



# KEEPING OF POULTRY LICENSE APPLICATION

- ORIGINAL APPLICATION  
 RENEWAL APPLICATION

LICENSE FEE: \$90.00  
 PRE-INSPECTION FEE: \$95.00

Address where poultry will be located		Number and type of poultry	
Name of property owner (please print)		Phone	
Street	City	State	Zip
Email address	WI DATCP number	WI DATCP expiration date	

### APPLICANT INFORMATION (IF DIFFERENT FROM OWNER)

Name of applicant (please print)		Phone	
Street	City	State	Zip

If this is a renewal, have there been any changes from the previous year? YES  NO

### APPLICANTS MUST:

1. Submit the Wisconsin Department of Agriculture, Trade and Consumer Protection (WI DATCP) registration number. Register online at <http://www.wiid.org> or by phone at 888-808-1910.
2. Submit a plan/diagram according to Chapter 6.15.030(A)(3). If no changes, this is not required for renewal.
3. Contact the Eau Claire City/County Health Department for inspection at 715-839-4718.

### APPLICANT'S STATEMENT

I hereby certify that this application is complete, true and correct to the best of my knowledge. I certify that the poultry and poultry products are primarily for personal non-commercial use. I understand that no commercial sales from the residence or any residential area within the city is permitted. I agree, in the consideration of the issuing of this license, to comply with the laws of the State of Wisconsin, and to the provisions of the Municipal Code of Ordinances of the City of Eau Claire.

\_\_\_\_\_  
 Signature of owner Date: \_\_\_\_\_

\_\_\_\_\_  
 Signature of applicant if different from owner Date: \_\_\_\_\_

<b>Permit period January 1 to December 31</b> <b>Non-refundable/Non-transferable</b>  <b>Return with payment to:</b> City of Eau Claire PO Box 909 Eau Claire, WI 54702-0909	<b>OFFICE USE ONLY</b> Fee: \$90.00 Tran Code: 1234 Pre-Inspection: \$95.00 Tran Code: 5470  11/18 6.15	
--	---	--

# How to Apply

## Step 1

Fill out *WI Premises Registration* form (**no cost**).

[https://datcp.wi.gov/Pages/Programs\\_Services/PremisesRegistration.aspx](https://datcp.wi.gov/Pages/Programs_Services/PremisesRegistration.aspx)

## Step 2

Apply for a City of Eau Claire license.

<https://www.eauclairewi.gov/services/licenses>

License application **must** include:

- Number of planned poultry
- Plan to dispose of manure and other wastes
- Intended coop design materials
- Diagram describing location of the coop and any attached run/enclosure in relationship to lot boundaries and nearby structures.

## Step 3

Health Department will inspect the completed coop and the City of Eau Claire will notify property owners within 100 feet of your property.

## Step 4

Receive your license if all conditions are met:

- The license period is from January 1– December 31
- Licenses must be renewed annually and are **not** refundable or transferable.

# Handwashing is important.

Many poultry carry bacteria that could make you and your family sick.



- Always wash your hands after handling poultry, cleaning poultry coops, or being around the coop **even if you did not touch the birds.**
- Don't kiss or snuggle your poultry.
- Don't let your birds inside your home, porch, or storage buildings.

## Reporting Poultry Problems

Poultry **must not** cause any nuisance, unhealthy condition, public health threat, or otherwise interfere with the normal use of property or enjoyment of life by humans or animals.

Any person keeping poultry must immediately report any unusual illness or death of poultry to the Health Department.



Eau Claire City-County  
**Health Department**

720 Second Ave, Eau Claire, WI 54703  
[www.ehealthdepartment.org](http://www.ehealthdepartment.org)  
P: 715-839-4718  
F: 715-838-2643

# City of Eau Claire Poultry Ordinance



# How to apply for a license



Eau Claire City-County  
**Health Department**

# Requirements

▼ As of January 1st 2019, City of Eau Claire residents can apply for a license to keep up to 5 poultry (chicken or quail) on their residential property. Roosters, drakes, or cocks are not allowed.



## Property Requirements

- Poultry **must be** kept in a coop or attached run/enclosure at all times (free roaming not allowed).
- Poultry may **not** be kept on a vacant lot or inside any residential structure, including home, basement, porch, garage, or shed.

