THE CITY OF MADISON

BOARD OF COMMISSIONERS
AGENDA
AUGUST 16, 2021
5:30PM – COMMISSION ROOM – 116 W CENTER ST

Please join the Zoom meeting from your computer, tablet or smartphone.
https://us06web.zoom.us/j/82401515391

You can also dial in using your phone.
+1 312 626 6799

Meeting ID: 824 0151 5391

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPT AGENDA

APPEARANCES/ACKNOWLEDGEMENTS
1) Michael Johnson - Discuss Code Enforcement in Manufactured Home Parks -Woodbury Estate - NW 9th St

CONSENT CALENDAR
1) Minutes - August 9, 2021
2) Claims for Approval - August 18, 2021
3) Claims for Ratification - August 6, 2021
4) Personnel
5) Building Permit Report - July
6) Authorize the Mayor to Electronically Sign Recovery Transition Meeting (RTM) Review FEMA Flood Disaster DR-4469-SD

UNFINISHED BUSINESS
1) 2nd Reading Ordinance No. 1635 - Chicken Ordinance

NEW BUSINESS

PUBLIC COMMENT

ANNOUNCEMENTS

EXECUTIVE SESSION
1)SDCL 1-25-2(4)

ADJOURN

Supplementary agenda information may be accessed at www.cityofmadisonsd.com

AGENDAS - CITY COMMISSION

If special accommodations are necessary to attend any Board of Commissioners meeting, please contact the Finance Office at (605) 256-7500 at least 24 hours before meeting time. All attempts shall be made to accommodate a request.

CITY OF MADISON
BOARD OF COMMISSIONERS PROCEEDINGS
MADISON, SD 57042

August 9, 2021
Regular

The Board of Commissioners of the City of Madison met in regular session at 5:30pm on the 9th day of August with the following members present on roll call: Mayor Marshall Dennert and Commissioners Jeremiah Corbin, Kelly Dybdahl, Adam Shaw, and Jerae Wire.

The Pledge of Allegiance was recited.

Motion by Commissioner Shaw to adopt the August 9th agenda. Motion seconded by Commissioner Wire. Motion carried unanimously.

Motion by Commissioner Corbin, second by Commissioner Corbin, to approve the following items on the consent calendar: Minutes - August 2, 2021, Claims for Approval -August 11, 2021, Set Bid Date for Bid No. 906 - Surplus Wire for August 25, 2021 at 2:00pm. Motion carried unanimously.

