



## ORDINANCE 2023-08

### AN ORDINANCE TO AMEND SECTION 12 (NUMBER OF ANIMALS LIMITED) OF ARTICLE III (LICENSING AND REGULATION OF ANIMALS) OF CHAPTER 102 (ANIMALS) OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN

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**Purpose:** The purpose of this ordinance is to amend the Municipal Code to create a process for a resident, on a parcel of less than 2 ½ acres, to exceed the current limit of two dogs in the Municipal Code.

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The Village Board of the Village of Hobart, Brown County, Wisconsin, does ordain as follows:

**Section 1:** That Section 12 (Number of Animals Limited) of Article III (Licensing and Regulation of Animals) of Chapter 102 (Animals) of the Municipal Code shall be amended to read as follows:

§ 102-12. Number of animals limited.

A. No person shall own, harbor, or keep in his possession more than two dogs on property zoned residential, with the exception that a litter of pups, or a portion of a litter, may be kept for not exceeding 12 weeks from birth, on a parcel consisting of 2 1/2 acres or less. On parcels more than 2 1/2 acres in size, no person shall own, harbor, or keep in his possession more than five dogs on property zoned residential, with the exception that a litter of pups, or a portion of a litter, may be kept for not exceeding 12 weeks from birth.

B. A person seeking a variance in the number of dogs allowed in subsection A above, for parcels consisting of 2 ½ acres or less, by submitting a form designated by the Village. The variance may be granted by the Chief of Police or his or her designee.

(a) In no event shall the number of dogs in a dwelling unit exceed four.

(b) All dogs must be properly licensed with the Village.

(b) The Chief of Police shall consider whether there have been any complaints of any violation of this chapter against the owner or property owner in all variance requests. Such variance may be subject to conditions as deemed appropriate by the Chief of Police.

(c) The variance may be revoked by the Chief of Police if any condition specified in the variance is not met. The variance may also be revoked by the Chief of Police if a complaint regarding violation of this chapter is received after the variance is granted.

(d) All decisions to deny a variance request or revoke a previously granted variance may be appealed to the Village Board if written notice of appeal is received by the Village Administrator within 14 days of receipt of the revocation notice. The Board shall consider the appeal at its next regularly scheduled meeting.

(e) There shall be no variances allowed in the maximum number of chickens.

C. For the purpose of determining the size of a property for the regulation of the number of dogs permitted, adjoining parcels owned by the same person may be combined to determine the total acreage for regulation purposes as described in Subsection A above.

D. If a person owns, harbors or keeps more than the allowable number of dogs under Subsection A above at the time the ordinance establishing the limit is passed, they shall not be required to remove any dogs from the property, but will not be able to replace any dog, after they are no longer owned, harbored or kept on the property permanently, until the person is in compliance with the ordinance.

E. No person in the Village residing in the R-2, R-2-R or R-3 Single-Family Zoning Districts shall own, harbor or keep in his or her possession more than six chickens. For the purposes of this section, a "chicken" shall be defined as a domestic hen or pullet of the subspecies Gallus gallus domesticus. No roosters are allowed.

**Section 2:** Any Ordinance or parts thereof, inconsistent herewith are hereby repealed.

**Section 3.** This Ordinance shall be published as required by law after passage by the Village Board.

Passed and approved this 2<sup>nd</sup> day of May, 2023.

  
Richard Heidel, Village President

Attest:

  
Aaron Kramer, Village Administrator

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I, Katrina Bruecker, am the duly qualified and acting Village Clerk of the Village of Hobart, Brown County, Wisconsin. I hereby certify that the aforementioned is a true and exact reproduction of the original ordinance or resolution adopted by the Village Board.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on May 2nd 2023.

(Seal)



  
Katrina Bruecker, Village Clerk-Treasurer