

ORDINANCE #508

ORDINANCE AMENDING THE CITY CODE TO ALLOW THE TEMPORARY KEEPING OF GOATS WITHIN THE CITY OF NEW RICHMOND

The Common Council of the City of New Richmond ordains:

Section 1. Section 10-6 (Prohibited and protected animals) of the City Code shall be amended to read as follows:

(e) Farm animals. The keeping of cattle, horses, hogs, poultry and other farm animals is prohibited within the City, except in areas zoned agricultural, land owned or leased by an accredited educational institution as part of an agriculture or science curriculum upon approval of a conditional use permit, as provided in Article II regarding the keeping of chickens, and Article III regarding the temporary keeping of goats.

Section 2. Section 10-7 (Keeping of livestock; animals in public places) of the City Code shall be amended to read as follows:

(a) Prohibited. No person shall keep, harbor, feed, or possess any mink, horses, raccoon, muskrats, foxes, skunks, swine, goats, sheep, ducks, cows, chickens, geese, or other fowl within the limits of the City except in areas zoned agricultural, land owned or leased by an accredited educational institution as part of an agriculture or science curriculum upon approval of a conditional use permit, as provided in Article II regarding the keeping of chickens, and Article III regarding the temporary keeping of goats. This section does not affect the City in its governmental capacity from maintaining any animals at a public zoo or park, or other City owned property, nor shall it apply to the exhibition of any animals at any agricultural fair or similar public exposition held in the City, nor to properly zoned premises in compliance with City ordinances.

Section 3. Chapter 10 of the City Code (Animals) is hereby amended to add the following provisions:

Article III. - GOATS

Sec. 10-41. – PURPOSE.

The purpose of this section is to establish conditions under which the temporary and periodic use of a limited number of goats for invasive species and other weed control is permitted in all districts; and to establish requirements for doing so to protect the health, safety, and welfare of the general population of the city of New Richmond.

Sec. 10-42. – REQUIREMENTS FOR TEMPORARILY KEEPING GOATS.

(a) Temporary use of goats shall not exceed sixty (60) days within a calendar year.

- (b) The maximum number of goats to be allowed on any single property shall not exceed fifteen (15) animals per acre.
- (c) The use of goats shall be limited to does and/or wethers only; bucks are prohibited.
- (d) The Director of Public Works or his or her designee shall have the authority to prohibit the use of goats with horns that are determined to present a safety concern to the public and/or other animals.
- (e) The goats shall be contained by an adequate containment fence at all times. All fences must comply with New Richmond Zoning Ordinance Sec. 121-54 Fences/Walls.
- (f) The property must be maintained in a clean, sanitary condition so as to be free from offensive odors, fly breeding, dust, and general nuisance conditions.
- (g) The property must be a minimum of one (1) acre in area.
- (h) The City shall have no liability for any damage that may be caused by goats kept on a property pursuant to this section. Property owners and permittees under this section shall be jointly and severally liable for any damage that may be caused by the goats kept pursuant to a permit issued under this section.

Sec. 10-43. – PERMIT REQUIRED

- (a) No person shall own, harbor, keep, or maintain goats temporarily or otherwise on their property within the City without first obtaining a permit approved by the Director of Public Works.
- (b) Applications shall be made to the City Clerk's Office and forwarded to the Director of Public Works for review.
- (c) The applicant shall be the property owner or tenant with written consent of property owner.
- (d) The applicant shall provide the following information on the permit application:
 - (1) Name, address, and contact information of the permit applicant.
 - (2) Address and description of the property.
 - (3) The type of invasive species or weed control problem on the property, and photographs of the property showing the extent of the infestation.

- (4) Name, address, and contact information of the person or entity providing the goats.
 - (5) Site plan showing where on the property the goats will be temporarily kept, including a plan and description of the fencing that will be used to keep the goats on the property.
 - (6) The number of goats that will kept on the property, as well as their respective breed, sex, and (dis)budded or (de)horned condition.
 - (7) Signatures of 75 percent of abutting property owners granting their consent.
- (e) No permit shall be issued until the Public Works Director reviews the application and inspects the property and determines that the applicant has complied with the requirements of this Section. The Public Works Director shall approve or deny an application within thirty (30) days of a complete application being submitted.
- (f) The Director of Public Works shall issue a permit as provided for by this Article, or shall state in writing the reasons for an application for a permit having been denied. The applicant may resubmit an application for a permit in accordance with the procedures in this Section.
- (g) The permit shall not be transferable to another property owner or tenant, or property.
- (h) No permit shall be issued if the applicant is delinquent in paying of any taxes, assessments, forfeitures, or fines for violations of City ordinances, utility bills, or other claims owed to the City.

Sec. 10-44. – PERMIT FEE.

- (a) Application and Permit fee shall be in the amount established by the City fee schedule.
- (b) Permit fees shall not be prorated or refundable.

Sec. 10-45. – INSPECTION AND ENFORCEMENT.

- (a) The Director of Public Works or his or her designee shall have the power, whenever they may deem reasonably necessary, and consistent with the requirements of statutory and constitutional law, to enter a building, structure, or property related to a permit under this section to ascertain whether the permit holder is in compliance with this chapter.

- (b) Violations of this chapter may constitute a public nuisance under Chapter 58 of this code, or under chapter 823, Wisconsin statutes.
- (c) The City may revoke a permit at any time if the permittee does not follow the terms of the permit or this section, or if the City finds that the permit holder has not maintained the goats, fences, or outdoor enclosures in a clean and sanitary condition.

Sec. 10-46. – OTHER METHODS NOT EXCLUDED.

The requirements and remedies provided under this section are not exclusive and may be used in combination with each other or with any other section of this code or applicable state statute.

Sec. 10-47. – SEVERABILITY.

If any provision in this section, or portion thereof, is found to be unconstitutional or otherwise invalid, the validity of the remaining sections shall not be affected.

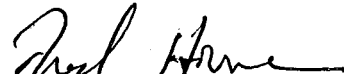
Sec. 10-48. – VIOLATION AND PENALTY.

Any person who violates the provisions of this chapter shall, upon conviction thereof, forfeit not less than Fifty (50) Dollars nor more than Five Hundred Dollars (\$500.00) per day of violation, if applicable, together with the costs of prosecution. Each day a violation exists is a separate violation.

Section 3. Table 3.f of Chapter 121 of the City Code (Zoning Ordinance) shall be amended to include Accredited Agricultural Education Facility” as a conditional (C) use within the Z1 District and Z2 District.

This ordinance shall take effect immediately upon passage and publication as provided by law.

Passed and approved: February 12, 2018
Published and effective: February 22, 2018


Fred Horne, Mayor

ATTEST:


Tanya Batchelor, City Clerk