Claims for Approval - August 11, 2021:
A A A Collections Inc July AAA 819.39; Altec Industries Inc Hydraulic Hoses 462.48; Appeara Mat Rentals 185.72; Banner Associates Inc Design & Bidding Well #1 5,076.00; Borns Group Inc Utility Billing 2,016.43; Bowes Construction Apron Exp Const/Tack Oil 363,445.49; Bramble Park Zoo Youth Program Admission 612.00; Builders FirstSource Concrete Form & Nails 46.89; Caldwell Tanks Water Tower Construction 548,446.50; Carquest of Madison Poly Rib Belt 38.49; Christensen Distributing Brake & Glass Cleaner 77.72; Classic Convenience Inc Fuel 181.22; Coles Petroleum Products Inc Diesel - Gen Plant 18,570.71; Colonial Research Chem Corp Chemicals 334.34; Concrete Materials Hot Mix 7,524.00; Core & Main GP LLC Hyd Ext Kit 1,957.41; Dakota State University Elev Contract/Repair Toilets 247.60; Daxko LLC Aug Spectrum Software 1,634.68; Ebsen/Shayla Swimming Lessons Refund 35.00; Elite Card Payment Center Projector/Pool Trips/Etc 4,881.02; Engler/Kimberly S Refund Overpayment-Final 31.06; F & M Coop Oil Co Fuel 308.05; FedEx Express Services 17.12; First Bank & Trust Bond Interest 3,432.34; Goth Electric Jet Sewer Line 372.97; Hauff Mid America Sports Inc Batting Mats 2,005.00; Hunter Publishing Inc Minutes/Ordinances 129.14; Husman Heating & Plumbing LLC Repair Toilets & Urinal 277.13; Hydraulic World Inc Shaft Seals 522.43; Jacks Service Exhaust Pipe/Flex Tube 51.00; Joshs Repair LLC Inspection Camera 575.00; Kleinsasser/Bruce Lifeguard Review-Bunker 180.00; Lake County International Inc Tractor Parts 265.48; Lake County Treasurer Fuel 1,018.98; Lewis Drugs Inc Cat Food/Cleaning Items 38.59; Lewis&Clark Regional Water Sys July 2021 Fees 270.00; Madison Ace Hardware Trimmer Parts/Hard Hats 183.94; Madison Grocery Store Inc Groceries/Propane Exchange/Pop 133.78; Madison Regional Health ICC/DOT Exam-Boecker 125.00; Mamas Maid Service Cleaning Service/Supplies 631.25; Mehlert/Kelsey A Refund After Deposit 78.28; Merles Carpet Cleaning Carpet Cleaning 234.24; Midway Service-Vollan Oil Fuel 9,060.78; Midwest Alarm Co Security Monitoring 94.35; Myrl & Roys Paving Inc Hot Mix 1,748.26; Office Peeps Inc Hole Punch/Correction Tape 62.87; One Source Site Inspection Fee 99.00; Open Access Technology Int'l AMI03/CVR08 Milestones 2,720.00; Porta Pros Inc Handicap Unit Rental 161.00; Productivity Plus Account Gutter Broom/Scraper Blade 549.16; Proudlove/Dyshawn J Refund After Deposit 144.43; Ramkota Hotel Lodging-S.Wilt/K.Olson 424.00; Recreation Supply Co Inc Robotic Pool Cleaner 3,249.00; Running Supply Inc Pet Door/Litter/Dog Food/Concrete 292.28; SD One Call Message Fees 126.14; Shpigler Consulting Inc 1 Mo AMI Op Support 7,547.80; Sioux Valley Energy Utilities 55.00; Sturdevants Madison Inc Filters/Brake Cleaner/Chamois 402.23; The Tessman Co Clay 1,579.00; Timmer Supply Co Flynn Field Fountn/Plumbing Parts 511.73; Tyler Technologies Inc Current/Future State Analysis 4,250.00; USA Blue Book Chemicals 62.49; Vander Haags Inc Fuel Tank 883.61; Verizon Wireless Summer Program Monthly Bill 81.08; Visual Gov Solutions LLC July Process Fee 6,189.51.

Mayor Dennert opened the hearing on Ordinance No. 1635 - Chicken Ordinance. Mike Johnson asked for clarification on where Chickens would be allowed. Mayor Dennert stated he had individuals state they were not in favor of allowing chickens within the city limits. Not hearing any other comments, motion by Commissioner Corbin, second by Commissioner Wire, to approve the 1st Reading of Ordinance No. 1635 - Chicken Ordinance. Motion carried unanimously.

Police Chief Meyer requested the approval of hiring of an additional police officer, due to one officer going on military leave and filling a vacancy. Due to the volume and subject of many of their calls, the additional officer would help alleviate overtime and comp time of current officers. Motion by Commissioner Shaw, second by Commissioner Dybdahl, to approve the hiring of an additional police officer. Motion carried unanimously.

Utility Director Brad Lawrence reviewed a change order #50718 from Muth Electric for Madison Aquatic Center Electrical Upgrades. Prior installation of components was not to code, the additional resources to bring the components to code totals 1,202.00. Motion by Commissioner Corbin, second by Commissioner Dybdahl to approve change order proposal # 50718 from Muth Electric. Motion carried unanimously.

Bid No. 904 - Surplus Wire/Scrap Hardware, Other Miscellaneous was reviewed: Metal Brokers, LLC $1,355.00. Motion by Commissioner Shaw, second by Commissioner Wire to award Bid No. 904 to Metal Brokers, LLC. Motion carried unanimously.