## Coop Location

Coop **must be** located in the back or side yard of the license holder's property and **must be**:

- 10 feet from any property line
- 25 feet from residential structure on adjacent lot
- 5 feet from any structure on your own property
- Minimum of 2 feet from all lot lines (street, alley)

## Designing a Coop

1. Coops should be a stand alone structure used only for poultry and following city building and zoning ordinances.
2. Poultry coops **must be** built with moisture-resistant materials and include:
  - Proper ventilation
  - Insulation
  - Roof
  - Hard, cleanable floor foundation and footings (e.g. concrete, wood, linoleum, or hard plastic)  
*Dirt floor isn't acceptable*
  - Wire netting that covers the run/ enclosure to prevent poultry from escaping and deters predators
  - A minimum of 3 square feet per bird
  - Coop height of 8 feet or less

## Keeping Coops Clean

- Coops **must be** kept clean, tidy, and not cause a noise, odor, or health nuisance to the property or neighbors.
- Poultry feed must be stored to prevent access by pests or birds
- All waste, including manure, **must be** disposed of in a safe and adequate manner that doesn't create a public nuisance (composting is acceptable).

# Frequently Asked Questions

## — FAQ's —

### ● Can I use poultry manure to fertilize my garden?

Yes, but only after composting in an enclosed container (aerobic bins allowed). Direct application of non-composted manure and composting in open air piles are not allowed.

### ● Am I able to gift or sell my extra eggs?

The poultry ordinance's main goal is to allow for the production of eggs for **personal use**.



- If your poultry produce more eggs than you can use, you can gift them to neighbors, family, and friends. You're required to keep a journal of who you have given eggs to (include name and contact information).
- Commercial sale of eggs is **NOT** allowed on site. To sell eggs, contact Eau Claire City-County Health Department for a retail license.

### Can I use a portion of my garage or shed to keep poultry?

- Poultry can't be kept in any residential buildings, including storage sheds or garages. However, you can repurpose an existing structure if you only use it as a coop; and are able to modify it so that all applicable coop location and design requirements are met.





# Egg Safety and the Backyard Flock

Barbara Ingham, Food Science Specialist and Ron Kean,  
Poultry Specialist

University of Wisconsin-Madison and University of Wisconsin-Extension

With more and more municipalities allowing individuals to have a backyard chicken coop, consumers are asking questions about the care and safety of eggs gathered from their own flock or from a local farmer.

Eggs are among the most nutritious foods on earth and can be part of a healthy diet. However, they are perishable just like raw meat, poultry, and fish. Poultry may carry bacteria such as *Campylobacter* and *Salmonella* that can cause illness to you and your family. Infected birds do not usually appear sick and even unbroken, clean, fresh shell eggs may contain harmful bacteria.

Because of nationwide recalls of shell eggs due to *Salmonella* contamination, we now understand that the ways in which shell-eggs can become contaminated vary widely. *Salmonella* can be introduced to shell eggs not only through the laying process, but also via contaminated poultry feed or bedding and from baby chicks (pullets) that may have become contaminated in a hatchery. None of these routes of contamination are unique to large animal husbandry operations.

Fortunately, there are several steps that you can take to help ensure safe, home-produced chicken eggs.

## Caring for the Flock

- Maintaining the flock in an enclosed shed is often a local requirement and will help protect the flock from predators and make egg collecting easier.
- Eggs will stay cleaner if the shed area is kept clean and dry. Maintain floor litter in good condition. Thoroughly clean and disinfect the shed **at least once a year**. Obtain an approved disinfectant from your feed store and apply according to directions.
- Allow one nest for every three to four chickens and make sure nests are large enough for your hens. To protect eggs, pad nests with straw or wood chips. Clean out nest boxes **once a week** to remove dirty litter and manure and replace with clean nesting material.
- Allow adequate nest space and plenty of clean nesting material to help to ensure clean eggs and limit egg breakage.
- Provide a perch above the floor over a dropping box away from the nests. Chickens will roost on the perch to sleep and defecate into the wire-mesh covered dropping box. Do not let hens roost in the nest boxes.

