

Village of McLean

Ordinance#

22-10-03

An Ordinance to Provide Amendments Relating to
Chickens

Adopted by the Village Board
Of the
Village of McLean

Published in pamphlet form by authority of the Village of McLean, McLean

County, Illinois this 6th day of October, 2022.

ORDINANCE NO. 22-10-03

AN ORDINANCE AMENDING THE VILLAGE OF MCLEAN MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE NO. 96-5-6A OF THE VILLAGE OF MCLEAN TO PROVIDE AMENDMENTS RELATING TO CHICKENS

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MCLEAN:

SECTION 1: §91.01 of the Village of Code of the Village of McLean is hereby amended by inserting in correct alphabetical order the following additional words and definitions:

COOP: A structure that is designed to house hens which is enclosed on all sides with a roof, door and windows.

HEN: The female of the species Gallus gallus domesticus.

ROOSTER: The male of the species Gallus gallus domesticus.

RUN: 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 to the space by chickens.

SECTION 2: §91.13(A) of the Village of Code of the Village of McLean is hereby amended by deleting the word “chicken” and substituting the word “rooster.”

SECTION 3: §91.13 of the Village Code of the Village of McLean is hereby amended by adding an additional subparagraph (E) which is as follows:

§91.13(E) PERMIT FOR BACKYARD HENS

- (1) It shall be unlawful for any person to possess a hen on a tract of land within the Village limits of the Village of McLean unless such person has been issued a license pursuant to the provisions of this Section.
- (2) The following requirements shall be satisfied by an applicant as prerequisite to the consideration of the issuance of a license.
 - (a) No license may be issued to allow more than six (6) hens on any one contiguous tract of property within the Village limits.
 - (b) No permit shall be issued to allow roosters on any property within the Village limits.
 - (c) Licenses may only be granted to persons who reside on parcels with a single-family dwelling, and which parcel is zoned in the R-1 Residential District.
 - (d) No permit shall be issued to any individual unless the location of the chicken coop for which the permit is sought is at least five (5) feet from all property lines and at least seventy-five (75) feet from

- any neighboring dwelling.
- (e) A chicken coop must be located in the rear of the residential structure. Chicken coops are not allowed in the side or front yards.
 - (f) The chicken coop for which a permit is sought must be built to provide ventilation, shade, protection from precipitation, protection from cold weather and to be secure from predators, wild birds and rodents. Openings in windows and doors must be covered by wire, mesh or screens to deter predators. Access doors must be sized and placed for ease of cleaning. The enclosed run, if any, must be attached to the coop or must surround the coop. The sides of the run must be made of fencing or wire mesh that discourage predators. The run must be enclosed on all sides including the top or roof plane.
 - (g) The chicken coop for which a permit is sought shall provide a minimum of four (4) square feet of floor area per hen. The run shall provide a minimum of eight (8) square feet of floor area per hen.
 - (h) No license shall be issued unless there is a fence enclosing the entire backyard of the property for which a permit is sought.
 - (i) A license application must be signed by the legal record owner of the property and signed by the occupant of the property.
- (3) The following provisions shall apply to the care of hens in any location for which a permit has been issued pursuant to the provisions of this Section:
- (a) Hens shall be kept in a designated coop or run unless the owner of the property for which the permit is sought is physically present, and in such instance hens may be allowed to run at large within the confines of the fenced backyard of the permitted property. No hens shall run at large outside of any fenced area within the Village.
 - (b) No permit shall be issued to permit hens to be present in any parcels within the corporate limits of the Village for which there is in force a subdivision restrictive covenant which would prohibit hens.
 - (c) Hens must be kept in chicken coops and feed must be stored in a fully enclosed rodent proof container.
 - (d) The run, if any, shall be kept in clean, dry and sanitary condition at all times. Manure, uneaten and discarded feed, feathers and other waste must be removed regularly and at a minimum of once per week.
 - (e) Odors from hens, manure or related substances shall not be detectable from property lines.
 - (f) Manure must be stored and disposed of. Manure may be composted. All manure not composted must be removed from the property regularly at a minimum of once per week.

- (4) The following provisions shall apply to licenses issued pursuant to this Section:
- (a) The applicant shall pay an annual fee of \$35.00 for a permit to be issued. Permits shall be issued by the Chief of Police or the designated representative of the Chief of Police.
 - (b) If at any time a licensee is found to be in violation of the standards outlined in this Section, the Chief of Police or such other individual or entity designated by the Village Board of the Village of McLean may bring charges for the revocation of the permit issued pursuant to this Section. A hearing shall be held before the Village President at which hearing the permittee shall be given notice and an opportunity to be heard. After such hearing, the Village President shall determine whether the permit issued pursuant to this Section shall be revoked. In addition to and not in lieu thereof an ordinance violation citation may issue for violation of any provision of this Section.
 - (c) Licenses issued pursuant to this Section are nontransferable.
 - (d) Hens, coops and runs not maintained in accordance with the provisions of this Section shall be deemed a public nuisance and subject to the penalty provisions of §96.99.


SECTION 4: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

SECTION 5: This Ordinance shall take effect 10 days after publication thereof as provided by law.

SECTION 6: Ordinance No.96-5-6A of the Village of McLean, as amended by this Ordinance, shall remain in full force and effect and all previous amendments to Ordinance No. 96-5-6A shall remain in force and effect except as modified by this Ordinance.

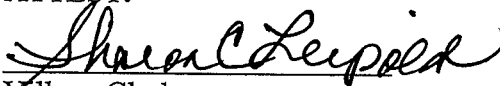
PASSED in due form on a roll call vote by the Board of Trustees of the Village of McLean at a duly held meeting on the 3rd day of October, 2022.

APPROVED:



 President of the Board of Trustees of the
 Village of McLean

ATTEST:



 Village Clerk

AYES: 4
 NAYS: 0
 ABSENT: 2

STATE OF ILLINOIS)

) SS

COUNTY OF MCLEAN)

PUBLICATION CERTIFICATE

I, the undersigned Village Clerk, certify that I am the duly elected and acting Village Clerk of the Village of McLean, McLean County, Illinois.

I further certify that on **Monday, October 3, 2022**, the Board of Trustees of such municipality passed and approved **Ordinance No. 22-10-03**, entitled:

An Ordinance to Provide Amendments Relating to Chickens

Board of Trustees of the Village of McLean previously adopted a Resolution that authorized all Village Ordinances to be published in pamphlet form.

The pamphlet form of Ordinance No. 22-10-03, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on October 6, 2022 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

Dated at McLean, Illinois, this 17th day of October, 2022.


Village Clerk

(SEAL)