Bid No. 905 - Well House #1 Replacement was reviewed: HydroTech Service $285,000.00, Rubin Construction $348,100.00. Motion by Commissioner Wire, second by Commissioner Corbin, to award Bid No. 905 to HydroTech Service. Motion carried unanimously.

Public comment was heard from Mike Johnson regarding the current state of the Woodbury Trailer Court on NW 9th St. and concerns with the code enforcement in the area.

Motion by Commissioner Shaw, second by Commissioner Wire to adjourn.

The Board of Commissioners adjourned at 5:54pm.

/s/Sonya Wilt
Finance Officer

CITY OF MADISON
PERSONNEL
AUGUST 2021

NAME	EFFECTIVE DATE	PRESENT STATUS	RECOMMENDED STATUS	PRESENT RATE/SALARY	RECOMMENDED RATE/SALARY	POSITION	FUND	DEPARTMENT
Neises, Jordan	8/16/2021	Temporary	PT<20	$9.45	$9.45	Afterschool Program Assistant	Community Center	Afterschool Program
Kremer, Luke	8/16/2021	Temporary	PT<20	$9.45	$9.45	Afterschool Program Assistant	Community Center	Afterschool Program
Schoelberl, Ben	8/16/2021	Temporary	PT<20	$9.45	$9.45	Afterschool Program Assistant	Community Center	Afterschool Program
Dukat, Jada	8/16/2021	Temporary	PT<20	$9.45	$9.45	Afterschool Program Assistant	Community Center	Afterschool Program
Garry, Grayson	8/16/2021	Temporary	PT<20	$9.45	$9.45	Afterschool Program Assistant	Community Center	Afterschool Program
H arold John Minnaert	8/16/2021	PT<20	PT<20	$13.25	$15.00	General Laborer - PT	General	Highways & Streets

VOLUNTEERS - FIRE DEPARTMENT	EFFECTIVE DATE	PRESENT STATUS	RECOMMENDED STATUS	PRESENT RATE/SALARY	RECOMMENDED RATE/SALARY	POSITION	FUND	DEPARTMENT
Anderson, Sam	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Balogh, Todd	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Barger, Jared	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Bialas, Wade	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Buresh, Daniel	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Christiansen, Kurt	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Dahl, Kester	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Denne, Jamie	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Drause, Jade	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Dybdahl, Kelly	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Frost, Tyler	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Gant, Ben	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Gulbranson, Sid	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Hively, Jay	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Johnson, Scott	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Johnson, Eric	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Jung, Dustin	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Larson, Chad	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire

Limmer, Jayson	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Olson, Justin	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Patch, Chad	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Ragsdale, Chance	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Reinicke, Gary	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Reinicke, Curt	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Ruhd, Tyler	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Stoebner, Kyle	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Strom, Corey	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire
Wise, Shawn	2021 - Annual	Volunteer Fireman	Volunteer Fireman	NA	NA	Volunteer Fireman	General	Fire

