

ORDINANCE NO. 2022-02

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**AN ORDINANCE TO REPEAL AND RE-CREATE SECTION 12.09(3) & 12.09(4)  
REGARDING THE ISSUANCE OF CHICKEN LICENSES**

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WHEREAS, Section 17.06 5 of the Town of Delafield Town Code allows for the keeping of chickens in certain zoning districts in the Town of Delafield; and

WHEREAS, Section 12.09 of the Town Code of the Town of Delafield allows residents to keep chickens in residential districts upon compliance with certain Code provisions and upon the receipt of a license from the Town of Delafield Town Board; and

WHEREAS, upon review of the Town Code, Town staff recommended to the Town Board that the Town Code be revised to allow the Town Administrator and Town Engineer to review and issue chicken licenses in accordance with Section 12.09 of the Town of Delafield Town Code; and

WHEREAS, the Town Board finds that it is in the best interest of the Town of Delafield to allow the Town Administrator and Town Engineer to issue licenses for keeping chickens

NOW, THEREFORE, The Town Board of the Town of Delafield, Waukesha County, Wisconsin, does ordain as follows:

**SECTION 1:** Section 12.09(3) of the Town of Delafield Municipal Code is hereby repealed and recreated as follows:

- (3) LICENSE APPROVAL OR DENIAL. Upon receipt of a completed license application and upon payment of the required fee, the Town Administrator and Town Engineer shall review the application and may approve, deny or conditionally approve the issuance of license subject to reasonable conditions.

**SECTION 2:** Section 12.09(4) of the Town of Delafield Municipal Code is hereby repealed and recreated as follows:

- (4) RENEWAL. The license may be renewed for a subsequent year upon petition to the Town Administrator. Such application and accompanying fee must be filed prior to the expiration of the license. To avoid a lapse in the license term, the licensee must apply for renewal at least sixty (60) days prior to the expiration of the license.

**SECTION 3: SEVERABILITY**

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, section or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

**SECTION 4:** This ordinance shall take effect upon passage and posting as provided by law.

**PASSED AND ADOPTED** by the Town Board of the Town of Delafield, Waukesha County, Wisconsin this \_\_\_\_ day of \_\_\_\_\_ 2022.

TOWN OF DELAFIELD

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Ron Troy, Town Chair

ATTEST:

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Dan Green, Town Clerk/Treasurer