

**CITY OF EDGERTON  
EDGERTON CITY HALL  
12 ALBION STREET  
EDGERTON, WI**

**PLANNING COMMISSION**  
Monday, September 14, 2020 at 6:00 P.M.

NOTE: PER EMERGENCY ORDER #1 FACE COVERINGS ARE REQUIRED

1. Call to Order; Roll Call.
2. Confirmation of appropriate meeting notice posted Friday, September 11, 2020.
3. Consider approval of minutes from the August 17, 2020 Plan Commission meeting.
4. Discuss possible Zoning Ordinance text amendments
  - a. Commercial apartments
  - b. Home occupations
  - c. Temporary outdoor sales
  - d. Bee keeping
  - e. Potbelly pigs
5. Set next meeting date and future agenda items.
6. Adjourn.

cc: Commission Members                      All Council Members                      Department Heads  
City Engineer                                      Newspapers

**Notice: Some members of the Commission may attend by telephone conference for this meeting.**

**NOTICE:** If a person with a disability requires that the meeting be accessible or that materials at the meeting be in an accessible format, call the City Administrator's office at least 6 hours prior to the meeting to request adequate accommodations. Telephone: 884-3341.

Notice is hereby given that a majority of the Common Council is expected to be present at the above scheduled noticed meeting to gather information about a subject over which they have decision-making responsibility. The only action to be taken at this meeting will be action by the Planning Commission."

**AUGUST 17, 2020 PLAN COMMISSION MEETING MINUTES  
CITY OF EDGERTON**

Commission Chair Christopher Lund called the meeting to order at 6:40 p.m.

Present: Christopher Lund, Jim Burdick, Anne Radtke (remote connection), Jim Kapellen, Paul Davis, and Julie Hagemann (remote connection).

Absent: Ron Webb.

Others Present: City Administrator Ramona Flanigan, Municipal Services Director Howard Moser, and a few citizens.

City Administrator Ramona Flanigan confirmed the meeting agendas were properly posted on Friday, August 14th at the Post Office, Edgerton Library, and City Hall.

**MINUTES:** A Jim Kapellen/Paul Davis motion to approve the minutes from the July 30, 2020 Plan Commission meeting passed on a 6/0 roll call vote.

A Paul Davis/Jim Burdick motion to approve minutes from the August 10, 2020 Joint Council and Plan Commission meeting passed on a 6/0 roll call vote.

**CONSIDER EXTRATERRITORIAL LAND DIVISIONS:** A Jim Kapellen/Jim Burdick motion to approve an extraterritorial land division for Bill Morrison, Town of Fulton, Section 8 to create three lots out of two lots on STH 59 passed on a 6/0 roll call vote.

A Jim Burdick/Jim Kapellen motion to approve an extraterritorial land division for Shumaker, Town of Fulton, Section 16 to combine two lots on N Blackhawk Drive passed on a 6/0 roll call vote.

Being no other business before the Commission, a Jim Kapellen/Paul Davis motion to adjourn passed on a 6/0 roll call vote.

Ramona Flanigan/ch  
City Administrator

Approved

**TO:** Edgerton Plan Commission

**FROM:** Staff

**MEETING DATE:** September 14, 2020

**DISCUSSION**

The Plan Commission should discuss the possible text amendments below and determine if these items should set for a public hearing.

**First floor apartments in downtown buildings:** The zoning ordinance currently defines a commercial apartment as a residential unit located above the ground floor in a building having first floor commercial. Commercial apartments are allowed as a conditional use in all 4 commercial districts and in the Historic Mixed Use District. (The Historic Mixed Use District is primarily located along the rail corridor in the downtown.)

Should the ordinance be amended to allow residential units on the first floor in the downtown district under the condition the “storefront” has a non residential use? This provision would be made to improve the economic vitality of downtown buildings by expanding the possible land uses for these structures while preserving the commercial character of the structure and the downtown.

**Home occupations:** A home occupation is an economic activity performed within a residential unit. The zoning ordinance currently allows home occupations with the conditions listed below as a Special Use in a single family home in residential districts and as a Conditional Use in buildings containing more than one residential unit. A Special Use does not require Plan Commission approval but the applicant must provide a written description of the business so that staff can ensure application complies with all the conditions listed below. The applicant must also sign the permit committing to comply with the conditions. If the use cannot comply with the conditions, the petitioner can apply for a Conditional Use permit which requires Plan Commission approval.

Staff interprets the ordinance as follows: If a Home Occupation that is being proposed in a single family structure involves customers coming to the home as part of the business, staff requires the petitioner seek a Conditional Use Permit so the neighbors are notified of a public hearing and the Plan Commission can consider all the evidence before a permit is granted. Conversely, if the use has no visitors and is otherwise not visible to the neighbors, a Special Use Permit is granted by staff.