July 2021 Building Permit Report

Date	Permit No.	Owner	Address	Use	Type of Construction	Contractor	Estimated Build Cost	Permit Fee
7/1	8009	1022 Partners	1022 N Union Ave	Res	Remove and replace concrete pavement	Amert Construction 310 S Union Ave Madison, SD 57042	$20,000.00	$25.00
7/9	8005	Marissa Curtis	420 SE 4th St	Res	30'x36' 3-stall garage, 10' walls, vinyl siding, shingle roof, concrete floor	Self	$25,000.00	$241.00
7/7	8011	Brad Franken	111 N Garfield Ave	Res	Demo House	Reinicke Construction 45652 SD Hwy 34 Madison, SD 57042	$0.00	$0.00
7/7	8010	Janet Walker	630 NE 1st St	Res	Demo House	Reinicke Construction 45652 SD Hwy 34 Madison, SD 57042	$0.00	$0.00
7/7	8029	First Premier Bank	202 NW 2nd St	Com	50 sq ft double sided monument sign, 14' overall height, engineered to add Daktronics sign at later date	Ace Neon Signs 403 N Kiwanis Ave Sioux Falls, SD 57104	$36,000.00	$30.00
7/9	8016	Craig & Dotta-Jo Walker	733 NE 15th St	Res	Replace Deck	Dietterle Construction, LLC 922 Heatherwood Ave Madison, SD 57042	$11,758.14	$124.00
7/8	8012	Jerry & Janice Farrell	513 NW 2nd St	Res	Install egress window for basement NE corner	Heilman Construction 1424 SW 1st St Madison, SD 57042	$2,500.00	$43.00
7/12	8014	Lake County Abstract	123 N Egan Ave	Com	Paint frontage brick around windows. Remove existing awning, install prefinished LP board & batten over existing paneling	Paul Alan Construction, Inc 501 N West Ave Madison, SD 57042	$5,400.00	$70.00
7/12	8017	Brad Harr	215 N Chicago Ave	Res	30'x30' Driveway	Opdahl Construction 45737 238th St Madison, SD 57042	$4,500.00	$61.00
7/12	8007	Gaylen Backus	118 E Center St	Com	Put up a sign on front of building 5'x11'6" Channel letters	Pride Neon Signs 3010 W 10th St Sioux Falls, SD 57104	$3,200.00	$30.00
7/21	8021	Kamala Arneson	618 SW 2nd St	Res	Replacing 12 windows size for size	1-800 Hansons 2707 S Carolyn Ave Sioux Falls, SD 57106	$17,220.00	$178.00
7/21	7762	Tobie Jones	609 NE 3rd St	Res	Repair damage from September 2019 Flood	Self	$4,175.00	Waived for Flood Repair

July 2021 Building Permit Report

7/21	8004	Snickerdoodles LLC	1720 NE 3rd St	Com	Construct a new storage unit building	Haug Steel Construction 47177 258th St Sioux Falls, SD 57107	$235,962.00	$1,104.50
7/21	7945	Chad Weyh	1212 S Industry Ave	Com	Install Pylon Sign and Channel Letters	Tri City Sign 363 N Elm Grand Island, NE 68801	$44,485.00	$35.00
7/28	8031	Jason & Holly Evans	732 S Washington Ave	Com	Installation of aluminum, non-illuminated letters reading "CALL 256-0336"	Pride Neon Signs 3010 W 10th St Sioux Falls, SD 57104	$1,035.00	$30.00
7/28	8022	Paula Kingery	1108 NE 8th St	Res	Replacing 6 windows, size for size	1-800 Hansons 2707 S Carolyn Ave Sioux Falls, SD 57106	$16,941.00	$169.00
7/28	8023	Fun Times Enterprises LLC	222 NW 2nd St	Com	Manufacture & install new sign cabinet 8'x6' to existing pole	Tri City Sign 363 N Elm Grand Island, NE 68801	$4,000.00	$30.00
	17					Total	$432,176.14	$2,170.50

Sign Recovery Transition Meeting

SUBMIT CANCEL

Please review and sign

The PDMG for Madison, City of conducted an RTM on 08/09/2021. The RTM checklist specifies the material that was discussed during the meeting. As a reminder:

- The Applicant must maintain complete records and cost documentation for all approved work for at least three years from the date the Applicant's grant is officially closed. The Recipient may require Applicants to maintain records for longer.
- In accordance with §206.206 of 44CFR, Applicants may appeal any determination related to an application for or the provision of Federal assistance, but must do so within 60 days from receipt of the determination.
- All work must comply with provisions of the Clean Water Act, Clear Air Act, Resource Conservation and Recovery Act, Endangered Species Act, Fish and Wildlife Coordination Act, the National Historic Preservation Act, and related Federal statutes and associated State, Tribal and local laws, codes, ordinances and other statutes.