## Caring for the Eggs

- **Collect the eggs often.** Eggs that spend more time in the nest have an increased chance of becoming dirty, broken, or lower in quality. Collecting eggs **at least twice daily** is recommended, preferably before noon. Consider a third collection in late afternoon or early evening, especially in

hot or cold weather. Coated wire baskets or plastic egg flats are good containers for collecting eggs. Discard eggs with broken or cracked shells.

- **Cleaning.** Dirty eggs can be a health hazard. Eggs with dirt and debris can be **cleaned** with fine sandpaper, a brush, or emery cloth. If eggs need to be washed, the temperature of the water should be at least 20°F warmer than the egg. This will prevent the egg contents from contracting and producing a vacuum. It will also prevent microscopic bacteria from being pulled by vacuum through the pores of the egg. A mild, non-foaming, unscented detergent approved for washing eggs can be used. A dishwashing liquid that is free of scents and dyes is acceptable. Eggs can be sanitized by dipping in a solution of 1 tablespoon household bleach to 1 gallon of water before storage. **Dry eggs** before storing because moisture may enter the shell pores as eggs cool on refrigeration.
- **Storage.** Store eggs in the **main section of the refrigerator at 35°F to 40°F**; the shelves in the door tend to be warmer than interior shelves. If collected properly and stored in the refrigerator, eggs should have a **shelf life of 6 to 8 weeks**. Date the storage carton or container and use older eggs first. Older eggs will have flatter yolks and thinner whites, so they won't make a nice looking fried egg, and the whites won't whip up as nice. If you have more eggs than you can use, you can break them out of their shells and freeze them. Only freeze fresh eggs. Beat until just blended, pour into freezer containers, seal tightly, label with the number of eggs and the date. Add a small amount of salt, sugar, or corn syrup to prevent gelling and improve the keeping quality of the eggs. It's a good idea to note any additional ingredients on the freezer container. The whites and yolks may also be frozen separately.
- **Preparation.** Never eat eggs raw or undercooked. Undercooked egg whites and yolks have been associated with outbreaks of *Salmonella enteritidis* infections. To prevent illness from bacteria, cook eggs until yolks are firm and whites are set, and cook foods containing eggs thoroughly to 160°F. Use a food thermometer to be sure. Do not keep cooked or raw eggs at room temperature for more than two hours.



### Caring for Manure

- Compost chicken manure to proper temperatures to kill harmful bacteria before being used to fertilize garden plots that are used for growing fruits and vegetables. Un-composted manure can be a source of bacterial contamination for produce grown in the garden. Chicken manure can also be high in nitrates and may damage plants if applied directly. The best option often is to use chicken manure in flower gardens, shrub borders, and other nonfood gardens.

### Caring for Yourself

- Always wash your hands with soap and water after handling eggs, chickens, or anything in their environment.
- Do not wash feed and water dishes from the chicken shed in the kitchen sink.

## Sharing or Selling Eggs Collected on Your Farm

If you choose to share eggs from your flock with friends and neighbors it is important to follow the safety recommendations outlined in this fact sheet. Use generic egg cartons that do not display a store or brand name and provide the date eggs were collected. Plastic egg holders sold for camping or plastic egg trays available from farm supply stores are good options for distributing eggs because they can be washed and reused.

No license is needed if eggs are sold at the producer's farm. Clean, pack and keep eggs stored at 41°F or below.

A license is required to sell eggs off the farm. For information or to obtain a license, contact the Division of Food Safety of the Wisconsin Department of Agriculture, Trade and Consumer Protection at 608-224-4682.

---

Adapted with permission from *Home-Produced Chicken Eggs* (Colorado State University Extension bulletin no. 9.377 (updated 5/12/2010)) by M. Bunning and J. Avens.

For information, contact Dr. Barbara Ingham [bingham@wisc.edu](mailto:bingham@wisc.edu) or Ron Kean at [rpkean@wisc.edu](mailto:rpkean@wisc.edu) 1/2011.