**Home Occupation Conditions**

- a. The home occupation shall be conducted only completely within the dwelling unit, or accessory building or structure with a permanent floor, and not on any porch, deck, patio or other unenclosed or partially-enclosed portion of the dwelling unit.
- b. The home occupation shall be conducted by a resident of the dwelling unit, and no more than 1 other person shall be employed, on either a part-time or full-time basis, in the business.
- c. No more than 25% of the total living area of the dwelling (exclusive of garage and porch areas) shall be used for the home occupation.
- d. The dwelling unit used for the home occupation shall not serve as a storage facility for a business conducted elsewhere.
- e. No activity, materials, goods, or equipment incidental to the home occupation shall be externally visible.

- f. Only 1 sign, not to exceed 2 square feet, non-illuminated and wall mounted only, may be used to advertise a home occupation. Said sign shall not be located within a right-of-way, and shall be of an appearance that is harmonious with nearby residential areas.
- g. The use of the dwelling unit for a home occupation shall in no way be incompatible with the character of nearby residential areas.
- h. A minimum of 2 off-street parking spaces reserved for business use shall be provided on-site.
- i. In no instance shall a home occupation create a nuisance for neighboring properties.
- j. Shall comply with Subsection 22.207, standards and procedures applicable to all uses permitted by right with special requirements.

The amendment proposed by an Alderperson does the following (See attached proposed amendment and justification):

- Reclassifies Home Occupations in single family structures from a Special Use to a Permitted Use. This would make it easier to establish a Home Occupation. It would also allow a Home Occupation to operate without a permit thus the owner would not acknowledge that he/she agrees to comply with the ordinance provisions and there is no staff review.
- Reclassifies Home Occupations in two or more unit structures from a Conditional Use to a Special Use. This would make it easier to establish a Home Occupation. It would allow the establishment of a Home Occupation in a multiunit building without input from the neighbors or the Plan Commission.

If the Commission wishes to proceed with a public hearing on this issue, the Commission could consider adding a condition that requires a conditional use permit for all uses that have more than 4 customers coming to the property in a month.

**General Temporary Outdoor Sales.** General Temporary Outdoor Sales are regulated a Temporary Use. Examples include: tent sales and bratwurst sales. The definition specifically excludes garage sales. They are allowed in all the commercial districts and the Historic Mixed Use District.

The amendment proposed by an Alderperson would allow Temporary Outdoor Sales in all zoning districts. Below are the conditions with which all Temporary Outdoor Sales Uses must comply. The policy question is does the City want to allow the sale of commercial products for up to 14 days in residential districts?

**General Temporary Outdoor Sales Conditions**

- a. Display shall be limited to a maximum of 14 days in any calendar year.
- b. Display shall not obstruct pedestrian or vehicular circulation, including vehicular sight distances.
- c. Signage shall comply with the requirements for temporary signs in Subsection 22.506.
- d. Adequate parking shall be provided.
- e. If subject property is located adjacent to a residential area, sales and display activities shall be limited to daylight hours.
- f. The applicant has written permission of the property owner or tenant.
- g. Shall comply with Subsection 22.208, standards and procedures applicable to all temporary uses.

**Bee Keeping:** The ordinance currently allows bee keeping in the Agriculture, Suburban Commercial District, and the manufacturing districts. The City has received some requests from residents to allow bee keeping in residential areas. Some cities allow bee keeping in residential areas.

**Potbelly Pigs:** A resident has requested the City allow potbelly pigs as pets in the City. The attached information is an excerpt from the substantial amount of information provided by the requestor. The entire packet provided by the requestor has been emailed or is available at City Hall.

## MEMORANDUM

To: Planning Commission, Common Council, Newspapers

From: Alder Robert Reynolds

Date: 8/3/2020

Subject: Proposed amendment to expand residential property rights

### **Petition**

Greetings,

Currently under city ordinance, commercial activities are only allowed on residential property with a home occupations permit (Ord 22.304(5)n). The permit is issued as either a special use or conditional use permit depending on whether the property is a single-family, or multi-family home, and has several requirements to obtain either permit. I feel that requirements b) "The home occupation shall be conducted by a resident of the dwelling unit, and no more than 1 other person shall be employed, on either a part-time or full-time basis, in the business" and c) "No more than 25% of the total living area of the dwelling (exclusive of garage and porch areas) shall be used for the home occupation" although sounds reasonable, can be excessively burdensome to some businesses in practice. The 25% rule would mean that, people in smaller homes may be limited to areas too small to practically run a business, and I think a minimum square footage should be allowed. As for the 1 employee rule, I can completely understand neighbors not wanting too many people crowded in a single building, however, some of our local businesses operate at outside venues like fairs, farmers markets, and gun shows, by limiting the amount of employees in-home businesses can hire, we limit the number of outside venues they can operate in at any given time, even if those employees rarely enter the home. I think the employee limit should be clarified to no more than 1 employee on the premise.

