

Ordinance No. 15-41

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, ILLINOIS,  
ESTABLISHING PERMITS AND REGULATIONS FOR THE  
KEEPING OF CHICKENS IN THE VILLAGE**

**WHEREAS**, the Village of East Dundee (the "Village") is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

**WHEREAS**, the Village pursuant to its home rule authority desires to issue permits and regulate the keeping of chickens in the Village.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of East Dundee, Kane and Cook Counties, Illinois, as follows:

**Section 1:** That Section 92.06 of the Code of the Village of East Dundee is amended to read as follows:

"No person shall keep or allow to be kept upon or about the premises or upon any vacant property or public street within the village any cattle, horses, swine, sheep, goats, ducks, geese or other poultry except chickens that may be allowed pursuant to section 29-19."

**Section 2:** That the Code of the Village of East Dundee, as amended, be and is hereby amended by adding Section 92-19 to Chapter 92, ANIMALS, to Title IX, General Regulations, to read as follows:

**"92-19 CHICKENS**

**A. Definitions:**

1. **Chicken** - shall mean a member of the subspecies Gallus galls domestics, a domesticated fowl.
2. **Permitting Officer** – shall mean a person appointed by the Village Administrator.
3. **Tract of land** - shall mean a property that has one single family dwelling located on that property.
4. **Single Family Dwelling** - Shall mean any building that contains only one dwelling unit.
5. **Permitted tract of land** - shall mean the tract of land as identified by the application upon which a permit is granted for the keeping chickens.
6. **Permittee** - shall mean an applicant who has been granted a permit to raise, harbor or keep chickens.
7. **Chicken Coop includes Chicken Tractor and Chicken Run** – A structure that is designed to house chickens. A mobile coop is a chicken tractor. A chicken run is an outdoor area that is enclosed on all vertical sides by fencing. The run must

be attached to or must surround a chicken coop with a doorway or hatch that allows access into the space by chickens.

## **B. Permit Required**

1. No person shall raise, harbor or keep chickens within the Village of East Dundee without obtaining a valid coop permit from the Village.
2. In order to obtain a permit, an applicant must submit a completed application with a fee as established by the annual fee schedule. If for any reason, the permit is not issued, the fee will be refunded. For annual renewal, the permit fee shall be as established by the annual fee schedule.
3. Requirements to obtain a permit shall include:
  - a. That all requirements of this section are met;
  - b. That all fees for the permit are paid in full;
  - c. That all judgments in the Villages favor and against the applicant have been paid in full;
  - d. That the tract of land to be permitted shall contain only one single family dwelling occupied and used as such by the applicant;
  - e. That the applicant has provided notice to the residents of all immediately adjacent dwellings of the applicants intent to obtain a permit;
  - f. That the applicant has successfully completed an approved class in raising chickens in an urban setting.
  - g. That a permit shall only be issued after the chicken coop has been inspected and determined to meet all requirements of this section.
  - h. That the issuance of a permit will not be detrimental to or endanger the public health, safety, comfort or general welfare of the community or neighboring residents.
  - i. That the issuance of a permit will not be injurious to the enjoyment of property by property owners in the immediate vicinity.
4. If the Permitting Officer concludes as a result of the information contained in the application that the requirements for a permit have been met, then the officer shall issue the permit.
5. If the applicant is found to be in violation of this section they will be given a reasonable time to come into compliance and upon compliance the permit shall be issued or if not in compliance the application and fee shall be returned and a new application would have to be filed.

## **C. Coop Permits**

1. Coop permits are non-transferrable.
2. If an annual permit is not purchased prior to the beginning of the permit year the annual permit fee shall double.

3. The maximum number of permits issued by the Village shall be ten (10).

#### **D. Suspension or revocation of a coop permit**

1. The Permitting Officer may seek suspension or revocation of a coop permit pursuant to the applicable regulations and procedures of Section 110.12, REVOCATION AND SUSPENSION, for the following violations: :
  - a. False statements on any application or report required by this section;
  - b. Failure to pay any fee;
  - c. Failure to correct deficiencies noted in notices of violation in the time specified in the notice;
  - d. Failure to maintain the chicken coop in compliance with this section;
  - e. Failure to comply with the provisions of an approved mitigation or remediation plan ordered by the Village President as a penalty at a violation hearing;
  - f. Failure to comply with any provision of this section.
2. Notification. A decision to revoke, suspend, deny, or not renew a permit, or impose a mitigation or remediation plan shall be in writing, delivered by mail or in person to the address indicated on the application. The notification shall specify reasons for that action.

#### **E. Number and type of chickens allowed**

The maximum number of chickens allowed per tract of land is four (4). Roosters are prohibited.

