

**AN ORDINANCE AMENDING CHAPTER 14 ENTITLED "ANIMALS"
OF THE CODE OF ORDINANCES OF THE CITY OF ROLLING MEADOWS
TO ALLOW FOR AND REGULATE HENS AND OUTDOOR HEN SHELTERS
ON RESIDENTIAL LOTS IN THE CITY OF ROLLING MEADOWS**

WHEREAS, the City Council has determined that it is advisable, necessary and in the best interest of the City to amend Chapter 14 of the Code of Ordinances to allow for and regulate hens and outdoor hen shelters on residential lots in the City of Rolling Meadows.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rolling Meadows, Cook County, Illinois, as follows:

Section 1. Chapter 14, entitled "Animals," of the Code of Ordinances of the City of Rolling Meadows is hereby amended by adding thereto Article VIII, entitled "Keeping of Hens and Outdoor Hen Shelters on Residential Lots," as follows:

ARTICLE VIII – Keeping of Hens and Outdoor Hen Shelters On Residential Lots.

Section 14-160. – Definitions.

(a) As used in this Article, the following terms are defined as follows:

COOP: A structure housing hens consisting of a covered inside enclosure.

HENS: The female of the species *Gallus gallus domesticus*, commonly known as chickens.

RUN: An enclosure connected to a coop for the purposes of allowing hens to leave the coop while remaining in an enclosed, predator safe environment.

Section 14-161. – License and Permit Required.

(a) License Required. No person shall keep hens within the City without first obtaining a license therefor issued by the City ("chicken license"). The number of locations for which chicken licenses may be issued shall be limited to twenty-five (25). Chicken licenses shall be issued on a first come, first serve basis and no more than one license shall be allowed per residential lot. If the City receives valid chicken license applications that exceed the maximum number of available licenses, all exceeding applications will be placed on a waiting list in the order that they were received, which waiting list will be maintained by the City Manager or City

Manager's designee. Chicken licenses are valid for up to one year. An annual license fee of twenty-five dollars (\$25.00) will be required prior to the City's issuance of the chicken license and the applicant's purchasing of the hens. A building inspection and the City's approval of the construction and installation of any run, coop or other enclosure used for the housing of hens is required prior to obtaining a chicken license. Proof of premise registration with the Illinois Department of Agriculture will be required prior to the issuance of the initial chicken license and any renewal licenses. A chicken license for keeping hens shall not be transferable or run with the land, but shall terminate and become invalid upon the licensee no longer occupying the property for which the license was issued.

(b) **Building Permit Required.** Any run, coop, and other enclosure used for housing hens may be erected only after obtaining a building permit, as provided herein.

(c) **Renewal License.** A renewal chicken license will be required each year after the issuance of the initial chicken license, with no additional building inspection required. An administrative fee of \$25.00 will be required for each renewal license. Applicants must submit a renewal chicken license application, at least twenty-one (21) days prior to January 1 of each year. If a chicken license expires without timely renewal, the next applicant on the waiting list will be contacted by the City to confirm participation and processing of the chicken license application. That waiting list applicant will have thirty (30) days to resubmit the application for a chicken license if changes are necessary to the original application.

Section 14-162. – License and Permit Application Process.

Any applicant for a license for keeping hens or for a building permit to erect any run, coop, and/or other enclosure used for housing hens must submit the following to the Public Works Director:

- (a) A completed application and questionnaire on forms provided by the City.
- (b) A completed building permit application, including a plat of survey accurately depicting the potential location of a coop, run or other enclosure used for the housing of hens on the applicant's property.
- (c) The required license fee for a license to keep hens in the amount of twenty-five (\$25.00) and the required building permit fee, if any, for the coop, run and/or enclosure used for the hens. The building permit fee for a coop, run and/or other enclosure used for housing hens shall be the same fee as for a shed.
- (d) Once the construction and installation of the coop, run and/or other enclosure is complete, the City will inspect the site for construction and installation approval.

(e) After the City has approved the construction and installation of the coop, run and/or other enclosure, the applicant will complete a one-time premise registration with the Illinois Department of Agriculture. A fillable Illinois Premises Identification Registration form is available on the Illinois Department of Agriculture's website.