Also, currently under city ordinance, B and HMU districts are allowed General Temporary Outdoor Sales as a temporary use activity for up to 14 days per calendar year (Ord 22.304(6)e). I think that all districts would benefit from being allowed this ability, especially our residential homes containing a home occupation, who would then be allowed to market their products outside their home once in a blue moon, while still respecting the rights of their neighbors and not causing a nuisance by being restricted to 14 days of sales and the other regulations attached to this use. I therefore, petition the Planning Commission to schedule a public hearing to approve an amendment to chapter 22 to make these requested changes, below is an example resolution of what these changes may look like.

### **Resolution X**

(n) Home Occupation.

Description: Home occupations are economic activities performed within any single-family detached residence that comply with the following requirements. Examples include personal and professional services, and handicrafts, which comply with all of the following requirements:

1. Permitted by Right: ~~Not Applicable~~ **(Single-family Residences in Residential Districts):**

**a. The home occupation shall be conducted only completely within the dwelling unit, or accessory building or structure with a permanent floor, and not on any porch, deck, patio or other unenclosed or partially-enclosed portion of the dwelling unit.**

**b. The home occupation shall be conducted by a resident of the dwelling unit, and no more than 1 other person shall be employed, in the business, on either a part-time or full-time basis, on the premise at any given time.**

c. No more than 25%, or 250 square feet, of the total living area of the dwelling (exclusive of garage and porch areas) shall be used for the home occupation.

d. The dwelling unit used for the home occupation shall not serve as a storage facility for a business conducted elsewhere.

e. No activity, materials, goods, or equipment incidental to the home occupation shall be externally visible.

f. Only 1 sign, not to exceed 2 square feet, non-illuminated and wall mounted only, may be used to advertise a home occupation. Said sign shall not be located within a right-of-way, and shall be of an appearance that is harmonious with nearby residential areas.

g. The use of the dwelling unit for a home occupation shall in no way be incompatible with the character of nearby residential areas.

h. A minimum of 2 off-street parking spaces reserved for business use shall be provided on-site.

i. In no instance shall a home occupation create a nuisance for neighboring properties.

j. Shall comply with Subsection 22.207, standards and procedures applicable to all uses permitted by right with special requirements.

2. Permitted by Right with Additional Special Requirements (~~Single-family Residences in Residential Districts~~): (Two-family and Multi-family Residences in Residential Districts, and Residences in B-1, B-2, B-3, B-4, HMU, and O-1):

~~a. The home occupation shall be conducted only completely within the dwelling unit, or accessory building or structure with a permanent floor, and not on any porch, deck, patio or other unenclosed or partially-enclosed portion of the dwelling unit.~~

~~b. The home occupation shall be conducted by a resident of the dwelling unit, and no more than 1 other person shall be employed, on either a part-time or full-time basis, in the business.~~

~~c. No more than 25% of the total living area of the dwelling (exclusive of garage and porch areas) shall be used for the home occupation.~~

~~d. The dwelling unit used for the home occupation shall not serve as a storage facility for a business conducted elsewhere.~~

~~e. No activity, materials, goods, or equipment incidental to the home occupation shall be externally visible.~~

~~f. Only 1 sign, not to exceed 2 square feet, non-illuminated and wall mounted only, may be used to advertise a home occupation. Said sign shall not be located within a right-of-way, and shall be of an appearance that is harmonious with nearby residential areas.~~

~~g. The use of the dwelling unit for a home occupation shall in no way be incompatible with the character of nearby residential areas.~~

~~h. A minimum of 2 off-street parking spaces reserved for business use shall be provided on-site.~~

~~i. In no instance shall a home occupation create a nuisance for neighboring properties.~~

~~j. Shall comply with Subsection 22.207, standards and procedures applicable to all uses permitted by right with special requirements.~~

**a. Shall meet all additional special regulations in 2., above.**

**b. Shall comply with Subsection 22.206, standards and procedures applicable to all conditional uses.**

3. Conditional Use Regulations (~~Two-family and Multi-family Residences in Residential Districts, and Residences in B-1, B-2, B-3, B-4, HMU, and O-1~~): **Not Applicable**

~~a. Shall meet all additional special regulations in 2., above.~~

~~b. Shall comply with Subsection 22.206, standards and procedures applicable to all conditional uses.~~

(e) General Temporary Outdoor Sales.

Description: Includes the display of any items outside the confines of a building which is not otherwise permitted as a permitted, special, or conditional use, or a special event otherwise regulated by the City of Edgerton Municipal Code. Examples of this land use include but are not limited to: tent sales and bratwurst stands. Garage sales are exempt from the provisions of this Chapter, but shall comply with the requirements of the City of Edgerton Municipal Code.