# How to Keep Eggs Safe

## Collecting Eggs:

**Collect eggs often.** Eggs that spend significant time in the nest can become dirty or break.

**Throw cracked eggs away.** Bacteria on the shell can more easily enter the egg through a cracked shell.

**Clean eggs of dirt and debris.** Use fine sandpaper, a brush or cloth.

**Don't wash warm, fresh eggs.** Colder water can pull bacteria into the egg.

## Storing Eggs:

**Refrigerate eggs after collecting.** Cooling eggs maintains freshness and slows bacterial growth.

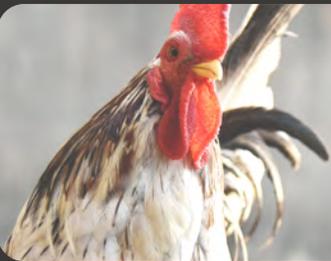
**Store eggs in the main section of the refrigerator at 35°F to 40°F.** The shelves in the door tend to be warmer than interior shelves.

**Date the storage carton or container and use older eggs first.** If collected properly and stored in the fridge, eggs should have a shelf life of 6 to 8 weeks.

## Cooking Eggs:

**Never eat raw or undercooked eggs.** Raw and undercooked eggs may contain salmonella, a bacteria that can make you sick.

**Always use a thermometer** to ensure eggs are cooked to an internal temperature of 160°F or hotter.



# Note!

Always wash your hands with soap and water after handling eggs, chickens, or anything in their environment.



Eau Claire City-County  
**Health Department**

[www.ehealthdepartment.org](http://www.ehealthdepartment.org) | (715) 839 - 4718  
720 2nd Avenue | Eau Claire, WI 54703

## Chapter 6.15

### KEEPING OF POULTRY

#### Sections:

- 6.15.010 Purpose.**
- 6.15.020 Definitions.**
- 6.15.030 License Required.**
- 6.15.040 Property Requirements and Coop Design.**
- 6.15.050 Conditions for Keeping and Sanitation.**
- 6.15.060 Inspection and Enforcement.**
- 6.15.070 Other methods not excluded.**
- 6.15.080 Violation and Penalty.**

**6.15.010 Purpose.** The purpose of this chapter is to outline conditions under which city residents in certain residential districts may safely keep and maintain a limited number of allowable poultry to provide eggs for household use; to assure appropriate coops or structures in which to house poultry; and to protect the health, safety, and welfare of the general population of the City of Eau Claire. (Ord. 7307, 2018)

**6.15.020 Definitions.** For the purposes of this Chapter, the following terms have the meaning indicated:

- A. "Abutting property" shall mean all lots that the applicant's property comes into contact with at one or more points, except for lots that are legally abutting but separated from the applicant's property by a public or private street, alley or other right-of-way.
- B. "Poultry" shall mean, for purposes of this ordinance, a female gallinaceous bird or hen of any age, including chicks. This definition includes quail but excludes waterfowl, pheasant, geese, turkeys, peacocks, emus or ostriches.
- C. "Coop" shall mean an enclosed structure, building or pen within which poultry roost or are housed.
- D. "Health Department" shall mean the Eau Claire City-County Health Department.
- E. "Run/Enclosure" shall mean the fenced or enclosed outdoor space provided for poultry. Runs/Enclosures shall be fully enclosed, including the top and all sides.
- F. "Residential structure" shall mean any building located on a residentially zoned property, including a detached garage or shed. (Ord. 7307, 2018)

#### **6.15.030 License Required.**

A. No person shall own, harbor, keep, or maintain poultry within the corporate limits of the city without first obtaining a license. Construction of a coop shall not commence until an application for a license has been submitted.

1. Applications for a license shall be made prior to acquiring a licensable poultry, on such forms as provided by the city.

2. Applicants shall register with the Wisconsin Department of Agriculture, Trade and Consumer Protection pursuant to §95.51, Wis. Stats., and provide proof of registration with the Department prior to obtaining a city license.

3. Applicants shall state on the licensing application the number of planned poultry, the plan to dispose of manure and other waste, as well as their intended coop design and materials plan including a diagram describing the location of the coop and any attached run/enclosure in relationship to lot boundaries and nearby structures, and on any renewal only if the applicant intends to increase the number of poultry or relocate the coop structure on the property from the previous license.

4. The city shall provide written notification to all owners of real estate within 100 feet of the applicant's property. Owners of abutting property to that of the applicant may object in writing to the issuance or the renewal of a license within fourteen (14) days of notification issuance. If an objection is received, the license shall be presented to the city council for consideration.

