

**ORDINANCE NO. 2014-19**

AN ORDINANCE ADOPTING PROVISIONS ALLOWING PERSONS IN DISTRICTS ZONED RESIDENTIAL SINGLE FAMILY TO KEEP CHICKENS OUTDOORS ON THE PROPERTY IN THE VILLAGE OF PECATONICA, ILLINOIS

WHEREAS, the Village of Pecatonica (“Village”) is an historical and established community with mixed uses in close proximity; and

WHEREAS, the Village is located in rural Winnebago County; and

WHEREAS, under the Illinois Municipal Code, 65 ILCS 5/1 et seq., the corporate authorities of a municipality are vested with considerable zoning and police powers to insure the best interests of the citizens are maintained and protected; and

WHEREAS, Board of Trustees of the Village (“Board”) have determined that a number of citizens within the Village own and maintain chickens within village boundaries; and

WHEREAS, the Board has determined that it is in the best interests of the citizens and residents of the Village that an ordinance be adopted restricting the keeping of chickens to certain areas within the Village and regulating the maintenance of chickens in those areas where allowed.

NOW BE IT ORDAINED, by the President and Board of Trustees of the Village of Pecatonica, Illinois.

Section 1. Article Six, Chapter Two, Section 2.04, “Penalty”, shall henceforth be identified as Article Six, Chapter Two, Section 2.05.

Section 2. The new Article Six, Chapter Two, Section 2.04 shall be entitled “Keeping Chickens” and shall read as follows:

Section 2.04 Keeping Chickens

Notwithstanding the provisions of Article Thirteen, Chapter Eleven, Section 1(A)(14), residents living in districts zoned Residential Single Family (R1) in the Village may keep and raise chickens under the following restrictions:

- (1) No chickens shall be allowed in buildings inhabited by people.
- (2) Roosters are strictly prohibited in the Village.
- (3) Keeping up to six (6) chickens is allowed on lots 7,000 square feet or larger.
- (4) Keeping up to four (4) chickens is allowed on lots between 5,000 square feet and 6,999 square feet.
- (5) Chickens are not allowed on lots less than 5,000 square feet.

- (6) Slaughtering chickens is prohibited except in zoning districts where it is a permitted or special use pursuant Chapter Thirteen of the Village Code.
- (7) Chickens must be kept in a suitable enclosure designed to prevent their escape from the owner's property, and the enclosure shall include shall be a covered structure suitable to provide humane shelter from the natural elements.
- (8) The enclosure shall be located not less than 25 feet from any structure requiring a certificate of occupancy on adjacent property.
- (9) Persons who keep chickens within the Village shall obtain an annual permit prior to January 1<sup>st</sup> of each year, or within 7 days of acquiring a chicken, and all permits shall expire on December 31<sup>st</sup> of every year. Application for permit shall be made to the Village Clerk who shall issue the permit if the applicant is compliant with all provisions above.
- (10) No fee shall be assessed for timely application for permits; however, the Village Clerk, or other person authorized by the Village President, shall assess and collect a late fee of \$25.00 from owners who fail to timely obtain a permit as required herein.
- (11) The Village Building Inspector or Police Chief may revoke a permit to keep chickens if an owner is found to have violated any provision of this Section on three or more occasions during a 12 month period. A violation which is not corrected or remediated within two (2) days shall constitute a separate violation. In addition to revocation of a permit to keep chickens, a each violation of this section is subject to the penalties of Section 2.05(A).

Section 3. This ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provide by law.

PASSED by the President and Board of Trustees of the Village of Pecatonica, Winnebago County, Illinois, on this \_\_\_\_ day of November, 2014, and deposited and filed in the office of the Village Clerk in said Village on that date pursuant to roll call vote as follows:

Elected Trustees:

Ayes:

Nays:

Absent/Abstain:

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Village Clerk of the Village of Pecatonica, Illinois

APPROVED by the President of the Village of Pecatonica, Illinois, this \_\_\_\_ day of November, 2014.

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DANIEL BARBER, President of the  
Village of Pecatonica, Illinois

ATTEST:

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CARA WARKENTIEN, Village Clerk of the  
Village of Pecatonica, Illinois

Published in pamphlet form this \_\_\_\_\_ day of November, 2014.