1. Temporary Use Regulations: ~~{B-1, B-2, B-3, B-4, HMU}~~ **{All Districts}**

a. Display shall be limited to a maximum of 14 days in any calendar year.

b. Display shall not obstruct pedestrian or vehicular circulation, including vehicular sight distances.

c. Signage shall comply with the requirements for temporary signs in Subsection 22.506.

d. Adequate parking shall be provided.

e. If subject property is located adjacent to a residential area, sales and display activities shall be limited to daylight hours.

f. The applicant has written permission of the property owner or tenant.

g. Shall comply with Subsection 22.208, standards and procedures applicable to all temporary uses.

### **Conclusion**

I believe that opening and operating one's own business, and being able to partake in the capitalist economy, is an American right, and most businesses, including Amazon, Apple, Facebook, YouTube, and many others started out as in-home businesses, which is why it's imperative that we give our in-home businesses every chance we can to prosper, with respect to the property rights and property values of others, because some of these will go on to grow and hopefully occupy our empty buildings we have littering the city. I believe that easing our regulations on home occupations, even by just a little, will make them a more attractive and enticing option for people seeking financial independence and opportunity. Lastly, I believe that Edgerton having a strong home occupations sector would be something unique and attractive for the city to be able to claim, which would bring in more residents to join our community.



# CHANGE TO CITY ORDINANCE CH. 29: REGULATION OF ANIMALS POTBELLY PIG PETS

City of Edgerton

August 2020

**i** Dear City of Edgerton Planning Commission Members,

*The attached proposal is requesting a change in the City of Edgerton ordinances surrounding pet ownership. The request is based on two main issues.*

*First, I am creating an Animal Assisted Therapy program within my Mental Health and Substance Abuse Counseling private practice. To appropriately and adequately train therapy animals, one must be near the animal as much as possible in the training process, which inevitably means the animals I am training will need to come home with me.*

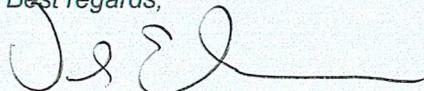
*Secondly, I have three individuals in my home with Social Security Administration recognized disabilities, two of whom are diagnosed with Autism Spectrum Disorders. Therapy animals have been commonly recognized as beneficial for ASD, particularly related to helping calm sensory processing overstimulation, help regulate affect and mood, build confidence and self-esteem within the individual and help establish routine and tolerate routine changes. Therefore, it is my belief having therapy animals for my family will greatly improve our well-being and quality of life.*

*The therapy animals we are training will be Potbelly Pigs, a unique but not uncommon household pet within the United States. However, the present City of Edgerton ordinances do not allow Potbelly Pigs to be kept as pets within the city limits. Below you will find information describing the ample benefits of Potbelly Pig guardianship and other supporting information to substantiate the proposed ordinance change. I have also included suggested ordinance change language to offer ideas on how this ordinance change may look in our City of Edgerton Municipal Code.*

*Potbelly Pigs have grown in popularity as household pets since the 1980's. They differ from livestock swine, as described below, and are kept for the purpose of enjoyment and companionship. And in our case, therapeutic support. I have found abundant information on the ownership of potbelly pigs as pets and suggest you do a brief internet search on your own if the provided information is not adequate in answering your questions or concerns. (I have listed several resources to check out below.) I would also be happy to prepare answers to questions prior to the Planning Commission meeting if you reach out with them.*

*I greatly appreciate your time and consideration of this proposal and look forward to speaking with you further in the coming weeks.*

Best regards,



Veronica Ellingworth, MS, LPC, SAC, CSIT

# INTRODUCTION

**i** Below I have provided a definition-based argument to support a change in ordinance, with current codes and definitions followed by a brief interpretation for consideration.

## Current definitions and codes found within the Edgerton Municipal ordinances

- 29.09 (4) states “It shall be unlawful for any person, unless in compliance with Chapter 22, to keep, maintain, or raise farm animals including but not limited to horses, mules, donkey, ponies, cows, **pigs**, goats, sheep, fowl, steers, rabbits...., poultry, or other animals raised for fur-bearing purposes.”
- 30.07 states “Agricultural” means related to or used for the production of food and fiber, including, but not limited to, general farming, livestock and poultry enterprises, grazing, nurseries, horticulture, viticulture, truck farming, forestry, sod production, cranberry productions and wild crop harvesting, and includes lands used for on-site buildings and other structures necessary to carry out such activities. Based on this definition, **animals considered to be livestock appear to be purposed as animals related to or used for the production of food**”. “Livestock” is not defined within the ordinances outside of being contained within the definition of “Other Animals”.
- 20.100 defines a “**Household Pet**” as a “tame animals which have been traditionally kept in the home to include dogs, cats, rabbits, birds, hamsters, and other animals which in adult life do not exceed 150 pounds, or 4 feet in height at normal posture.

## Definition of Livestock

- The Merriam Webster Dictionary defines livestock as “an animal kept or raised for use or pleasure, especially farm animals kept for use and profit.”

