

**ORDINANCE 10-22**  
**AN ORDINANCE AMENDING TITLE 6 CHAPTER 3 OF THE WEST DUNDEE**  
**ANIMAL CONTROL REGULATIONS**

WHEREAS, the Village of West Dundee, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, the Illinois Compiled Statutes, Chapter 65 authorize a municipality to regulate, permit and control animals within its municipality; and

WHEREAS, in 2004, the Village President and Board of Trustees amended the Animal Control Ordinance to include a new section on the keeping of farm animals; and

WHEREAS, in 2010, the Village President and Board of Trustees adopted further regulations for the maintenance and licensing of farm animals as included in Ordinance 10-21; and:

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, as follows:

SECTION 1: That Title 6 Chapter 3 Section 1: 3 of the West Dundee Municipal Code be stricken and replaced with the following:

**6-3-1-3: FARM ANIMALS AT LARGE OR ON THE PREMISES:**

A. Running at Large Unlawful: It shall be unlawful to permit any farm animals including specifically, cattle, horses, swine, sheep, goats, ducks, geese, chickens, other poultry, and such other farm and domestic animals that may be included therein, to run at large in the village, or to be maintained on any premises without a license from the village permitting the keeping of said animal. (Ord. 2004-19, 8-16-2004)

B. Keeping of Food: Food for any licensed farm animal must be maintained in rodent-proof containers.

C. Coop and Coop Enclosure Size Requirements: Coop and coop enclosures must be sized properly for the number of chickens to be maintained. Coop and Coop enclosure areas must be a minimum of 40 sq. ft but shall not exceed a maximum of 100 sq. ft.

D. Coop location Requirements: Coops must be setback a minimum of 10' from the property line with a minimum of 15' from the nearest adjacent neighboring habitable building.

E. Chickens on Premises: All licensed chickens must be maintained in the coop or the coop enclosures from sundown to sunup. During daytime hours animals may roam in fenced yard with owner supervision.

F. Disposal of Waste: All waste must be disposed of in a sanitary manner.

SECTION 2: That Title 6 Chapter 3 Section 4:1 of the West Dundee Municipal Code be stricken and replaced with the following:

**6-3-4-1: FARM ANIMALS:**

A. Size, Type and License Fee: The owner of or person desiring to have, keep, control, or harbor any farm animal, including specifically cattle, horses, swine, sheep, goats, ducks, geese, chickens, other poultry, and such other farm and domestic animals that may be included therein, in said village, shall pay an annual license fee to the village:

For cattle, horses, swine, sheep, goats, and fowl weighing fifteen (15) pounds or more the annual license fee shall be twenty five dollars (\$25.00) for each animal. These animals are only allowed on properties that are five (5) acres in size or more and are prohibited in the R-5 Medium Density Multiple-Family District.

For chickens and other similarly sized poultry less than fifteen (15) pounds in weight the maximum total number of animals permitted are four (4) per zoning lot. The annual license fee shall be twenty five dollars (\$25.00) for up to four (4) animals. Chickens and similarly sized poultry are prohibited in R-5 Medium Density Multiple-Family Districts. Roosters are prohibited in all districts.

B. License Policy Guidelines: The following policy guidelines will be used in reviewing the issuance of a license for these types of animals:

1. The type and number of animals to be maintained on one premise shall be in keeping with the residential character of the village.
2. The housing or maintenance of any of these types of animals shall be done in such a manner as to minimize the visual and noise impact upon the neighboring properties or residences.
3. Concerns from adjacent property owners shall be given due consideration during the license issuance process.
4. No license shall be issued if:
  - a. The issuance of a license will be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community or neighboring residents.
  - b. The issuance of a license will be injurious to the enjoyment of property or property owners in the immediate vicinity.
5. The validity of all such animal licenses shall be contingent upon the continued adherence to the licensing policy guidelines and the abatement of all nuisances associated with these animals as specified herein. If it is determined that the premises or the animal(s) are not kept or maintained in a manner consistent with these policy guidelines; the license will be immediately revoked without reimbursement of the annual fees paid.

6. If an annual license is not purchased within the time frames set forth in subsection 6-3-4C of this chapter, the annual license fee shall double (Ord. 2004-19, 8-16-2004)

C. Nuisances: Shall include the creation of noxious or offensive odors, damaging property other than that of the owner, and emitting loud noises excessively for an extended and uninterrupted period.

SECTION 3: If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged in any Court of competent jurisdiction to be invalid, such judgment shall not effect, impair, invalidate or nullify the remainder thereof, which remainder shall remain in full force and effect.

SECTION 4: This ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publication is hereby authorized as provided by law.

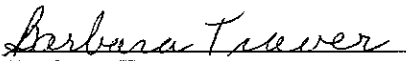
PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois, and approved by the President of said Village this 15th day of November, 2010.

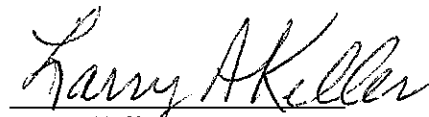
**AYES:** Trustees Voss, Gillam, Price, Osth, Hanley and Yuscka

**NAYS:**

**ABSENT:**

**ATTEST:**

  
Barbara Traver  
Village Clerk

  
Larry Keller  
Village President