

VILLAGE OF YATES CITY

ORDINANCE NO. 2022- 757

AN ORDINANCE AMENDING THE
MUNICIPAL OFFENSE CODE
OF THE VILLAGE OF YATES CITY,
KNOX COUNTY, ILLINOIS.

ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF YATES CITY

THIS 7th DAY OF September, 2022.

Published in pamphlet form by authority of the Village Board of Trustees of the Village of Yates City,
Knox County, Illinois, this 23rd, day of September, 2022.

ORDINANCE NO. 2022- 157

AN ORDINANCE AMENDING
THE MUNICIPAL OFFENSE CODE OF THE VILLAGE
OF YATES CITY, KNOX COUNTY, ILLINOIS.

BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF YATES CITY, KNOX COUNTY, ILLINOIS:

Section 1: AMENDMENTS TO ARTICLE II OF THE MUNICIPAL OFFENSE CODE

The Municipal Offense Code adopted by Ordinance of the Village of Yates City, being Ordinance No. 2015-717, passed and approved May 14, 2015, is amended so that the following shall be made a part of, and is hereby incorporated into, The Municipal Code as Section 5.11:

5.11. KEEPING OF CHICKENS

- A. Definitions. As used in this Section, the following terms shall have the following meanings:
- (i) CHICKEN: a domesticated fowl which is a member of the subspecies Gallus Gallus Domesticus;
 - (ii) ROOSTER: a male domesticated fowl older than 3 months; and,
 - (iii) HENHOUSE/COOP: a structure in which chickens are kept;
 - (iv) CHICKEN RUN: an outdoor enclosure attached to a henhouse/coop; and,
 - (v) CHICKEN TRACTOR: a movable chicken coop lacking a floor.
- B. Within the Village limits, no person shall cause or allow chickens to roam free outside of a henhouse, coop or enclosed chicken run.
- C. No person shall keep chickens or have or maintain a henhouse or coop upon any premises within the Village limits without a valid permit approved and issued by the Village Clerk or her/his designee.

D. Permit.

- (i) Permits shall be issued only for tracts of land which contain one single-family dwelling and are used as the primary residence of the permittee. Written owner permission shall be required if the single-family dwelling is occupied by someone other than the owner thereof.
- (ii) The permit application shall include a diagram showing the location of the henhouse or coop in relation to lot boundaries, other structures located on the property, and residential structures on adjoining properties.
- (iii) Upon application for a permit, the applicant shall allow for an inspection by a Village official and/or employee as designated by the Village Clerk. At the time of such inspection, placement and construction the henhouse/coop and chicken run shall be complete.
- (iv) There shall be a permit fee of \$25.00.
- (v) Upon reasonable notice to the permittee, the Village shall be allowed access to the permitted property for purposes of inspection to determine whether permittee is in full compliance with the provisions of this Section.
- (vi) A permit shall expire at such time as the permittee no longer maintains chickens at the permitted address and/or when the permittee no longer resides at the permitted address. Permits are non-transferable.
- (vii) Revocation. A permit may be revoked by the Village Clerk or his/her designee for any of the following reasons:
 - (a) Failure to comply with any of the provisions of this Section of the Code; or,
 - (b) Where it is determined that the keeping of chickens is detrimental to the life or health of an adjacent property owner. A written physician's report of such medical condition is proof that it would be detrimental.

- (viii) Once revoked, a permit shall not be issued to the same permittee, or a member of such permittee's household, for a period of two (2) years.
- (ix) Any applicant whose permit application has been denied, or any person whose permit has been revoked, shall have the right to appeal said denial or revocation to the Village Board of Trustees.
- (x) Any permit holder who has his/her permit revoked must within 96 hours remove all chickens and the henhouse/coop from the permitted property.