## Animal Welfare Act Definition of Farm Animal – USDA

- “Farm animal means any domestic species of cattle, sheep, swine, goats, llamas, or horses, which are normally and have historically, been kept and raised on farms in the United States, **and used or intended for use as food or fiber, or for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber.** This term also includes animals such as rabbits, mink, and chinchilla, when they are used solely for purposes of meat or fur, and animals such as horses and llamas when used solely as work and pack animals.”

## Definition of Pet

- The Merriam Webster Dictionary defines a pet as “a domesticated animal kept for pleasure and not utility.”
- Several veterinarians treat potbelly pigs as pets and consider them as such. **Please see attached letters** provided by the Pig Placement Network to demonstrate this belief.

## Definitions Explored as it pertains to the proposed ordinance change

Because Potbelly Pigs are not “*used or intended for use as food or fiber*” they do not meet the definition of “farm animal.” They are not kept for “*use and profit*” and are therefore not appropriately categorized as “livestock”, with the exception noted by the USDA, where potbellied pigs are categorized as livestock when in import or export status for the purpose of managing disease transmission. However, potbelly pigs are kept “*for pleasure and not utility*” and therefore should be considered a pet. **Attached you will find a letter** indicating the USDA’s stance on potbelly pigs.

Similarly, as you will see below and with the accompanying materials provided, potbelly pigs share similarities with other pets. For example, they engage in strongly bonded connections with their owners and grieve when separated,

can be litter trained, are affectionate and enjoy cuddling, can be trained, are highly intelligent, and provide entertainment, comfort, emotional support and companionship for their families.

## About Pot Belly Pigs as Pets

**i** The following section provides a general background on potbelly pigs. Additional resources and websites to review are located in the "Review" section below, and additional print resources have been included with this proposal for your convenience.

### • General information

- **Background** (Collected from Mini Pigs/Teacup Pigs: All you need to know, (2017) by Harriet Fields, "All About Pot Bellied Pigs, by Vicki Tobias for Heartland Farm Sanctuary, August 2016).
  - Potbelly pigs found in the U.S. are commonly associated with Southeastern Asia. The most common pot belly pig is known as the Vietnamese Potbelly Pig. Other breeds in the US include KuneKune, Juliana, American Guinea Hog and Ossabaw Island Pig.
  - Potbelly pigs were originally brought to America by a Canadian, Keith Connell, to be sold to zoos. However, a private buyer purchased them and began keeping them as pets.
  - By the late 1990's, an estimated 200,000 potbelly pigs were living in American homes.
- **Size**
  - Potbelly pigs range between 50 to 250 lbs on average, their weight varies based on breed and they may not reach their full size until 3-5 years old. , the Vietnamese Potbelly pigs common in the US today average between 120-150lbs, but can reach up to 200 or more lbs.
  - They average 12-24" in height.
- **Lifespan**
  - Various breeds have a different lifespan. However, pig pets have an average lifespan of 12-16 years.
- **Temperament/Behavior/Cognitive Information**
  - Potbelly pigs are prey animals and therefore have instincts to retreat making them generally less aggressive than dogs or cats.
  - Potbelly pigs establish a strong bond with their caregivers and grieve notably when removed from them.
  - Potbelly pigs have considerable long-term memories. They have a sense of time and can anticipate future events, love to play, live in complex social communities, demonstrate the ability to take the perspective of others and have tactile perception, and have distinct personalities.
- **As Household Pets**
  - Can be easily litter box trained. Potbelly pigs are very clean animals. They engage in rooting behavior instinctually which can be managed by providing them a specific rooting area.
  - Potbelly pigs do not sweat (with the exception sweating from their nose), and therefore may root into the soil to help cool their body and regulate temperature. Providing a small wading pool will allow them to cool off more readily. They are highly sensitive to sun and most pet pig owners regularly use sunscreen on their pet pigs.
  - Extremely intelligent and highly trainable, easily trained to be walked on a harness
  - Highly hypoallergenic.
  - Pot belly pigs do not have a bad odor unless they are not spayed or neutered.
  - Taught tricks quickly, are affectionate, love to cuddle and love challenging games. They are highly loyal to their families.
  - According to the Pig Placement Network, potbelly pigs are allowed to fly as pets with airlines that allow pets and stay in pet-friendly hotels.

- Potbelly pigs who remain outside are noted to engage in less rooting or destructive behavior when with another pig. In addition to their highly social nature, allowing more than one pet pig would result in an increased emotional wellbeing for the pig but also a likely decrease in undesired behavior. Therefore, I encourage the city to allow 2 potbelly pigs at least.

