

ARTICLE I
Keeping of Animals and Fowl

§ 70-1. Keeping of certain animals and fowl restricted.

A. Prohibited unless otherwise permitted.¹ No person shall breed, raise, harbor or maintain any bees, poultry, chickens, turkeys, ducks, geese or any other fowl, or any swine, horses, mules, goats or any other animals or reptiles except domesticated pets within this Village unless specifically authorized in any other provision of this Municipal Code.

B. Definition. As used in this section, the following term shall have the meaning indicated:

DOMESTICATED PETS — Any animals, birds, reptiles or fish customarily kept in or about the home or place of residence which are not vicious, dangerous, or otherwise obnoxious, objectionable or offensive.

C. Preexisting use; exception. Any person legally keeping domestic animals or fowl at the effective date of this chapter may continue to do so; provided, however, that such animals or fowl are kept in a clean and sanitary manner, that they do not constitute a nuisance, and that the keeping thereof shall be limited to the area presently in use.

D. Notwithstanding the foregoing, the keeping of chickens is allowed, provided the following requirements are met: **[Added 8-22-2012 by L.L. No. 8-2012; amended 10-22-2014 by L.L. No. 12-2014]**

(1) The number of animals shall be limited as follows:

(a) All chicken coops and other structures (including fencing) must meet all relevant setback and other zoning requirements for accessory structures.

(b) In addition to the limitations imposed by the accessory use requirements, the number of chickens shall be limited to the minimum necessary square footage for humane treatment as set forth in Subsection D(2) herein.

(2) The care and treatment of chickens shall meet the following minimum requirements:

1. **Editor's Note: See also Chapter 212, Zoning, § 212-14, Schedule A.**

- (a) Chickens shall be provided a minimum of three square feet of coop space, plus 10 square feet of run space per chicken.
 - (b) No roosters shall be permitted.
 - (c) Livestock and fowl in residential zones are allowed only for domestic use or consumption and shall not be raised, sold, or bartered for commercial purposes.
 - (d) Chickens must be kept in a fenced-in area which includes a coop.
- (3) Property owners who wish to keep chickens on their property must apply for a chicken-keeping license from the Building Inspector, or his/her designee, good for one year.
- (a) Tenants who wish to keep chickens must apply for a chicken-keeping license jointly with the property owner.
 - (b) The Building Inspector, or his/her designee, may deny the permit for failure to meet any of the requirements set forth below, or for other public health, safety and welfare reasons related to the application or the property, or on the basis of prior violations of this section by the applicant.
 - (c) In the event an application for a permit is denied by the Building Inspector, or his/her designee, the applicant may appeal to the Zoning Board of Appeals within 30 days of such denial, setting forth the grounds upon which the applicant believes that the application should have been granted. The Zoning Board of Appeals shall approve or deny the application on the same or other grounds related to the provisions of this subsection, or the public health, safety and welfare within 90 days of the date that the appeal is filed.
- (4) All chicken-keeping license applications shall include:
- (a) The name, address, telephone number and e-mail address of each applicant;
 - (b) The address of the property on which chickens are to be kept;
 - (c) A signed statement from the Building Inspector, or his/her designee, that the chicken coop meets the following requirements:

- [1] Meets setback requirements regardless of its dimensions or height;
 - [2] There is only one such structure per lot;
 - [3] The fences, fenced-in area, and structure are in the rear or side yard;
 - [4] A permit to construct same from the Building Inspector, or his/her designee, the fence and/or structure does not exceed five feet in height;
 - [5] Any other information that the Board of Trustees shall deem necessary as adopted by resolution;
- (d) A signed statement from the applicant, agreeing to adhere to the following conditions:
- [1] All coops or related structures shall be subject to inspection during and after their construction at reasonable times with reasonable notice from the Building Inspector, or his/her designee;
 - [2] A yearly renewal of the chicken-keeping license;
 - [3] That in the interest of the public safety and welfare, all coops shall be cleaned daily;
 - [4] No composting or on-site burial of chicken manure shall be allowed;
 - [5] All chickens shall be cooped from dusk until at least 7:00 a.m. the following morning;
 - [6] Chicken feed and other materials associated with the keeping of chickens will be kept in a tightly covered container so as to prevent the attraction of rodents or other pests;
 - [7] The chicken enclosure must be clean and free of noticeable odors across property lines;
 - [8] The chicken enclosure shall be constructed and maintained in such a manner as will safely and securely house chickens and shall be kept free of rodent infestation at all times;
 - [9] Any other information that the Board of Trustees shall deem necessary.

- (5) Licensing fees. The licensing fee shall be set yearly by the Village Board at the annual reorganization meeting.
- (6) Penalties. Violators of these provisions may be issued one warning in lieu of being issued a violation, but the Village is not required to give a warning as a prerequisite to issuing a violation. Penalties for violations shall be set yearly by the Village Board at the yearly reorganization meeting.
- (7) Chicken enclosures which predate the amendment of this section may be grandfathered from the size requirements of this subsection pending inspection and approval by the Building Inspector as soon as practicable following the enactment of the amendment of this section, provided the application required in Subsection D(3) and (4) of this section is submitted to the Village. Any enclosure that is grandfathered may not be enlarged in any respect and must be removed if damaged by more than 50% of its entire square footage.

§ 70-2. Penalties for offenses.

Any person violating any provision of this article shall be punished as provided in § 1-10 of this Municipal Code.