conditions of an order that an animal be quarantined shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) or imprisoned not more than sixty (60) days or both.
 - (c) Any person who violates Section 7-1-6 through, 7-1-14 of this Code of Ordinances shall be subject to a forfeiture of not less than Twenty-five Dollars (\$25.00) and not more than One Hundred Dollars (\$100.00) for the first violation and not less than Fifty Dollars (\$50.00) and not more than Two Hundred Dollars (\$200.00) for subsequent violations.
 - (d) Each and every day that a violation of this Chapter exists constitutes a separate daily violation for which a separate daily penalty can be imposed."
- 3. That Sections 7-1-27 to 7-1-29 are reserved for future use.
 - 4. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this ____ day of _____, 20____.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, President

Attest: _____
Joslyn Hoeffert, Clerk

770272.001(330) 3-11-22

ORDINANCE NO. 2022-XX

AN ORDINANCE TO AMEND SECTION 7-1-10 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CALEDONIA RELATING TO THE FEE FOR ANIMAL FECES

The Village Board of the Village of Caledonia, Racine County, do ordain as follows:

1. That Section 7-1-10 of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

- “(a) Public and private property. It shall be unlawful for any person in immediate control of any animal to permit fecal matter which is deposited by such animal while off of its own premises to remain on any street, alley, sidewalk, lawn, field or any public property, and it shall be solely the responsibility of the person in control of such animal to immediately, after deposit, remove all fecal matter and dispose of the same. Any person owning or having control of an animal on any property, public or private, which is not owned or occupied by such person shall promptly remove excrement left by such animal and place it in a proper receptacle, bury it or flush it in a toilet on property owned or occupied by such person. This Section shall not apply to a person who is visually or physically handicapped. Any person causing or permitting an animal to be on any property, public or private, not owned or occupied by such person shall have in his or her immediate possession a device or object suitable for removal of excrement and a depository for the transmission of excrement to the property owned or occupied by such person.
- (b) Complaints. Any adult person alone or together with other adults may seek relief from animal fecal matter deposits as described in Subsection (a) above by a complaint to the Police Department in the same manner and procedure as set forth in Section 7-1-6(c)(2).”

2. That this ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this _____ day of _____, 2022.

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs
Village President

Attest: _____
Joslyn Hoeffert
Village Clerk

The Village has been receiving numerous complaints about these issues. Please be courteous to your neighbor by following the ordinances.

13.02(2)(m) Animal Feces.

ELM WOOD

1. Public and Private Property. It shall be unlawful for any person in immediate control of any animal to permit fecal matter which is deposited by such animal while off of its own premises to remain on any street, alley, sidewalk, lawn, field or any public property, and it shall be solely the responsibility of the person in control of such animal to immediately, after such deposit, remove and dispose of all such fecal matter. Any person owning or having control of an animal on any property, public or private, which is owned or occupied by such person, shall promptly remove excrement left by such animal and place it in a proper receptacle, bury it or flush it in a toilet on property owned or occupied by such person. This shall not apply to a person who is visually or physically handicapped. Any person causing or permitting an animal to be on any property, public or private, not owned or occupied by such person shall have in his immediate possession a device or object suitable for removal of excrement and a depository for the transmission of excrement to the property owned or occupied by such person.
2. Complaints of Neighbors. If a neighbor complains of fecal odor from a resident's property who owns animals, the health department or Sheriff's Department may issue an order to correct such nuisance. If such nuisance is not corrected, a citation may be issued.
3. Filing Complaints with the Sheriff's Department. Any adult person, alone or together with other adults, may seek relief from animal fecal matter deposits as described in subsection (m) (1) and (2) by making a complaint to the Sheriff's Department.

13.02(4)(k) Noisy Animals or Fowl. The keeping or harboring of any animal or fowl which by frequent or habitual howling, yelping, barking, crowing or making of other noises shall greatly annoy or disturb a neighborhood or any considerable number of persons within the Village.

☐ § 10-10 Animal feces.

MT PLEASANT

[Ord. No. 01-2003, § 7-1-10, 1-14-2003]

- (a) Public and private property. It shall be unlawful for any person in immediate control of any animal to permit fecal matter which is deposited by such animal while off of its own premises to remain on any street, alley, sidewalk, lawn, field or any public property, and it shall be solely the responsibility of the person in control of such animal to immediately, after such deposit, remove and dispose of all such fecal matter. Any person owning or having control of an animal on any property, public or private, which is owned or occupied by such person, shall promptly remove excrement left by such animal and place it in a proper receptacle, bury it or flush it in a toilet on property owned or occupied by such person. This subsection shall not apply to a person who is visually or physically handicapped. Any person causing or permitting an animal to be on any property, public or private, not owned or occupied by such person shall have in his immediate possession a device or object suitable for removal of excrement and a depository for the transmission of excrement to the property owned or occupied by such person.
- (b) Complaints of neighbors. If a neighbor complains of fecal odor from a resident's property who owns animals, the health department or Police Department may issue an order to correct such nuisance. If such nuisance is not corrected, a citation may be issued.
- (c) Filing complaints with Police Department. Any adult person, alone or together with other adults, may seek relief from animal fecal matter deposits as described in Subsection (a) and/or (b) of this section by making a complaint to the Police Department.



§ 180-1 General regulations.

B. Certain animals prohibited.

- (1) No person shall keep swine, cattle, sheep or goats within the City. Horses may be kept after the owner receives a special permit from the Common Council after recommendation of the Board of Health.
- (2) The Health Officer/Public Health Administrator shall have the power to prohibit the keeping of any animal or fowl in any place, location or manner which in his judgment would constitute a health nuisance or be in violation of Subsection **B(1)**.

C. Animal litter.

- (1) Prohibited. It is unlawful for the owner or person in charge of an animal to permit fecal matter which is deposited by such animal while off its own premises to remain on any street, alley, sidewalk, lawn, field or any property, and it shall be solely the responsibility of such owner or person in charge of said animal to immediately after deposit remove all fecal matter by shovel, scoop or like instrument and deposit said fecal matter in a manner approved by the state or other local regulations. Further, the owner, tenant or person in charge of property, or the owner of animals that deposit such on private property, shall keep property clear of fecal matter.
- (2) Complaints. Any person who complains about owner negligence of such cleanup may file a complaint with the Police Department or Health Department. The Department shall notify the offending party in writing of the alleged violation and the provisions of this section. If a complainant again observes the owner violating these provisions, the complainant may submit a written petition to the Police Department or Health Department for commencement of prosecution. The petition shall contain:
[Amended 7-1-2008 by Ord. No. 1259]
 - (a) Name and address of complainant.
 - (b) Description of animal.
 - (c) Address of owner.
 - (d) Dates and times of violations.
 - (e) Date reported to the Police Department.
 - (f) Statement that the petitioner is willing to sign a complaint and testify in court.

Small Animal Classifications:

Chicken

Kingdom	=	Animalia
Phylum	=	Chordata
Class	=	Aves
Order	=	Galliformes
Family	=	Phasianidae
Genus	=	Gallus
Species	=	domesticus



❖ EXERCISE 10

TAXONOMIC CLASSIFICATION CHICKEN

'MANOK'

Kingdom	Animalia
Phylum	Chordata
Class	Aves
Order	Galliformes
Family	Phasianidae
Genus	<i>Gallus</i>
Species	<i>gallus</i>
Subspecies	<i>G. G. domesticus</i>
Scientific name: <i>Gallus gallus domesticus</i>	

❖ EXERCISE 11

TAXONOMIC CLASSIFICATION DOMESTIC DOG

'IRO'

Kingdom	Animalia
Phylum	Chordata
Class	Mammalia
Order	Carnivora
Family	Canidae
Genus	<i>Canis</i>
Species	<i>lupus</i>
Subspecies	<i>Canis lupus familiaris</i>
Scientific name: <i>Canis lupus familiaris</i>	