- **Pros**

- Have a strong human/animal bond, encourage a sense of responsibility found with any other pet ownership, prevent loneliness and offer comfort to their human families.
- They are highly trainable and can be trained as emotional support and therapy animals.
- No odor (unless unaltered), they are very particular about not soiling in their living space and are known to use a particular location to go to the bathroom making it easy to clean up and dispose of.
- Many pet pigs have been abandoned because of misconceptions or inaccurately defined ordinances. Allowing potbelly pig pets would help provide homes to many animals living in rescues in need of loving forever homes.
- Low veterinary maintenance requirements, aside from annual visits for vaccinations and hoof and tusk trimming.
- Potbelly pigs are friendly and clean.
- Provide a hypoallergenic pet option.

- **Cons**

- Potbelly pigs can be demanding, and because they are highly social and very intelligent, they may engage in undesired behaviors when not having their emotional and cognitive needs adequately met.
- Because pigs are highly food motivated, they can be “mischievous” and are opportunistic and unrelenting at times for treats.
- Pigs are herd animals, and therefore need to be informed of their role in their family’s “herd”. This is not unlike canine hierarchy structures.
- If a potbelly pig is not altered, they will display more aggressive tendencies as well as a strong odor. Therefore, potbelly pig pets should be spayed or neutered to prevent most common problems with pig pets.
- Pigs root by nature and will root in dirt. In fact, they obtain essential minerals and nutrients from this activity. This will result in areas of people’s yard being dug up. Some comments I have found indicate a poorly trained dog may result in the same kind of damage. This can be mitigated by providing a fenced area of the yard to root in or rooting boxes for stimulation and fulfillment. Furthermore, this damage is on one’s own property and if that person is willing to manage that disruption to their yard it should be their choice. If contained within a fenced yard, it is unlikely to impact housing values in the surrounding neighborhood.

## Other Ordinance Considerations



*Ordinance specific considerations and proposals for having potbelly pig pets*

- Potbelly pig pets and their owners can still be responsible for the same municipal codes, as indicated in Chapter 29 for dog and cat families.
  - Vaccinations/rabies
  - Annual licensing
  - Waste removal
  - Citations for noise/nuisance and running at large

- Additional requirements for potbelly pigs may include:
  - Having them spayed and neutered (doing so eliminates most of the undesired behaviors noted with pet pigs, as well as an undesired odor).
  - Having their tusks and hooves maintained as recommended by a veterinarian.
- Pigs enclosures:
  - Fencing should be buried at least 2 inches below the ground.
  - A large doghouse will suffice. Outdoor shelter for pigs needs to be big enough for them to move around in and get protection from the elements.
- Maximum numbers of dogs or cats, as indicated in 29.09(3), is no more than 4 licensing aged animals in a single-family dwelling. When given adequate companionship, undesired pig behaviors are notably reduced, and their emotional wellbeing is improved. Therefore, it is important to allow at least 2 pigs per household.
- Weight Limit restriction removal.
  - Potbelly pigs can range in weight and height as noted above. Because of their stature and body composition, restricting by weight would create an arbitrary line which could result in several potbelly pigs being unnecessarily re-homed and families torn apart.
  - Some breeds of dogs can reach more than 150lbs and are much taller in stature. **Please see attached images demonstrating how weight and height are compared between dogs and potbelly pigs.** In reviewing these images, you will note that a potbelly pig half the size of a common dog breed may be twice the dog's weight.

## The Solution

**i** Given the more accurate definition of potbelly pigs as pets, I propose **one or multiple** of the following ways to revise the City of Edgerton ordinances as noted in the Introduction section above.

- Include “potbelly pigs” as a household pet and remove weight limit. (20.100)
- Define “Potbelly Pigs” in section 20.100 as domesticated animals or household pets which are kept in homes for the purpose of companionship and emotional support, and not used for food consumption or profit.
- In 29.09(4) specify “It shall be unlawful for any person, unless in compliance with Chapter 22, to keep, maintain, or raise farm animals including but not limited to horses, mules, donkey, ponies, cows, **pigs (with the exception of household pet potbelly pigs as defined in Ch 20.100/OR with the exception of potbelly pigs maintained as indicated in 29.09 (see below))**, goats, sheep, fowl, steers, rabbits....., poultry, or other animals raised for fur-bearing purposes.”
- Add an ordinance to 29.09 as follows: **29.09(6) “Keeping of Pot Belly Pigs”** and the following:
  - a. Are required to adhere to all ordinances pertaining to the ownership of cats and dogs, including licensing, vaccinations for rabies and other regularly recommended vaccines, containment, excrement management, and associated penalties for noncompliance.
  - b. Are required to be spayed and neutered at the appropriate age and have hooves and tusks regularly maintained as recommended by a veterinarian.
  - c. Must be contained within a fenced in yard or enclosure, unless on a harness. The fenced in area shall be buried at least 2 inches deep.
  - d. Remove weight limit or impose a more appropriate weight limit given data provided, such as 250-300lbs (Exact wording to be updated when a specific parameter has been determined).
  - e. Allow for 2 pot belly pigs at minimum (wording can be changed based on desired allowance for pet pigs).
- Implement a Domestic Animal Permit Program – allowing resident in the City of Edgerton to apply for and obtain a permit for each “non-traditional” household pet. Possible options to consider in this program may include requiring renewal every 2-3 years asking the owner to provide proof of vaccines, tusk maintenance, rabies vaccines, and have minimal violations of general pet ownership expectations as noted in section 29.09.