E. STANDARDS AND RESTRICTIONS

- (1) A total of 6 chickens per permitted property shall be allowed; and, the keeping of roosters is prohibited.
- (2) Chickens shall be housed within a detached stationary structure used exclusively to keep chickens. Only one henhouse or coop shall be allowed per permitted property. Temporary and/or moveable devices and structures including chicken tractors, are prohibited.
- (3) Henhouses or coops shall be designed to provide safe and healthy living conditions for the chickens, and shall provide adequate ventilation and shade.
- (4) A henhouse or coop shall be enclosed on all sides, and it shall have a roof and doors. Access doors shall be able to be closed and latched at night. All windows and vents shall be covered with predator and bird proof wire of one inch or smaller openings. The structure shall be impermeable to rodents, wild birds and predators, including cats and dogs.
- (5) The materials used in making a henhouse or coop shall be uniform for each element of the structure, such that the walls are all made of the same material, the roof has the same shingles or other covering, and any windows or openings are constructed using the same materials. The use of scrap wood, waste board, or similar materials is prohibited.
- (6) Henhouses or coops shall be well maintained, and shall be kept in a clean, dry, neat and sanitary condition at all times.

- (7) An enclosed chicken run, which is attached to the henhouse or coop shall be allowed. The run must be covered on all sides, including the top. The run and coop combined may not exceed 100 square feet in ground space, and the run shall not exceed the height of the henhouse or coop.
- (8) Any electrical service to a henhouse or coop shall comply with all electrical codes. Under no circumstances shall electrical service be provided to a henhouse or coop by using an extension cord or other temporary means.
- (9) Henhouses, coops, attached chicken runs shall be only located in the rear yard of the permitted property.
- (10) Henhouses or coops, including the chicken run, shall be at least 5 feet from the property line and at least 20 feet from any residential structure located upon a neighboring property.
- (11) Odor and/or noise from chickens, chicken manure, or other chicken related substances shall not be perceptible to persons of reasonable sensitivity beyond the boundaries of the permitted property.
- (12) Chickens shall be provided with access to feed and clean water at all times. The feed and water shall be inaccessible to rodents and wild birds.
- (13) All stored manure shall be kept in a fully enclosed container with a lid. No more than 3 cubic feet of manure may be stored on the permitted property at any time. All other manure not used for composting or fertilizing shall be properly removed from the property. The henhouse, coop and run shall be kept free of trash, accumulated droppings and uneaten feed.
- (14) Chickens shall be secured within a henhouse during non-daylight hours.
- (15) Chickens may be kept within the Village for non-commercial uses only, chicken breeding or fertilizer production for commercial purposes is prohibited.
- (16) Deceased hens must be disposed of properly. Examples include consumption, burning, incineration, taxidermy, composting in a compost bin with a secure lid or burial with at least 12 inches of soil on top of the carcass.

F. UNLAWFUL ACTS.

- A. It shall be unlawful for any person to keep chickens within the Village in violation of any provision of this section or any other provision of this Code.

Section 2: CONFLICTING ORDINANCES

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3: This ordinance shall be in full force and effect after its adoption and publication in pamphlet form, as provided by law.

PASSED by the Village Board of Trustees of the Village of YATES CITY, Knox County, Illinois, this 7th day of September, 2022.


Village Clerk

APPROVED by the President this 23rd day of September, 2022.


President of the Board of Trustees

ATTEST:


Village Clerk

CERTIFICATE OF CLERK

STATE OF ILLINOIS)
)
COUNTY OF KNOX) ss
)
VILLAGE OF YATES CITY)

I, Debra L. Cawser, DO HEREBY CERTIFY that I am the Village Clerk in and for the Village of Yates City, Knox County, Illinois; that the foregoing is a true and correct copy of an Ordinance duly passed by the President and Board of Trustees of the Village of Yates City being entitled: "AN ORDINANCE AMENDING THE MUNICIPAL OFFENSE CODE OF THE VILLAGE OF YATES CITY, KNOX COUNTY, ILLINOIS" at a meeting held on the 7th day of September, 2022, the ordinance being a part of the official records of said Village. The pamphlet form of Ordinance No. 2022-157, including the ordinance and a cover sheet thereto, was prepared and a copy of said ordinance was posted at the Yates City Community Center, 102 W. Main St., Yates City, Illinois, commencing on Sept 23, 2022, 2022, and continuing for at least 10 days thereafter. Copies of such ordinance were also available for public inspection upon request from the Village Clerk.

DATED this 23rd day of September, 2022.

Debra L. Cawser
_____, Village Clerk
Village of Yates City, Illinois