

Study

Historically, over the course of the past 15 years, Health Department staff and the Board of Health have had requests to make various revisions to Appleton Municipal Code Chapter 3 Animals; Sec 3-52 related to restricted species in the City. During this time frame the department has had varying requests to revise the ordinance language to allow for residents to raise pot belly pigs, pigmy horses, goats, chickens, bees, and ducks. Requests to change the language to allow for raising these restricted species in residential settings have been denied on each occasion.

In 2011, department staff recommended and the Board of Health and Common Council voted to approve a permitting process, administered by the health department for allowing up to five honey bee hives within areas zoned P-I, Public Institution District. Later in 2013, it was again amended so that a permit holder may maintain three honeybee hives per acre up to a maximum of 25 hives within an area approved as an urban farm. This language was added into Sec 3-52 (b) of the City Municipal Code.

As it relates to this current request, in 2012, several months of debate took place at the Board of Health and Common Council level regarding a request to allow for residents to raise backyard chickens. At that time the department worked with the Attorney's Office and did an extensive review of ordinance language and regulations found in other communities. Draft language related to rules and regulations was prepared with a focus on animal welfare and minimizing neighborhood issues such as smell, vector control, barking dogs, and aesthetics of coops which are no longer in use.

Permits for the keeping of chickens were recommended in part to assure that the State mandatory premises registration was followed. This is an important step to prevent disease outbreaks such as the H5N2 highly pathogenic avian influenza that resulted in the culling of commercial and backyard flocks in Wisconsin earlier this year. The Police Department and building inspectors of the Public Works Department were to have jurisdiction to investigate and enforce any failure to

comply with the requirements. August 1, 2012 Common Council voted down the request for changes to the Section 3-52 allowing for backyard chicken 11-5.

Recommendations

Staff members from both the Health Department and Attorney's Office have completed extensive research and identified Chicken Keeping Rules and Regulations as recently as July 2012. This research was completed for backyard chickens and therefore would not apply to the request made in this resolution.

Before creating similar Chicken Keeping Rules and Regulations for chickens being raised in P-I and urban farm settings, we would benefit from gathering additional information as the purpose of raising the chickens. For example, would the intent be only for educational purposes? Would the request be made for raising chickens for egg production and sales? Would the intent be for processing and selling chickens as a source of revenue? The answers to these and other related questions would assist with creating recommendations that assure all state requirements and licensing is followed.

Our research of known P-I and urban farm settings in the City indicates that at this time there are no such eligible parties interested in raising chickens as requested by this resolution.

After consulting the Attorneys Office we recommend that first, action be taken on this this resolution by Board of Health and Common Council prior to additional staff time being committed to writing chicken keeping rules and regulations as well as amending the ordinance to allow for raising chickens in areas zone P-I and urban farms.