- Establish an ordinance which indicates parameters for Emotional Support Animals/Therapy Animals/Service Animals. Said ordinance should recognize the Americans with Disabilities Act which recognizes that the appropriate accommodations for an individual with a disability must be allowed. I have included a link in the “Resources” section below for your convenience.
- I have **included examples, in the resources attached**, of ordinances from three separate municipalities in the State of Wisconsin which allow potbelly pigs as pets to offer additional ideas on how to develop wording/ordinances.

## Resources



*The following resources may be useful in understanding more about Potbelly Pigs and other notable information required to consider the above ordinance. I am in possession of the books below and would be happy to lend them to you for use in reviewing potbelly pig ownership information.*

### • About Potbelly Pigs

#### ○ Websites

- Pig Placement Network – <http://www.pigplacementnetwork.org/>
- Northwest Miniature Pig Association – <http://www.nwpetpigs.org/>
- Pigs4Ever – [http://www.pigs4ever.com/pot\\_belly\\_pig\\_information/](http://www.pigs4ever.com/pot_belly_pig_information/)
- Mini-pig Info – <http://www.minipiginfo.com/>
- North American Pet Pig Association – <http://petpigs.com>
- Heartland Farm Sanctuary – Pig Campaign <https://heartlandfarmsanctuary.org/pot-bellied-pig-campaign/>
- Rock County – Department of Public Health – 2014 Annual Report  
[https://www.co.rock.wi.us/component/easyfolderlistingpro/?view=download&format=raw&data=eNpNT1tugzAQvAra\\_wplozRdvnqFXlwwbelBLBIs2aaJFOXutXFQ--WdWc9jhdUWH4FPTIM1Cp66wMczk55IRKhvuPTKXtcZSwy1ghMfyzxBTJxqD2d9gImXrGgN8MUpbBRTs6\\_GFSH-pXww9f3GZXQu0kVmZNgw5edUWK2o09wUkYdxEqd\\_v5J20Aa79pDor2VZxVTfW7vqrTo07THv3plwj6\\_JqeFVBHenPcKe0iYHiVGuU76VusvGfiaFx4\\_GrRyQyo3WjiaFPn8B5DJo9Q..](https://www.co.rock.wi.us/component/easyfolderlistingpro/?view=download&format=raw&data=eNpNT1tugzAQvAra_wplozRdvnqFXlwwbelBLBIs2aaJFOXutXFQ--WdWc9jhdUWH4FPTIM1Cp66wMczk55IRKhvuPTKXtcZSwy1ghMfyzxBTJxqD2d9gImXrGgN8MUpbBRTs6_GFSH-pXww9f3GZXQu0kVmZNgw5edUWK2o09wUkYdxEqd_v5J20Aa79pDor2VZxVTfW7vqrTo07THv3plwj6_JqeFVBHenPcKe0iYHiVGuU76VusvGfiaFx4_GrRyQyo3WjiaFPn8B5DJo9Q..)

#### ○ Books

- Mini Pigs/Teacup Pigs: All you need to know. The Essential Guide – Food, Training, Health, Everyday Care, Accessories, What to Expect (2017), by Harriet Fields
- The Complete Guide for the Care and Training of Pet Potbellied Pigs.(2000), by Kathleen Myers.
- Potbellied Pig Behavior and Training, (2005) by Priscilla Valentine

#### ○ Videos

- Do Potbelly Pigs Make Good Pets? <https://youtu.be/bJS9gCKVsBQ>
- The Myth of Mini pigs and Micro Pigs [https://youtu.be/Eef\\_rGf\\_0OQ](https://youtu.be/Eef_rGf_0OQ)
- Potbelly Pigs vs. Domestic Pigs <https://youtu.be/GiYnA3i5MX4>
- To Dodo – Potbelly Pig Pets Feature <https://youtu.be/hSOI8UPDbSk>

- **Americans with Disabilities Act**

- United States Department of Justice Civil Rights Division, ADA. [https://www.ada.gov/2010\\_regs.htm](https://www.ada.gov/2010_regs.htm)
- A Guide to Disability Rights Law. <https://www.ada.gov/cguide.htm>

## Possible Concerns and FAQ's

**i** Below are questions which have been asked to several other potbelly pig owners in their quest to change various city ordinances and laws.

