

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE
VILLAGE OF THORNTON, COOK COUNTY, ILLINOIS
TITLE 10, CHAPTER 3 “ANIMALS” BY AMENDING 10-3A-2
AND CREATING A NEW ARTICLE C**

WHEREAS, the Village of Thornton is a Home Rule Municipality within the purview of Article VII, Section 6(a) of the Illinois Constitution (1970), and the said Village, therefore, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, Title 10 of the Municipal Code of the Village of Thornton pertains to police regulations of the Village of Thornton;

WHEREAS, the Village wishes to amend said chapter by amending existing 10-3A-2 and creating a new Article C named “Personal Poultry”; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Thornton, Cook County, Illinois, as follows:

SECTION 1: That §10-3A-2D of the Municipal Code of the Village of Thornton is “Prohibited behavior, condition” shall be amended to read as follows:

10-3A-2D

Except as provided in 10-3C-1 below, it shall be unlawful to keep any farm, wild, untamed or exotic animal within the Village. Such animals include, but are not limited to, horses, swine, chickens, tigers, bears or any other animal not generally considered a domestic pet.

SECTION 2: That a new provision of the municipal Code of the Village of Thornton be created entitled §10-3C-1 “Personal Poultry” and shall be incorporated as follow:

10-3C-1. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context indicates a different meaning:

Chicken coop means an accessory structure, wholly enclosed, used for the purpose of housing hens.

Hen means the female of the species *Callus gallus f. domestica*.

Personal poultry license means a license to keep or maintain hens as provided by this article.

Slaughter means the act of killing an animal for food consumption.

Zoning ordinance means the Village of Thornton Zoning Ordinance.

10-3C-2. License required.

- (A) No person shall keep or raise hens without having first secured a personal poultry license.
- (B) The fee for a personal poultry license shall be \$50.00 annually.

10-3C-3. License application.

Applications for personal poultry licenses shall be made upon such forms as prescribed by the village. Tenants seeking a license for rented property must submit a copy of their current lease and written evidence that the landlord consents to said application.

10-3C-4. Licensee regulations.

- (A) Licenses shall indicate the name of the licensee and the location of the premises. Licenses issued under this article shall only apply to the premises described in the application and only one location shall be described in each license.
- (B) Licenses shall provide for no more than four (4) hens on each licensed premises, and shall be restricted to properties zoned and utilized as single family dwellings in the Single Family Residential Zoning Districts as defined in the zoning ordinance. Roosters and Guinea Hens are prohibited.
- (C) Licensees shall not slaughter hens on the licensed premises.
- (D) Hens must be kept within the chicken coop between dusk and dawn.

- (E) 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.
- (F) All feed and related items shall be protected in a container with a tightly fitted lid to prevent rodents from gaining access.
- (G) No person shall allow hens to produce noise loud enough to disturb persons occupying adjacent property.
- (H) Hens shall be kept as pets or for personal, non-commercial purposes only. Breeding or sale of eggs, excrement or any byproduct of the licensed activity is prohibited.

10-3C-5. 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 1' 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 above ground wire 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 25' 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 non-residential 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 door(s); 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) 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. Such area may only be located in a rear yard a minimum of three feet from any lot line and at least 25' from residential structures not occupied by the licensee. The screening enclosing this area must be buried at least 12" deep and 6" flat to prevent predators from digging under

the fence. The material and the structural requirements of the screening shall be consistent with Village Construction Requirements; 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. 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. All areas used for the feeding and grazing shall be maintained to prevent soil erosion and runoff to neighboring properties. All chicken coops and enclosed feeding/grazing areas shall be maintained in good, structurally sound repair and in a neat, clean, presentable and attractive condition.

(F) Chicken coops shall be inspected annually by the Village.

10-3C-6. Inspections.

(A) A license shall not be granted unless the property has been inspected and the inspector has found compliance with this section.

(B) 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.

10-3C-7. License revocation.

A personal poultry license may be revoked by the Village administrator for failure to comply with the requirements of this article or for 3 or more complaints against the Licensee regarding the licensed activity found to be justified by the Village administrator. Said fine shall be between \$250 and \$750. However, no license shall be revoked until the licensee is notified and has been given the opportunity to appear at a hearing before the village administrator. Based upon the record of such hearing, the village administrator shall issue a written decision to the licensee. Such revocation of a license may be in addition to any fine imposed by this Code.

SECTION 3: **Severability.** If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

SECTION 4: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

PASSED by the President and Board of Trustees of the Village of Thornton, Cook County, Illinois, this _____ day of _____, 2021.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2021.

ROBERT KOLOSH, Village President

PUBLISHED in pamphlet form by authority of the Corporate Authorities on _____, 2021.

ATTEST:

DEBRA L. PISARZEWSKI, Village Clerk
Village of Thornton
Cook County, Illinois