

VILLAGE OF LILY LAKE

ORDINANCE NO. 2013-07
AN ORDINANCE AMENDING THE ZONING
ORDINANCE

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF LILY LAKE

November 18, 2013

Published in pamphlet form by authority of the President and
Board of Trustees of the Village of Lily Lake,
Kane County, Illinois
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- The Village of Lily Lake Zoning Ordinance has for many years prohibited the keeping of chickens on residential property within Village limits.
- The Village has been requested by several residents to amend the Zoning Ordinance to permit the keeping of chickens on residential property within the Village limits.
- There has been significant public input presented to the Village demonstrating that there is a substantial community benefit from permitting residents to keep a limited number of domestic hens for personal use in the residential areas of the Village.
- Those communities that permit a limited number of domestic hens in residential areas have experienced few problems resulting from that action.
- There are demonstrated health benefits from allowing residents to raise chickens.
- Many communities in the region have adopted ordinances permitting residents to keep up to 8 hens for personal use.
- The Plan Commission has studied the issue and has held several public hearings at which residents were afforded an opportunity to express their opinions about a potential change to the Zoning Ordinance to permit chickens on residential property, and has voted to recommend approval of such an amendment to the corporate authorities.

• A public hearing on the proposed amendment of the Lily Lake Zoning Ordinance (Ord. No. 1993-01, eff. October 18, 1993, as amended), notice of which was duly published according to law, was held before the duly appointed and acting hearing officer of the village of Lily Lake, on November 18, 2013.

THEREFORE, BE IT ORDAINED by the president and the board of trustees of the Village of Lily Lake, Kane County, Illinois, as follows:

§ 1. Amendment of Zoning Ordinance

Article V, § 2 of the Zoning Ordinance (Ord. No. 1993-01, as amended), is further amended by adding the following as subsection (d):

d. Raising of domestic hens.

(1) Keeping poultry for private use is permitted under the following conditions:

(a) No more than 8 domestic hens may be kept on a property that is less than 1 acre in size. No more than 12 domestic hens may be kept on a property equal to or larger than 1 acre.

(b) Roosters are prohibited.

(c) Slaughtering of hens within the village limits, other than for humane reasons, is prohibited.

(d) Hens must be kept within a covered inside enclosure, not less than 2' x 2' x 2' per hen, with an adjacent outside fenced area, not less than 32 square feet in size.

(e) The enclosure and adjacent fenced area must be in the rear yard and set back—

(i) 30 feet from any adjacent occupied residential structure, other than that of the owner; but

(ii) not less than the minimum property line setback required for accessory structures in the zoning district.

(f) All enclosures must be constructed and maintained in a neat and clean manner such as to be free of infestation by rodents or other vermin and odors detectable on adjacent properties.

(g) Hens must be maintained so as not to produce noise loud enough to disturb the peace of persons of reasonable sensitivity. Failure to do so is declared to be a nuisance.

(h) A building permit may be required for certain enclosures. No permit is required for an enclosure no larger than 4' x 4' x 8' without utilities. A determination for all other enclosures will be made by the building officer at the time of application. If a permit is required, the fee will be determined under the residential construction, accessory structures portion of the permit fee schedule (§ 501 of the Village Code, as amended).

(i) Using an extension cord to provide electrical service to the enclosure is prohibited.

(2) All persons wishing to keep hens within the village shall register with the building and zoning officer prior to their acquisition. Registration forms may be obtained from the village clerk. If a permit is required, registration forms will not be accepted until the enclosure has passed a final inspection by the building inspector.

(3) The registration form will include a statement that the property owner gives permission for the building and zoning officer, or agent, to access the rear yard of the residence

periodically during business hours for the purpose of verifying compliance with this ordinance.

(4) A fee of \$25 will be charged for registration.

(5) Violation of this ordinance is punishable by a civil fine of no more than \$100 plus the costs and attorneys fees incurred by the Village for any required hearing. Each day a violation continues constitutes a separate offense.

(6) Registration and permission to keep hens will be automatically revoked if 3 violations of this ordinance occur with respect to the same property within any 12-month period. A further violation of this ordinance, after registration and permission have been revoked, is punishable by a fine of not more than \$750, plus the costs and attorneys fees incurred by the Village for any required hearing. Each day such a violation continues constitutes a separate offense.

(7) Nothing in this ordinance permits the keeping of such animals when such activity is prohibited by private covenants, conditions, or restrictions governing the use of the property, or by rules, regulations, or orders issued by the Illinois Department of Public Health or the Kane County Health Apartment.

§ 2. Effective Date

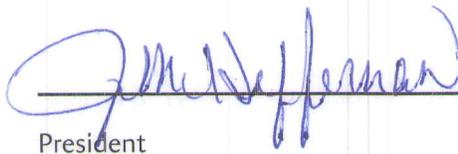
This ordinance is effective after its passage, approval and publication as provided by law.

Adopted on November 18, 2013 pursuant to a roll call vote as follows:

[Signature page follows.]

Trustee	Yes	No	Absent	Abstain
Damisch	✓			
Ivancic, R.	✓			
Ivancic, W.	✓			
Marolovits	✓			
Overstreet	✓			
Wise	✓			
Heffernan				
Totals	6			

Approved November 18, 2013.



President

Attested, filed in my office, and published in pamphlet form on
November 18, 2013.



Clerk of the village of Lily Lake, Kane County, Illinois