- 1. Are potbelly pigs aggressive?** Potbelly pigs are prey animals and are more focused on fleeing than fighting. However, if approached and in fear, they have been known to bite to protect themselves. All animals have the possibility of being aggressive when not trained properly or mistreated. In Rock County, between 2010 and 2014, 1930 animals bite orders were issued. Of those, 0 were from pigs. (Data taken from Rock County Health Department 2014 Annual Report, an attached **summary from this report is included in this proposal for your reference**). I have been unable to locate any information in this area related to pig bites.
- 2. Will potbelly pig ownership decrease property values in the surrounding neighborhood?** Potbelly pigs do engage in rooting behavior. However, they would be rooting within their own yard. If contained within a fence, this behavior should not decrease property values for surrounding areas. Furthermore, pet pig owners can provide a "rooting" space to deter rooting in other areas. I spoke with property appraisal and asked his opinion regarding pot belly pigs and property value. He indicated the primary items he reviews for property value include whether there is a strong odor, whether a component of the house is owner property or a fixed attribute, and whether the house is generally well kept. The appraiser did not see a pig enclosure with yard disruption contained within a fenced area to be a notable factor in decreasing property value. As indicated above, when pigs have been altered, their odor is eliminated and would not impact this as well. Pig manure is expected to be maintained the same way a dog owner is expected to clean up excrement and would not increase undesired odors. If necessary, I can work to provide further discussion regarding property values and pot belly pigs for your consideration.
- 3. Will the smell of potbelly pigs be problematic?** Pigs, just like every other animal pets including dogs, produce waste. Similarly to dog owners, all pet owners are responsible for picking up the waste of their pet and disposing of it properly. Potbelly pigs do not sweat or produce a foul order (unless unaltered, which lends evidence for requiring potbelly pig owners to spay and neuter their pets).

## Expected Benefits

**i** Anticipated benefits of allowing potbelly pigs to be household pets within the City of Edgerton

## Financial Benefits

- Income for the City of Edgerton received from licensing fees, violation fines, and possible applications fees if an Animal Permit Program is implemented.
- This ordinance change may draw other potbelly pig owners to the area.

## Other Benefits

- Improved social and emotional wellbeing of Edgerton residents, through companionship, entertainment, and engagement
- Offer opportunities to individuals who struggle with cat and dog allergies to have a loving loyal companion animal.

- Opportunities increase having for Emotional Support Animals, Therapy Animals and Service Animals
- Decrease the numbers of surrendered and rehomed potbelly pig pets to sanctuaries due to ordinance violations. According to the Pig Advocacy League, 95% of pet pigs are rehomed before their first birthday, most often because of restrictions related to zoning and city ordinances prohibiting them from living within the city limits.

## CONCLUSION



In summary, I respectfully request the City of Edgerton Planning Commission update City of Edgerton municipal codes to reflect the following:

1. Potbelly pigs are household pets. They are kept for companionship and entertainment, not for food production or utility as livestock or farm animals. These loyal, intelligent and charming pets have been common in the United States since the 1980's, their numbers have only increased since then. Potbelly pigs are easily trained and can make excellent emotional support or therapy animals. **Please see attached letters from various veterinary medical professions and state officials which corroborate this sentiment.**
2. The current City of Edgerton municipal code does not adequately define potbelly pigs as pets, and therefore the ordinances should be updated. Please review the suggested ordinance code variations suggested above.
3. To be an appropriate owner for a potbelly pig, one must adhere to the same ownership responsibilities and guidelines as other cat and dog owners. In addition to these, potbelly pig owners must be spayed or neutered to reduce problematic behavior and have routine maintenance on their hooves and tusks.

As with any pets, including dogs and cats, there are pros and cons to consider. For example, dogs and cats can become aggressive and bite others. When irresponsible pet owners do not engage in responsible ownership behaviors, problems arise. Similarly, potbelly pig owners need to be prepared to be a pig parent and enrich their pig's life to prevent problematic behaviors. As each kind of pet in our homes provides us with a unique set of "pros and cons", it is my belief (and one shared by many others) that in considering potbelly pig ownership, the pig specific undesired traits should not disqualify them from enjoying a life alongside human families in Edgerton, much that we would not disallow dogs because some other dogs have bitten humans.

Furthermore, there are several impactful emotional and therapeutic implications for adding a potbelly pig to one's family. With the inclusion of fees for licensing or other associated fees collected, it is likely potbelly pig ownership would not financially harm the City of Edgerton in any notable way, in comparison to other companion animals common in our homes. If proper guidelines are adopted for potbelly pig ownership, property values should not be negatively impacted. The attached news articles demonstrate additional Wisconsin municipalities updating their ordinances to allow potbelly pigs, and ordinance examples from a few of these cities have been attached for your review.

I greatly appreciate your time and consideration of the above proposal and look forward to speaking with you further.

A handwritten signature in blue ink, appearing to read 'V. Ellingworth', with a long horizontal flourish extending to the right.

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