5. Applicant shall pay a license fee as provided in the City of Eau Claire Fee and License Schedule with application.

6. Applicant shall certify that the poultry and poultry products are primarily for personal non-commercial use. No commercial sales from the residence or any residential area within the city is permitted.

7. An inspection of the completed coop shall be completed by the Health Department or city staff prior to license issuance and thereafter of the coop and any poultry prior to license renewal or upon credible complaint or as determined necessary. Applicant or licensee shall pay any applicable inspection fee as provided in the City of Eau Claire Fee and License Schedule.

8. Licenses shall be issued for a term of one year, commencing with the first day January and expiring on December 31. Failure to renew a license in a timely manner may result in citations and the issuance of a late fee. (Ord. 7307, 2018)

**6.15.040 Property Requirements and Coop Design.** A. Property Requirements.

1. Poultry shall only be kept and maintained on a lot zoned R-1 and used as a single-family dwelling, except that poultry may be kept on a lot zoned R-2 and used as a multi-family dwelling if the applicant does all of the following:

a. Submits a written statement of support to the city signed by the landlord or property owner and all other tenants within the dwelling.

b. Submits a written agreement between landlord or property owner and applicant, as to the plans for maintenance of the coop and poultry and their disposition after the applicant vacates the premises.

2. Poultry shall not be kept or maintained upon a vacant lot or inside a residential structure, including basements, porches, garages, shed, or similar storage structure.

3. A coop and any attached run/enclosure shall be located in the back or side yard of the license holder's residence.

4. A coop and any attached run/enclosure shall be located at least ten (10) feet from an abutting lot, at least twenty-five (25) feet from any residential structure on adjacent lots, at least five (5) feet from any residential structure on the applicant's lot, and at least two (2) feet from all lot lines.

5. Contiguous lots under common ownership shall be combined for purposes of this chapter. Setback provisions contained in this section shall not be applicable to those property lines creating the contiguous portion of a lot.

B. Coop Design.

1. All poultry shall be kept and maintained within a detached, stationary structure used exclusively for the keeping of poultry. Temporary or movable devices and structures shall be prohibited.

2. Coops shall be constructed in a skillful manner, including being ventilated, insulated, roofed, constructed of moisture resistant materials, and in compliance with current city building and zoning ordinances.

3. The coop's structural floor area shall not exceed sixty-four (64) square feet, and the height of the coop shall not exceed eight (8) linear feet as measured vertically from the coop's grade level to the outside highest point of the coop.

4. The coop floor, foundation and footings shall be constructed using a hard, cleanable surface, (e.g., concrete, wood, linoleum, or hard plastic) and shall be resistant to rodents. A dirt floor is not acceptable.

5. All coops, including run/enclosure, shall be enclosed with wire netting or equivalent material including a protective overhead that will prevent poultry from escaping the coop or the attached run/enclosure.

6. All coops and attached structures shall be sized to provide a minimum of three (3) square feet per bird.

7. License information shall be attached to the coop, including the name of the license holder, license number, and an emergency contact telephone number. (Ord. 7307, 2018)

**6.15.050 Conditions for Keeping and Sanitation.** A. Conditions for Keeping.

1. A person keeping or maintaining poultry on residential property:
  - a. Shall keep or maintain not more than five (5) total poultry.
  - b. Shall keep or maintain poultry within a coop or attached coop run/enclosure at all times.
  - c. Shall not keep or maintain any roosters, cocks, or drakes.
2. Poultry shall be provided with access to feed and clean, water at all times.
3. Poultry that become ill shall receive veterinary care on-site or at a veterinary office.

Poultry ill with an infectious disease capable of being transmitted from bird to bird or from birds to humans, including but not limited to, salmonella, avian influenza, are prohibited and shall be immediately euthanized by a veterinarian or immediately removed from the city and humanely killed outside of the city. Any person keeping poultry shall immediately report any unusual illness or death of poultry to the Health Department.

4. The Health Officer may order testing, quarantine, isolation, vaccination or humane euthanasia of ill poultry or poultry believed to be a carrier of a communicable disease per DHS 145.06(6), Wis. Stats.