#### **F. Zoning Districts Allowed**

Any chicken coop can only be permitted in those residential areas zoned E-Estate Residence District; or R-1, R-2 or R-3 Single-Family Residence Districts.

#### **G. Enclosures**

1. Chicken coops shall be located in the rear yard and must be located at least ten (10) feet from the property line and at least twenty-five (25) feet from any adjacent residential dwelling, church, school, or place of business and coop must be closer to the permittee's residence than any adjoining residential dwelling, church, school, or place of business.
2. Chicken coops will be kept clean, dry, secure, odor free, neat and sanitary at all times. Manure, uneaten and discarded feed, feathers and other waste must be removed from the chicken coop regularly and at a minimum of once per week.
3. Chicken coops shall be designed to provide safe and healthy living conditions.

4. The chicken tractor shall provide a minimum of four (4) square feet per hen while minimizing adverse impacts to other residents in the neighborhood.
5. The chicken run shall provide a minimum of ten (10) square feet of floor area per hen while minimizing adverse impacts to other residents in the neighborhood.
6. Chicken coops must provide adequate ventilation, sun and shade, protection from precipitation, protection from cold weather, fresh water and must be impermeable to rodents, wild birds and predators including cats and dogs.
7. Chickens must be kept in an enclosure and fenced area at all times and not allowed to run free. Chickens must be secured in a chicken coop or chicken tractor during non-daylight hours.
8. A chicken coop or chicken tractor shall be enclosed on all sides and shall have a roof and doors. Access doors must be able to be shut and locked each night. Open windows and vents must be covered with predator and bird proof wire.
9. The materials used in making the hen house or chicken tractor shall be uniform for each element of the structure such that the walls are made of the same material, the roof has the same shingles or other covering and any windows or openings be constructed of the same materials. The use of scrap, washboard, sheet metal or similar materials is prohibited. Chicken coops and chicken tractors shall be well maintained.
10. Any enclosed chicken run shall consist of sturdy wire fencing, a minimum of six (6) feet in height, and covered with wire, aviary netting or solid roofing.

#### **H. Odor and noise**

1. Odors from chickens, chicken manure or other chicken related substances shall not be perceptible beyond the boundaries of the permitted tract of land.
2. Noise from chickens shall not be loud enough to disturb persons of reasonable sensitivity beyond the boundaries of the permitted tract of land at the property boundaries.

#### **I. Predators, rodents, insects and parasites**

The permittee shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects or parasites that may result in unhealthy conditions to humans or chickens shall be removed immediately from the permitted tract of land.

#### **J. Feed and water**

Chickens shall be provided with access to feed and clean water at all times. The feed and water shall be unavailable to rodents, wild birds and predators. Feed must be stored in a fully enclosed, rodent proof container.

**K. Waste storage and removal**

1. Manure must be stored and disposed of in compliance with this Section and the Village Code. All stored manure shall be covered by a fully enclosed structure with a lid over the entire structure. No more than three (3) cubic feet of manure shall be stored on the permitted tract of land.
2. The chicken coop and surrounding area must be kept free from trash and accumulated droppings. Uneaten feed shall be removed in a timely manner.

**L. Chickens at large**

The permittee shall not allow the permittee's chickens to run at large upon any street, alley or unenclosed lot within the Village of East Dundee. No dog or cat or other domesticated animal which kills a chicken off the permitted tract of land, for that reason alone, shall not to be considered a dangerous or aggressive animal or the Village's responsibility to enforce its animal control provisions.

**M. Unlawful acts**

1. It shall be unlawful for any person to keep chickens in violation of any provision of this section.
2. It shall be unlawful for any owner, renter or leaseholder of property to allow chickens to be kept on the property in violation of the provisions of this section.
3. No person shall keep chickens inside a single family dwelling unit, multifamily dwelling unit or rental unit.
4. No person shall slaughter any chickens within the Village of East Dundee.
5. No person shall keep a rooster.
6. No person shall keep chickens on a vacant or uninhabited tract of land.
7. No permittee shall engage in chicken breeding or fertilizer production for commercial purposes."

**Section 3:** This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form as provided by law.

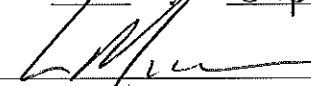
**ADOPTED** this 21<sup>st</sup> day of Sep., 2015 pursuant to a roll call vote as follows:

AYES: Trustees Gorman, Lynam, Skillicorn, Selep, Wood and Hall

NAYS: Ø

ABSENT: Ø

APPROVED by me this 21<sup>st</sup> day of Sep, 2015.

  
Village President

Attest:   
Village Clerk

Published in pamphlet form:

September 22, 2015