Any questions regarding Public Assistance, changes to the Approved Scope of Work, Improved or Alternate Projects, 406 Hazard Mitigation, and/or major cost overruns that require prior approval from FEMA, please contact:

Dykstra, Jeff
Phone: (605) 773-3231
Email: jeff.dykstra@state.sd.us

Processing

VanderPlaats, Amanda
Phone: (605) 773-3231
Email: amanda.vanderplaats@state.sd.us

Dashboard

My Organization
Madison, City of (079-40220-00)

Profile
Personnel
Applicant Event Profiles
Exploratory Calls
Recovery Scoping Meetings
Damages
Work Order Requests
Work Orders
Projects

My Post-Award Ops

My Tasks

Calendar

Utilities

Intelligence

Certification

To the best of my knowledge and understanding, Project Worksheets have been written for all known damages and for all other disaster-related costs claimed under the Public Assistance Program for this disaster. Exceptions may include inundated or inaccessible sites and demolition-related projects. I have also read and understand the important time lines noted above and will comply with Federal, State, and local statutes and ordinances in completing disaster-related work under the Public Assistance grant. In addition, I have been provided a copy of the D.1 Project Worksheet Report.

SIGNATUR Signature

DATE CLICK TO SIGN
08/10/2021

Follow-Up Meeting

Recovery Transition Meeting

SIGN & SUBMIT RTM FOR APPLICANT
Completed by FEMA on 8/10/2021 10:08 AM CDT

- Recovery Transition Meeting
- RTM Checklist
- Notes
- Schedule History

PROVIDE APPLICANT WITH APPLICANT PROFILE REPORT
Yes
DISCUSS EACH PROJECT
Yes
DISCUSS DETERMINATION MEMORANDUMS/LETTERS THAT HAVE BEEN ISSUED, IF APPLICABLE
No
DISCUSS COMPLETION OF WORK AND TIME EXTENSION DEADLINES
Yes
DISCUSS TIME EXTENSION REQUESTS
Yes
DISCUSS REQUIREMENTS FOR SCOPE OF WORK CHANGES
Yes
DISCUSS RECORD RETENTION REQUIREMENTS
Yes
DISCUSS PROJECT RECONCILIATION AND CLOSEOUT
Yes
DISCUSS RECIPIENT OBLIGATION PROCEDURES AND CLOSEOUT/GRANTS MANAGEMENT REQUIREMENTS
Yes

ORDINANCE NO. 1635

AN ORDINANCE TO AMEND CHAPTER 5 - ANIMALS BY ADDING ARTICLE VI - CHICKENS

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MADISON, SOUTH DAKOTA:

That Chapter 5 of the Revised Ordinances of the City of Madison, also known as the Code of Ordinances, be amended to read as follows:

ARTICLE IV. CHICKENS.

Sec. 5.231. - Fowl generally.

No person shall keep any ducks, geese, turkeys, pheasants, quail, partridges, guineas, or other like domestic fowl within the city limits, except for chickens kept within the provisions of this article.

Sec. 5.232. – Definitions regarding chickens.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Brooding means the period of chicken growth when supplemental heat must be provided due to the bird's inability to generate enough body heat.

Chick means a baby chicken not more than six (6) weeks old.

Chicken means a domesticated bird of the order of Galliformes in the genus of Gallus (chickens) that serves as a source of eggs or meat.

Cockerel means a young male chicken.

Coop means the structure for the keeping or housing of chickens permitted by the ordinance.

Exercise yard means a larger fenced area that provides space for exercise and foraging for the birds when supervised.

Hen means a female chicken.

Officer means any person designated by the city manager as an enforcement officer.

Rooster means a male chicken.

Run means a fully enclosed and covered area attached to a coop where the chickens can roam unsupervised.

Sec. 5.233. – Revocable permit.

It is the purpose and intent of this ordinance to permit the keeping and maintenance of brooding chicks and hens for egg and meat sources in a clean and sanitary manner that is not a nuisance to or detrimental to the public health, safety, and welfare of the community. The keeping and maintenance of brooding chicks and hens is permitted to all residents who comply with all requirements, limitations, or prohibitions of this article. Such permit may be revoked if the person holding the permit refuses or fails to comply with this chapter or with any state or local law governing cruelty to animals or the keeping of animals. Any revocation shall be effective after ten (10) days following written notice thereof to the person or persons keeping or maintaining such chickens. Any person whose permit is revoked within ten (10) days thereafter shall humanely dispose of all chickens being

owned, kept, or harbored by such person.

