

LEGISLATIVE/LICENSING COMMITTEE MEETING

**Monday, May 9, 2022, at 8:30 a.m.
Caledonia Village Hall – 5043 Chester Lane**

1. Call to Order
2. Approval of Minutes
3. Bartender License Appeal – Ciara Judd
4. Bartender License Appeal – Brett Greene
5. Approval of New Class A Combination Liquor License/4 Mile Petro LLC/Trade Name Hometown/600 4 Mile Road/ Mohammad Akntar, Agent
6. Ordinance 2022-07 – 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
7. Ordinance 2022-09 – An Ordinance To Amend Section 7-1-13(E)(1); Section 7-1-13(E)(2)(A); And Section 7-1-13(E)(2)(B)(2) Of The Code Of Ordinances For The Village Of Caledonia Relating To Keeping Of Livestock Restricted
8. Keeping of Chickens Application
9. Adjournment

Dated May 6, 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, March 14, 2022**

1. Call to Order

Trustee Wanggaard called the meeting to order at 8:30 a.m. In attendance were:

Committee Members: Trustee Wanggaard and Trustee Stillman. Trustee Martin was also present.

Absent: None.

Staff/Others Present: 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 February 14, 2022. Seconded by Trustee Wanggaard. Motion carried unanimously.

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

Clerk Hoeffert explained the changes that she made to the Ordinance. She brought up the sale of eggs on a residentially zoned property and if the committee would like this to be allowed in the Village or not. The Committee discussed other changes that were made to this Ordinance as well as other recommended changes to be made.

Trustee Martin arrived at 8:34 a.m.

Motion by Trustee Stillman to approve 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 with the three recommended changes and forward to the Village Board for final approval. Seconded by Trustee Wanggaard. Motion carried unanimously.

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

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

Clerk Hoeffert discussed the changes that were made to this Ordinance. The Committee discussed certain changes that they would like to see included in this Ordinance.

Motion by Trustee Stillman to approve 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 with the amended changes and forward to the Village Board for final approval.

Seconded by Trustee Wanggaard. Motion carried unanimously.

5. Adjournment

There being no further business, Motion by Trustee Stillman to adjourn the meeting at 9:29 a.m. Trustee Wanggaard seconded. Motion carried unanimously.

Respectfully submitted,
Megan O'Brien
Deputy Village Clerk

VILLAGE OF CALEDONIA

PLEASE TAKE NOTICE that the following alcohol beverage license application for the licensing year 20221-2022, have been filed with the Village Clerk, Joslyn Hoeffert, 5043 Chaster Lane, Racine, WI:

CLASS A COMBINATION – LIMITED LIABILITY COMPANY

4 Mile Petro LLC

Trade Name: Hometown

600 4 Mile Road Racine, WI 53402

Agent: Mohammad Akntar – 6705 116th Street, Pleasant Prairie, WI 53158

Ordinance No. 2022-07

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.
- (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 2 nesting boxes per 5 hens.
 - (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) Coops must be kept at a temperature of no less than 35° 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, meaning three or more 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. That this ordinance shall take effect on May 16th and upon adoption and publication as required by law.

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

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, President

Attest: _____
Joslyn Hoeffert, Clerk

Ordinance No. 2022-07

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.

~~(a)~~(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 2 nesting boxes per 5 hens.

(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) Coops must be kept at a temperature of no less than 35° 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 located on parcels 5 acres or less 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, meaning three or more 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. That this ordinance shall take effect on May 16th and upon adoption and publication as required by law.

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

VILLAGE OF CALEDONIA

By: _____
James R. Dobbs, President

Attest: _____
Joslyn Hoeffert, Clerk

Ordinance No. 2022-09

AN ORDINANCE TO AMEND SECTION 7-1-13(e)(1); SECTION 7-1-13(e)(2)(a); AND SECTION 7-1-13(e)(2)(b)(2) OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CALEDONIA RELATING TO KEEPING OF LIVESTOCK RESTRICTED

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

1. That Section 7-1-13(e)(1); of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

“(e) Keeping of Livestock Restricted.

- (1) Definition. "Livestock" means cattle, equine as that term is defined in Sec. 895.481(1)(a), swine, sheep, goats, farm-raised deer as that term is defined under Sec. 95.001(1)(ag), Wis. Stat., and other such animals susceptible to use for commercial purposes, including domesticated fowl, such as chickens (except as may be permitted under Sec. 7-1-26), turkeys, geese, ducks, guineas, or other poultry. For the purposes of determining the number of units of livestock allowed on a parcel each unit of livestock shall equal 1000 pounds worth of livestock which shall be calculated pursuant to s. NR 243.03(3) of the Wisconsin Administrative Code.”

2. That Section 7-1-13(e)(2)(a); of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

“(2) Keeping of Livestock.

- a. Prohibition. It shall be unlawful for any person to keep any livestock within the Village unless otherwise permitted by this Chapter, and specifically by Sec. 7-1-26, or by the Zoning Code which has been adopted by the Village pursuant to Title 16 of this Code of Ordinances.”

3. That Section 7-1-13(e)(2)(b)(2) of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

“(b) Exceptions.

2. Residential Use. Livestock, except Chickens as that term is defined under Sec. 7-1-26, may be kept on any parcel zoned for residential

use provided the area of the parcel is at least four acres and the livestock is housed more than 150 feet from every residence not on that parcel. The first two acres shall contain no more than one unit of livestock. Thereafter, each additional unit of livestock shall require one additional acre of land unless otherwise allowed by conditional use permit. The keeping of Chickens, as that term is defined under Sec. 7-1-26, on residentially zoned parcels shall only be permitted in accordance with Sec. 7-1-26 of this Code.”

4. That this ordinance shall take effect on May 16th and 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

Ordinance No. 2022-09

AN ORDINANCE TO AMEND SECTION 7-1-13(e)(1); SECTION 7-1-13(e)(2)(a); AND SECTION 7-1-13(e)(2)(b)(2) OF THE CODE OF ORDINANCES FOR THE VILLAGE OF CALEDONIA RELATING TO KEEPING OF LIVESTOCK RESTRICTED

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

1. That Section 7-1-13(e)(1); of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

“(e) Keeping of Livestock Restricted.

- (1) Definition. "Livestock" means cattle, equine as that term is defined in Sec. 895.481(1)(a), swine, sheep, goats, farm-raised deer as that term is defined under Sec. 95.001(1)(ag), Wis. Stat., and other such animals susceptible to use for commercial purposes, including domesticated fowl, such as chickens (except as may be permitted under Sec. 7-1-26), turkeys, geese, ducks, guineas, or other poultry. For the purposes of determining the number of units of livestock allowed on a parcel each unit of livestock shall equal 1000 pounds worth of livestock which shall be calculated pursuant to s. NR 243.03(3) of the Wisconsin Administrative Code.”

2. That Section 7-1-13(e)(2)(a); of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

“(2) Keeping of Livestock.

- a. Prohibition. It shall be unlawful for any person to keep any livestock within the Village unless otherwise permitted by this Chapter, and specifically by Sec. 7-1-26, or by the Zoning Code which has been adopted by the Village pursuant to Title 16 of this Code of Ordinances.”

3. That Section 7-1-13(e)(2)(b)(2) of the Code of Ordinances for the Village of Caledonia be, and hereby is, amended to read as follows:

“(b) Exceptions.

2. Residential Use. Livestock, except Chickens as that term is defined under Sec. 7-1-26, may be kept on any parcel zoned for residential

use provided the area of the parcel is at least ~~four~~-five acres and the livestock is housed more than 150 feet from every residence not on that parcel. The first two acres shall contain no more than one unit of livestock. Thereafter, each additional unit of livestock shall require one additional acre of land unless otherwise allowed by conditional use permit. The keeping of Chickens, as that term is defined under Sec. 7-1-26, on residentially zoned parcels shall only be permitted in accordance with Sec. 7-1-26 of this Code.”

4. That this ordinance shall take effect on May 16th and 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



5043 CHESTER LANE • RACINE, WI
53402 PHONE (262) 835-6414

**VILLAGE OF CALEDONIA-
KEEPING OF HENS-
NEW APPLICATION**

Permit No.

Date Rec'd:

Date Issued:

FOR THE LICENSE PERIOD BEGINNING _____, 20____ AND ENDING DECEMBER 31, 20____

Applicant Name:

Phone:

()

Contractor Name:

Contractor or Applicant Email:

Contractor Phone:

()

Address of Premises:

Number of Hens to be Kept:

APPLICANT SIGNATURE _____

I hereby acknowledge that I have read this application and state that the above information is correct and agree to comply with Ordinances of the Village of Caledonia and State of Wisconsin laws regulating the construction of buildings and to observe and maintain the legal requirements as provided by the Caledonia Village Ordinance.

**TO BE COMPLETED BY THE BUILDING/ZONING INSPECTOR PRIOR TO
ISSUANCE OF PERMIT.**

CLERK'S OFFICE REVIEW/APPROVAL

Attachments Filed:

_____ Proof Of Registration with the WI Dept. of Agriculture, Trade, & Consumer Protection
_____ Scaled Drawing of Lot including the location of any existing structures, the proposed
_____ chicken coop, and any dwelling units on the property within 100 feet of the proposed
_____ chicken coop
_____ \$50 Annual Application Fee
_____ \$100 New One Time Filing Fee

BUILDING/ZONING INSPECTOR REVIEW/APPROVAL

Date Inspected By The Zoning Department _____ Pass/Fail
Date Inspected By The Building Department _____ Pass/Fail
Date Inspected By The Engineering Department _____ Pass/Fail



5043 CHESTER LANE • RACINE, WI
53402 PHONE (262) 835-6414

**VILLAGE OF CALEDONIA-
KEEPING OF HENS-
RENEWAL APPLICATION**

Permit No.

Date Rec'd:

Date Issued:

FOR THE LICENSE PERIOD BEGINNING _____, 20____ AND ENDING DECEMBER 31, 20_____

Applicant Name:

Phone:

()

Contractor Name:

Contractor or Applicant Email:

Contractor Phone:

()

Address of Premises:

Number of Hens to be Kept:

APPLICANT SIGNATURE _____

I hereby acknowledge that I have read this application and state that the above information is correct and agree to comply with Ordinances of the Village of Caledonia and State of Wisconsin laws regulating the construction of buildings and to observe and maintain the legal requirements as provided by the Caledonia Village Ordinance.

CLERK'S OFFICE REVIEW/APPROVAL

Attachments Filed:

_____ Proof Of Registration with the WI Dept. of Agriculture, Trade, & Consumer Protection
_____ \$50 Annual Application Fee