

ORDINANCE 11-11-04-16

AN ORDINANCE TO REPEAL AND REPLACE SECTION 9.25 OF THE VILLAGE OF SHARON MUNICIPAL CODE LIVESTOCK

The Village Board of the Village of Sharon, Walworth County, Wisconsin, does hereby ordain that Section 9.25 of the Municipal Code of the Village of Sharon, Walworth County, Wisconsin is hereby repealed and recreated to read as follows:

9.25 LIVESTOCK. (1) **LIVESTOCK DEFINED.** "Livestock" as used in this ordinance shall be defined as cattle, horses, ponies, swine, sheep, goats, farm-raised deer as defined in section 95.001(1)(a), Stats., poultry, ducks, rabbits and any other animals used or to be used in the production of food, fiber or other commercial products.

(2) **LIVESTOCK RESTRICTED WITHIN VILLAGE LIMITS.** No person shall keep or maintain any livestock within the Village limits except horses and/or ponies. Furthermore, no person may keep or maintain horses or ponies within the Village limits unless the subject property is large enough to board such animal, with a minimum of one animal per acre of open land.

(3) **SETBACK, FENCING AND MINIMUM SANITATION REQUIREMENTS.** Any horses or ponies kept or maintained within the Village limits shall be afforded minimal shelter as required herein or by the Wisconsin Statutes. Any such shelter for horses or ponies shall be at least 75 feet from any lot line or 100 feet from the nearest neighboring house, whichever is less. Fencing for the keeping of horses and ponies shall not be closer than 75 feet from the street lot line. Such fencing shall be constructed in such a manner that the horse or pony cannot reach its legs, neck or any other body part onto the neighboring property, or to any shrub or plant growing on a neighboring property. No owner may allow manure to accumulate, and such manure shall be cleaned up and removed at least one time per month. Fencing and housing shall be humane and secure to hold horses or ponies and in good repair; and in all other aspects good livestock management shall be practiced by any homeowner.

(4) **LIVESTOCK TO BE LICENSED.** Any person who owns, harbors or maintains livestock within the Village shall obtain a license from the Village for such animal. Such license shall cost one dollar per year per household and shall be renewed on a yearly basis. The issuance, transfer and revocation of the livestock license herein shall be governed and administered pursuant to Chapter 12 of the Village of Sharon Municipal Code. A livestock license issued herein shall not be considered as a defense that any such animal is owned, harbored or maintained in violation of the Village of Sharon Municipal Code.

(5) **COMPLIANCE WITH ORDINANCE BY ATTRITION.** Persons having more or prohibited types of livestock on their property other than allowed by this section, at the

time of adoption of this section, shall be exempt from the livestock type and population restrictions as set forth in this section to the extent of the then-existing violation of this section. Any person claiming exemption from the requirements of this section herein must be able to verify to the Village the livestock type and population on their property at the time of adoption of this section. Furthermore, any person claiming exemption at the time of adoption of this section shall bring their livestock type or population into compliance with this section through attrition. Attrition shall be deemed to occur, but not be limited to the following circumstances: when any livestock animal that violates this section is sold, given away, killed, consumed, boarded out or placed in another location outside of the Village for a period longer than two months.

(6) LIVESTOCK OFFSPRING. Persons having livestock that give birth to young shall not keep the young for more than six months, for any such offspring which causes the population of livestock to exceed the limitations of this section. Any such person may choose to keep the offspring and remove the adult animal to bring the livestock population into compliance with this section.

(7) RABBITS. Rabbits shall be excluded from the requirements of this section, but only if said animals are kept indoors and not permitted to run at large. However, there shall be a maximum of five rabbits kept in any single household.

(8) COMPLIANCE WITH SECTION NOT ABROGATED BY DESIGNATION OF ANIMAL AS PET. Compliance with this section shall not be avoided by an owner claiming that any animal is a pet and not livestock.

(9) PENALTY. Any person who violates this section shall be subject to the penalties in Section 25.04 of the Village of Sharon Municipal Code. In addition, any violation of this section which continues for a period of 30 days or more shall be deemed a nuisance in violation in Section 10.04(4), "continuing violation of Village ordinances," of this Municipal Code and may be abated as provided in Chapter 10 in this Municipal Code or as otherwise provided by law.

Pursuant to Sec. 66.0103 and 60.80(1) and (3), Wis. Stats., this Ordinance shall be effective the day after its publication subsequent to its adoption.

Adopted this 11th day of November, 2004.

Bob Carlson, Village President

Attest: _____
Dawn Redenius, Village Clerk

Published: 11/18/2004