

ORDINANCE #2024 – 11

AMENDING CHAPTER 6 OF THE CITY OF CHICAGO HEIGHTS CODE OF ORDINANCES REGULATING PERSONAL POULTRY

WHEREAS, the City of Chicago Heights, Cook County, Illinois (the “*City*”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “*Home Rule Powers*”); and

WHEREAS, it is incumbent upon the city corporate authority to update the City Code of Ordinances from time to time to ensure its ability to operate efficiently and carry out its tasks on a daily basis; and,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Chicago Heights, Cook County, Illinois, by and through its Home Rule Powers, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. Chapter 6, Section 6-3 of the City of Chicago Heights Code of Ordinances, entitled “Prohibited Animals” is hereby amended with the deletion of the word “chickens” as set forth and stricken through below:

“Sec. 6-3. - Prohibited animals. It shall be unlawful to keep or raise any pigs, ducks, swine, sheep, cattle, horses, goats, ~~chickens~~, pigeons, rabbits, snakes, or any other naturally wild animals within the city, except in zoological parks, performing animal exhibitions, educational institutions, veterinary hospitals or animal shelters.”

Section 3. Chapter 6, of the City of Chicago Heights Code of Ordinances is hereby amended with the addition of a new Chapter 6 - 3. 1 through 6-3.5, which shall read as follows:

“Personal Poultry

Sec. 6-3.1.

- (a) *Required.* No person shall keep or raise hens without having first secured a personal poultry license. The fee for a personal poultry license shall be \$100 annually.
- (b) *Application.* Applications for personal poultry licenses shall be made upon such forms as prescribed by the City. Tenants seeking a license for rented property must submit a copy of their current lease and written evidence that the landlord consents to the application.
- (c) *Licenses are specific to a single premises.* Licenses shall indicate the name of the licensee and the location of the premises. Licenses issued under this division shall only apply to the premises described in the application and only one location shall be described in each license.
- (d) *Inspections.* A license shall not be granted unless the property has been inspected and the inspector has found compliance with this section. In addition to any other enforcement authority granted by this Code, the code enforcement officer and building inspector shall have the authority to enforce this article.
- (e) *Revocation.* A personal poultry license may be revoked by the City Chief of Staff for failure to comply with the requirements of this division. However, no license shall be revoked until the licensee is notified and has been given the opportunity to appear at a hearing before the City Chief of Staff. Based upon the record of such hearing, the City Chief of Staff shall issue a written decision to the licensee. Such revocation of a license may be in addition to any fine imposed by this Code.

Sec. 6-3.2. Standards and restrictions.

- (a) *Number and type of animals and location restricted.* Licensees shall have for no more than six hens on each licensed premises which must be zoned for and utilized as single family dwellings in the R-1 and R-2, single family residential zoning districts as defined in the City zoning regulations. Roosters and guinea hens are prohibited.
- (b) *Slaughter and commercial activities prohibited.* Licensees shall not slaughter hens on the licensed premises. Hens shall be kept as pets or for personal, noncommercial purposes only. Breeding or sale of eggs, excrement or any byproduct of the licensed activity is prohibited.
- (c) *Animals to be caged overnight; noise control.* Hens must be kept within the chicken coop between dusk and dawn. No person shall allow hens to produce noise loud enough to disturb persons occupying adjacent property.

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- (d) *Food storage; coop maintenance and sanitation.* All feed and related items shall be protected in a container with a tightly fitted lid to prevent rodents from gaining access. The licensed premises shall be constructed and maintained to be free of rodent infestation and to prevent the collection of standing water; refuse resulting from the hens shall be disposed of in a clean and sanitary fashion.

Sec. 6-3.3. Chicken coop requirements.

- (a) Each licensed premises shall contain a single chicken coop with dimensions no larger than 24 square feet in area and six feet in height as measured from grade, elevated at least one foot off of the ground.
- (b) A building permit is required for the construction of a chicken coop, the outdoor enclosed feeding/grazing area or the installation of a prefabricated chicken coop; the fee for the building permit will be the same as for a shed. If electricity is installed to the chicken coop it must be installed underground; extension cords or aboveground wires are not permitted. Any electrical work requires an electrical permit; the fee shall be the same as for an accessory structure.
- (c) Chicken coops shall be located only in a rear yard a minimum of three feet from any lot line and shall be at least 30 feet from residential structures not occupied by the licensee. Chicken coops shall be located at least ten feet from the principal building and a minimum of five feet from all other buildings on the licensed premises and abutting properties. Existing nonresidential structures may be allowed for the housing of hens upon staff review.
- (d) Chicken coops shall be constructed of solid materials on all sides, including roof and doors; the chicken coop must be constructed in such a manner so as to protect the hens from predators and trespassers, provide adequate ventilation to minimize odors, allow easy ingress and egress for hens and protection from weather elements including cold temperatures.
- (e) Coops shall be maintained in good, structurally sound repair and in a neat, clean, presentable and attractive condition.

Sec. 6-3.4. Enclosed feeding and grazing area.

- (a) Hens may be allowed outside of the chicken coop between dawn and dusk only in an enclosed, covered area no larger than 32 square feet and no taller than six feet located in a rear yard a minimum of three feet from any lot line and at least 30 feet from residential structures not occupied by the licensee.
- (b) The screening enclosing the area must be buried at least 12 inches deep and six inches flat to prevent predators from digging under the fence.
- (c) The material and the structural requirements of the screening shall be consistent with all requirements of the City building regulations relating to fencing. Chicken wire shall not be used for screening. If hardware cloth or welded wire mesh is used for screening, it must be a minimum of 19-gauge wire.
- (d) To accommodate free range hens the outside enclosure may be provided through the use of a mobile screened enclosure commonly referred to as a chicken tractor.
- (e) All areas used for the feeding and grazing shall be maintained to prevent soil erosion and runoff to neighboring properties.
- (f) All enclosed feeding and grazing areas shall be maintained in good, structurally sound repair and in a neat, clean, presentable and attractive condition.

Sec. 6-3.5 Penalty.

Violations of the above requirements and prohibitions shall be enforced under the City Chapter 2 ½ Administrative Adjudication provisions , and shall be subject to a fine of up to \$750 per day of violation.”

Section 4. Any policy, resolution ordinance of the City that conflicts with the provisions of this Ordinance shall be and are hereby repealed to the extent of such conflict.

Section 5. This Ordinance, and its parts, are declared to be severable and any section, clause, provision, or portion of this Ordinance declared invalid, the invalidity thereof shall not affect the validity of any other provision of this Ordinance which shall remain in full force and effect.

Section 6. This Ordinance shall be in full force and effect upon its passage, approval and publication as may be required by law.

ADOPTED by the City Council of the City of Chicago Heights, Cook County, Illinois this
5th day of June 2024.

APPROVED:

MAYOR DAVID A. GONZALEZ Date

AYES: _____.

NAYES: _____.

ABSENT: _____.

ATTEST:

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