Sec. 5.234. - Investigation and Enforcement.

Officers designated by the city shall have authority in the investigation and enforcement of this article, and no person shall interfere with, hinder, or molest any such officer in the exercise of such powers. The animal control officer shall make investigations as is necessary.

Sec. 5.235. – Limitations on the number and keeping of chickens.

(a) Chickens are not considered domestic pets.

(b) Chickens may only be kept within areas of the city zoned to permit single family dwellings as a principal permitted use as outlined below.

(c) No more than six (6) hens shall be housed or kept on any one (1) residential lot. Residents may possess a like number of brooding chicks intended for the cyclical replacement of hens, but not for the purpose of sale or resale.

(d) Roosters and chicken breeding are prohibited. Cockerels must be culled from broods when identified.

(e) A separate coop is required to house the chickens together with a reasonably satisfactory exercise yard, run, or yard fencing so as to keep chickens confined at all times. Chicken facilities must be constructed and maintained to meet the following minimum standards:

a. Located in the rear or side yard.
b. Setback as required by the zoning district for structures on the real property. Such structures will still require a building permit as specified in Chapter 6.
c. Coop construction and materials must be adequate to prevent access by rodents.
d. Coops must be maintained in good repair.
e. Coops or cages housing chickens shall be kept at least twenty (20) feet from the door or window of any dwelling of an occupied structure other than the owner's dwelling.
f. Coops and manure storage shall be kept twenty (20) feet from streams, tributaries, ditches, storm water management facilities, drop inlets, or other storm drainage areas that would allow fecal matter to enter any city storm drainage system or stream. Dumping chicken manure into the city's storm drainage system is prohibited.

(f) Chickens must not be housed in a residential house or an attached or detached garage, except for brooding purposes only.

(g) All premises on which chickens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surrounding area must be cleaned frequently enough to control odor. Manure and coop waste shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property. Manure and coop waste that is not composted or immediately spread as fertilizer must be secured and double bagged in solid waste bags and kept in a solid waste container as set forth in section 9-3.

(h) Chickens shall not be kept in such a manner as to constitute a nuisance to the occupants of adjacent property.

(i) Except for chickens properly slaughtered for consumption, dead chickens must be disposed of within forty-eight (48) hours after death. Legal forms of chicken carcass disposal include burial and off-site incineration or rendering. All slaughtering of chickens shall be conducted so as not to be visible to the

public or adjacent property owners and occupants.

(j) All grain and food stored for the use of the chickens shall be kept in a rodent proof container.

(k) Chickens shall be kept so that visibility is substantially obstructed at a height of five (5) feet above ground level to the traveling public or surrounding property owners.

Sec. 5.236. - Violations.

(a) Any person violating this article shall be deemed guilty of a class 2 misdemeanor, upon conviction, shall be punished in accordance with a fine amount of $100 plus court costs.

(b) Any person violating this article shall reimburse the city for all costs borne by the city to enforce the conditions of this article including but not limited to the collection and humane disposal of chickens.

(c) All chickens of any person violating this article may be forfeited to the city and may be removed and euthanized and properly buried or otherwise disposed of in a sanitary manner.

Sec. 5.237- City Impoundment:

(a) Due to the risk of disease, the City Animal Control Shelter cannot receive and hold (i.e., impound) chickens that come into the possession of the Animal Control Officer. Therefore, the Animal Control Officer is authorized to euthanize and properly dispose of any chickens found running at large or that come into the officer's possession.

Dated this __ day of August, 2021

CITY OF MADISON

_____
Mayor

Attest: _____
Finance Officer

1st Reading: August 9, 2021
2nd Reading:
Published:
Effective: