

C. Animals: Keeping of

The regulations of this Subsection are established to permit the keeping of domestic and family farm animals and honey bees to promote the goals and benefits of urban homesteading, including productive use of private property, personal food choice, family subsistence, community food security, sustainability, and animal welfare, in a manner that prevents nuisances to occupants of nearby properties and prevents conditions that are unsanitary or unsafe. Also refer to *Chapter 951 of the Wisconsin State Statutes* for state regulations.

1. **Domestic animals.** In any residential district, or in conjunction with any existing residential uses in any other district, there may be kept a total of not more than four (4) domestic animals, excluding any dogs or cats less than twelve (12) weeks in age, or rabbits or chickens pursuant to the specific requirements of this Ordinance. No part of any enclosure or pen for domestic animals shall be located less than ten (10) feet from the parcel line. Keeping dogs for the purpose of breeding or sale shall require a license pursuant to City of Ashland *Ordinance 351*.
2. **Family farm animals.** The raising of family farm animals shall occur only in those districts where allowed by this Ordinance and only if the subject parcel has a minimum area of twenty thousand (20,000) square feet.
 - a. **Small.** Ten (10) small family farm animals shall be allowed for each twenty thousand (20,000) square feet of parcel area. No part of any enclosure or pen for family farm animals shall be located less than ten (10) feet from the parcel line.
 - b. **Large.** Two (2) large family farm animals shall be allowed for every five (5) acres of parcel area. No part of any enclosure or pen for family farm animals shall be located less than ten (10) feet from the parcel line, except parcels in the FD district.
 - c. **Future Development (FD) District parcels.** An enclosure or pen for family farm animals may be located on the parcel line for all properties five (5) acres or more and pursuant to *Chapter 90 of the Wisconsin State Statutes*.
3. **Beekeeping.**
 - a. **Intent.** The intent is to establish certain requirements of sound beekeeping practices, which are intended to avoid problems that may otherwise be associated with the keeping of honey bees in populated areas.
 - b. **Beekeeping allowed.** Beekeeping shall be allowed in all districts allowing the raising of family farm animals. In addition, beekeeping may be allowable in any zoning district that does not allow the raising of family farm animals pursuant to the conditions stated in subparagraph d. Colony densities.
 - c. **Permit required.** Beekeepers are required to obtain a permit from the Zoning Administrator or Designated Authorized Agent for all apiaries, identifying the locations of hives and number of colonies prior to establishment pursuant to *Section 3.46: Keeping of Animals Permit*. Once a permit is applied for, all neighboring property owners whose parcel line is within one-hundred (100) feet of any hive shall be provided written notification by the Department of Planning and Development. Neighboring property owners shall be allowed fourteen (14) days from the date the notification was mailed to contact the Planning and Development office with an objection to the permit issuance if one or more person residing at the property is allergic to honeybees. If such an objection is made, the permit may be denied. If no objections are made, and the permit is issued, the City reserves the right to revoke the

permit should a neighboring property owner discover a person residing on the property has an allergic reaction to honeybees at a later date.

- d. Densities. A maximum of two (2) hives shall be allowed on parcels measuring one (1) acre or less in size. Parcels exceeding one (1) acre in size shall be allowed one (1) additional hive for every additional one-half (1/2) acre of land within the parcel. Parcels exceeding five (5) acres in size shall not require a Keeping of Animals Permit and shall have no maximum number of beehives on the parcel provided that all beehives are located a minimum of one-hundred (100) feet from the parcel line.
 - e. Hive type and maintenance. All honey bee colonies shall be kept in inspectable type hives with removable combs, which shall be kept in sound and usable condition. Beekeepers shall ensure that no bee comb or other equipment is left on the grounds of an apiary site. Upon removal from the hive, all supplies should be promptly disposed of or placed in a sealed container or within a building or other bee-proof enclosure.
 - f. Setbacks. All hives shall be located a minimum of ten (10) feet from all property lines, with the back of the hive facing the nearest adjoining property.
 - g. Fencing of flyways. In each instance in which any colony is situated within twenty five (25) feet of a parcel line of the parcel upon which the apiary is situated, as measured from the nearest point on the hive to the parcel line, the beekeeper shall establish and maintain a flyway barrier at least six (6) feet in height consisting of a solid wall/fence, dense vegetation, or combination thereof that is parallel to the parcel line and extending ten (10) feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six(6) feet above ground level over the property lines in the vicinity of the apiary.
 - h. Water. Each beekeeper shall ensure that a convenient source of water is available at all times to the bees so as to keep the bees from congregating at swimming pools, pet water bowls, bibcocks, birdbaths, or other water sources where they may cause human, or domestic pet contact. The water shall be maintained so as to not become stagnant.
 - i. Behavior and swarming. Adequate space shall be maintained in the hive to prevent overcrowding and swarming. Colonies shall be re-queened following any swarming or aggressive behavior. One (1) additional temporary hive is allowed for hive separation or new swarm establishment purposes. Such temporary hive shall be removed from the property within two (2) weeks.
 - j. Prohibited. The keeping by any person of bee colonies in the city not in strict compliance with this section is prohibited, including the keeping of diseased, infected or Africanized species of bees. Any bee colony not residing in a hive structure intended for beekeeping, any swarm of bees that poses an immediate risk to the safety of humans, or any colony residing in a standard or homemade hive which, by virtue of its condition, has obviously been abandoned by the beekeeper, is unlawful and may be summarily destroyed or removed by a Designated Authorized Agent of the City.
 - k. Notice. Every parcel containing an apiary thereon shall conspicuously post signage warning the presence of hives and beekeeping.
4. **Chickens.** Chickens (excluding roosters) may be raised in any zoning district that allows the raising of farm animals pursuant to [Section 5.6 C.2.: Family Farm Animals](#). In

addition, chickens may be raised in any zoning district that does not allow the raising of family farm animals, but that does allow the keeping of domestic animals, pursuant to the following conditions:

- a. No parcel five (5) acres or less shall be allowed more than six (6) female chickens. Parcels exceeding five (5) acres in size shall be allowed a maximum of one-hundred (100) chickens, provided that the coop is located at least one-hundred (100) feet from any parcel line and all other provisions of this Ordinance are met.
 - b. A permit for the raising of chickens shall be obtained from and approved by the Office of the Zoning Administrator and Animal Control Officer pursuant to [Section 3.46: Keeping of Animals Permit](#). A permit fee, as designated in the City of Ashland's *Comprehensive Fee Schedule*, shall be paid prior to issuance of the permit and shall be good for three (3) consecutive years. Applicants must obtain consent from all on-site residents. Once a permit is issued, the Department of Planning and Development shall send notifications to the owners of all abutting parcels, if said parcels contain an occupied principal building within one hundred (100) feet of the applicant's parcel.
 - c. Chickens shall be given access to a secure and clean outdoor enclosure, and provided with a covered, predator-proof chicken house that is thoroughly ventilated, of sufficient size to admit free movement of the chickens, designed to be easily accessed, cleaned and maintained by the owners and be at least two (2) square feet per chicken in size.
 - d. No chicken house or pen shall be located closer than twenty (20) feet to any residential structure other than the owner's, nor closer than ten (10) feet from any parcel line. The chicken house may require a building permit pursuant to [Section 5.6 A.: Accessory Building](#), as determined by the Building Inspector or Designated Authorized Agent.
 - e. Chickens shall be provided a constant supply of water and food replenished at least once daily.
- 5. Rabbits.** Rabbits may be raised in any zoning district that allows the raising of farm animals pursuant to [Section 5.6 C.2.: Family Farm Animals](#). In addition, rabbits may be raised in zoning districts that do not allow the raising of farm animals but allow the keeping of domestic animals, pursuant to the following conditions:
- a. No parcel shall be allowed more than five (5) rabbits over the age of three (3) months.
 - b. Approval shall be required for the keeping of three (3) or more rabbits. Approval shall be obtained from and approved by the Office of the Zoning Administrator and Animal Control Officer pursuant to [Section 3.46: Keeping of Animals Permit](#).
 - c. Rabbits shall be provided with a secure and covered, predator-proof hutch that is thoroughly ventilated, of sufficient size to admit free movement of the rabbits, designed to be easily accessed, cleaned and maintained by the owners, and be at least three (3) feet off the ground.
 - d. Hutches shall be cleaned and a constant supply of water and food shall be provided and replenished at least once daily; and
 - e. Bedding shall be provided when the low temperature for the day is below forty (40) degrees Fahrenheit.

6. **General maintenance and care of animals.** All pens or enclosures housing any animal shall be maintained in a clean and sanitary condition so as to be free of offensive odors and other nuisance features at all times. All animals shall be confined to pens or enclosures, leashed or attended at all times. Animal pens or enclosures may require a fence permit pursuant to [Section 6.5: Fences](#).
7. **Harvesting (slaughtering).** The harvesting (slaughtering) of animals for personal use shall occur in a humane and sanitary manner and not open to view from any public right-of-way or adjacent parcel.
8. **Commercial.** All keeping of animals for commercial or public purposes (including the sale of animals and/or their by-products) shall be regulated as a permitted or conditional use in those districts allowing such use. Such uses include, animal boarding, grooming and training, commercial kennels, farms, livestock, slaughter and research facilities, retail pet stores, wildlife reserves and zoos. Pet shops shall refer to City of Ashland [Ordinance 351](#) for additional regulations.

D. Day Care: Family Home

1. The operator of the family home day care shall reside in the dwelling unit in which the day care is located. If this standard is not met, the day care is classified as a commercial day care and must meet the requirements of that use.
2. A family home day care shall not operate between the hours of 12:00 AM and 6:00 AM
3. The family home day care shall be operated in compliance with applicable laws including those specified in [Department of Children and Families Chapter 250 of the Wisconsin Administrative Code](#).

E. Outdoor Mechanical Equipment

To the maximum extent practical, outdoor mechanical equipment, such as air conditioner condensers and similar mechanical units, shall be located in the rear yard. Where this is not feasible, outdoor mechanical equipment may be located in the side yard. In no case shall outdoor mechanical equipment be located closer than three (3) feet to a parcel line. All outdoor mechanical equipment (including rooftop mechanical units) shall be screened from public view to the extent practical.

F. Outdoor/Indoor Temporary Sales and Auctions

1. **General requirements.** Outdoor/Indoor sales and auctions not requiring a permit, including but not limited to, personal property sale items, garage, yard, or estate sales and auctions shall be consistent with the following requirements:
 - a. Garage, yard, or estate sales shall not exceed three (3) days during any six (6) month period;
 - b. Sale of personal property items on display or within view from a public right-of-way, including but not limited to, vehicles, boats, trailers, and accessory buildings shall not exceed one year; and
 - c. Real estate and estate auctions shall not exceed three (3) days.
2. **Sign requirements.** All signs for outdoor/indoor temporary sales and auctions shall follow requirements pursuant to [Section 6.6, C., 18.: Temporary signs: on-premise](#).