5. A dog or cat which kills or injures a bird shall not, for that reason alone, be considered a dangerous animal under Chapter 6.08 of this Code.

6. Deceased birds shall be disposed of immediately in a safe manner, which may include trash disposal after placing the deceased bird in a sealed bag.

7. All waste including manure shall be disposed of in a safe and adequate manner that does not create a public nuisance. Composting of manure shall be done in a dedicated, enclosed container at least twenty-five (25) feet from any residential structure on adjacent lots, at least five (5) feet from any residential structure on the permitted lot, and at least two (2) feet from all lot lines.

8. The slaughtering of any permitted poultry may be conducted on the property only if conducted in a humane and sanitary manner, outside of the view of any public area or adjacent property, in accordance with all applicable laws, rules, and regulations, and for personal use only. A maximum of five (5) total poultry may be slaughtered on the property in a license year. This shall not constitute animal cruelty for purposes of Chapter 6.11 of this Code.

a. Culling of poultry for non-meat purposes shall be prohibited, except as may otherwise be required by this chapter.

9. Poultry shall be secured within a coop during non-daylight hours.

10. Poultry shall not roam free outside of a coop or attached run/enclosure, or off of the permitted property.

11. No person may keep or harbor any poultry, which habitually by any noise disturbs the peace and quiet of any person in the vicinity.

12. Coops shall be entirely removed from the property within ninety (90) days of the nonrenewal of a license.

13. Offsite sale of eggs is prohibited except as otherwise permitted by the State of Wisconsin and United States Department of Agriculture. All distribution of eggs shall be documented, including the names, address, and phone number of receiving individuals.

## B. Sanitation.

1. Poultry feed shall be stored and kept in containers which make the feed unavailable to rodents, vermin, wild birds and predators.

2. All coops, attached runs/enclosures and yards where poultry are kept or maintained shall be cleaned regularly to keep them reasonably free from substances, including but not limited to manure, uneaten feed, feathers, and other such waste that it does not cause the air or environment to become noxious or offensive or to be in such condition as to promote the breeding of flies, mosquitoes, or other insects, or to provide habitat, breeding or feeding place for rodents or other animals, or otherwise be injurious to public health.

3. Poultry shall be kept and handled in a sanitary manner to prevent the spread of communicable diseases among birds or to humans. (Ord. 7307, 2018)

**6.15.060 Inspection and Enforcement.**

A. License fees shall not be prorated or refundable.

B. City and Health Department staff shall have the power, whenever it may deem reasonably necessary, to enter a building, structure, or property related to a license under this chapter to ascertain whether the license holder is in compliance with this chapter. Compliance orders and citations may be issued pursuant to the provisions of this chapter, City Code and State law.

C Violations of this chapter may constitute a public nuisance under Chapter 9.36 of this Code, or under Wisconsin Statutes Chapter 823. The city may maintain an action to recover damages or abate a public nuisance pursuant to Chapter 9.36 of this Code or Wisconsin Statutes Chapter 823.

D. A license issued hereunder may be revoked by the city clerk upon determination that the licensee has failed to comply with the provisions of this chapter, this code, or state law, or the poultry or premises has been declared a public nuisance. Once a license has been revoked, it shall not be reissued for a period of at least two years.

E. Appeals from orders of the Health Department for compliance shall be pursuant to Health Department policy in conformance with the procedures for conducting appeals enumerated in Section 68, Wisconsin Statutes. All other orders are appealable pursuant to city code or as otherwise provided by law. An appeal does not limit the city's right to seek court intervention in the form of injunctive or other relief.

F. Licenses shall not be transferable. Only the owner of the proposed licensed real property, or an occupant of the proposed licensed real property with the owner's written permission, is eligible to obtain a poultry keeping license. (Ord. 7307, 2018)

**6.15.070 Other methods not excluded.** The provisions of this chapter are not exclusive and may be used in combination with each other or with any other section of this code or state statute applicable to this subject matter. (Ord. 7307, 2018)

**6.15.080 Violation and Penalty.** Any person who violates the provisions of this chapter shall upon conviction thereof, forfeit not less than \$60 (Sixty) and not more than \$500 (Five Hundred) per day of violation, if applicable, together with the costs of prosecution. (Ord. 7307, 2018)