(f) After the applicant has complied with and completed items (a)-(e) within the timeframes determined by the Department of Public Works, the City will issue the applicant the chicken license. Only after the chicken license has been issued by the City may the licensee obtain hens for location on the licensed premises.

(g) A license for keeping hens shall be granted on an annual basis. The licensee is required to obtain a renewal license by no later than January 1 of each year in order to maintain hens on the premises. The renewal license application must be submitted at least twenty-one (21) days before January 1 and requires the completion of an updated license application, questionnaire, and submission of the administrative fee.

(h) Chicken licenses may be obtained for coops located on residential property owned by someone other than the applicant as long as the license applicant resides on the property, all requirements of this Article have been satisfied and written permission has been granted from the property owner to maintain hens on the property.

Sec. 14-163. – Regulations for the Keeping of Hens and Hen Shelters.

(a) The following regulations shall apply to any person licensed to keep hens and to maintain any outdoor hen shelter on a residential lot within the City:

1. The keeping or harboring of any rooster is prohibited.
2. No person shall keep or harbor less than two (2) and no more than six (6) hens on any licensed premises.
3. Hens are not to be maintained for financial gain or for any business purpose, without maintaining an applicable license issued by the State of Illinois or the City of Rolling Meadows.
4. Hens shall not be permitted to run at-large in the City. Hens must be kept within a coop with an attached run to protect the hens from predators and to prevent hens from encroaching onto neighboring properties.
5. The slaughtering of hens on any residential lot is prohibited.

(b) The following regulations shall apply to all hen shelters maintained in the City:

1. A coop or other covered enclosure shall be provided for housing hens. In addition to the coop, a run area of a minimum of six (6) square feet per hen will be required and a maximum of one hundred (100) total square feet will be permitted for both the coop and the run. The maximum roof height of any coop or structure used for housing hens shall not exceed eight (8) feet. For a pitched roof structure, the roof height measurement shall be measured from the midpoint of the pitched roof.
2. A coop, run or other structure used for housing hens shall be permitted only in conjunction with a single family detached dwelling in an approved residentially zoned district.
3. A coop, run or other structure used for housing hens shall be located a minimum of ten (10) feet from any lot lines of the licensee's property and shall not be located within ten (10) feet of any residence.
4. All hens and coops, runs or other structures are prohibited in any front yard or street-facing yards.
5. Coops or other covered enclosures for housing hens shall be constructed of durable building materials, shall be weatherproofed and contain insulated walls and/or be covered by an insulated blanket, in order to withstand inclement and extreme weather, and shall be secure from any predators. No heat lamps shall be permitted in any coop or other structure used for housing hens.
6. The interior area of any hen coop or shelter and the rear yard area of the property on which the hen shelter is located shall be maintained in a sanitary condition. All areas where hens are kept shall be clean and well-maintained with little to no accumulation of waste. All refuse and hen waste shall be disposed of in a clean and sanitary fashion. In addition, all properties where hens are kept shall not produce or cause odors that are detectible on adjacent properties.
7. Any odors from hens, hen manure, or other hen-related substances shall not be perceptible beyond the property boundaries where the hens are kept. It is hereby declared a nuisance and it shall be unlawful for any

licensee to allow such nuisance to exist beyond the boundaries of the licensed property.

8. All hen feed shall be kept in rodent proof containers until utilized for consumption by the permitted hens.
9. No licensee shall allow hens to make noise loud enough to annoy or disturb the comfort, health, peace, or repose of reasonable persons of ordinary sensibilities, and it is hereby declared a nuisance and it shall be unlawful for any licensee to allow such nuisance to exist.

Sec. 14-164. – Right of Entry for Enforcement.

City officials shall be authorized to enter upon any premises where hens are kept, or where there is reason to believe hens are kept, in order to enforce the provisions of this Article.

Sec. 14-165. – Suspension, Revocation, and Nonrenewal of Licenses.

(a) Whenever a licensee violates or fails to act in conformity with the provisions of this Article, any license for keeping hens may be suspended or revoked, or the City may refuse to renew the license, following notice and a hearing before the City Manager.

(b) If a license is revoked for any cause, no license shall be granted to the same licensee for keeping hens for a period of one year from the date of revocation.

Sec. 14-166. – Summary Suspension.

If the Public Works Director or designee presents to the City Manager sufficient evidence demonstrating probable cause to believe that the licensee has violated provisions of this Chapter or has violated State or Federal law, and that said violation possess an immediate threat to the public health, safety or welfare, the City Manager may, upon the issuance of a written order stating the reason for such conclusion, and without prior notice or hearing, order the licensed structure for the keeping of hens closed and the license issued pursuant to this Chapter to be summarily suspended, pending a hearing and a determination regarding suspension or revocation. The licensee shall be provided a copy of the order and a notice of violation. A hearing shall be commenced not more than ten (10) days following the entry of such order, unless the licensee shall agree to a longer period of time.

Sec. 14-167. – Injunction.

Any violation of this Article is hereby declared to be unlawful and a public nuisance. Upon request of the City Manager, an action by the City Attorney for injunctive relief may be commenced for the abatement, removal and enjoyment thereof in the manner provided by law. Application shall be made to such court or courts which have jurisdiction to grant such relief, to abate or remove such use and restrain and enjoin any person from using property contrary to the provisions of this Article.

Sec. 14-168 – Removal of Structures.

Runs, coops and other enclosures used for the housing of hens shall be removed within sixty (60) days of a licensee no longer keeping hens, upon a licensee no longer occupying the property for which a license for keeping hens was issued, or upon a license for the keeping of hens having expired or been revoked. All hens shall be removed within five (5) days of a final determination regarding the suspension or revocation of license

Section 2. Subsection (a) of Section 14-2, entitled "Keeping of Animals Other than Domesticated Pets," of Article 1 of Chapter 14, entitled "Animals," of the Code of Ordinances of the City of Rolling Meadows is hereby amended as follows:

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

Domesticated means any animal wild by nature that has been so reclaimed as to become tame, under the dominion and control of its owner, associated with family life or accustomed to living in or near the habitations of man.

Fowl includes chickens (except for hens as regulated under Article VIII of Chapter 14 of this Code), turkeys, geese and ducks.

Section 3. Subsection (6) of Section 38-34, entitled "Specific Nuisances enumerated," of Division 1 of Article II, entitled "Nuisances, of Chapter 38, entitled "Environment," of the Code of Ordinances of the City of Rolling Meadows is hereby amended, as follows:

- (6) Keeping animals other than domesticated pets. To keep or suffer to be kept upon or about his premises or upon vacant property or public streets or public property within the city any goat, sheep, hog, cattle, fowl or other animal, reptile or serpent other than domesticated house pets, and each day any such goat, sheep, hog, cattle, fowl or other animal, reptile or serpent other than domesticated house pet is

kept in violation of this subsection shall constitute a separate and distinct offense. The word "fowl" shall include chickens (except for hens as regulated under Article VIII of Chapter 14 of this Code), turkeys, geese and ducks. Up to three rabbits may be kept on any residential lot zoned and developed as a single-family detached residence. Rabbits must be kept in hutches or cages, which shall be available for periodic inspections by the city health department. No cage or hutch shall be located in the required front yard or within ten feet of any side or rear lot line.

Section 4. Any ordinance or portion of any ordinance in conflict with any provisions of this Ordinance is hereby repealed, solely to the extent of such conflict.

Section 5. This Ordinance shall be printed and published in pamphlet form by order of the City Council of Rolling Meadows, Illinois.

Section 6. This Ordinance shall be in full force and effect following its passage, approval and publication in pamphlet form as provided by law.

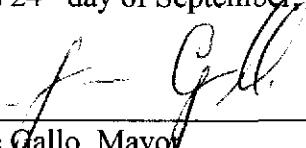
PASSED AND APPROVED by the City Council of Rolling Meadows, Cook County, Illinois this 24th day of September, 2019.

YEAS: Sanoica, Budmats, O'Brien, Vinezeano

NAYS: Cannon, Bisesi, D'Astice

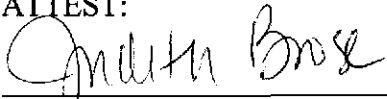
ABSENT: 0

Passed and Approved this 24th day of September, 2019.



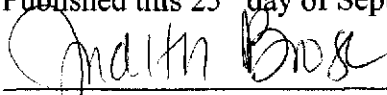
Joe Gallo, Mayor

ATTEST:



Judith Brose, Deputy City Clerk

Published this 25th day of September, 2019,



Judith Brose, Deputy City Clerk