




MEMORANDUM

Date: July 18, 2017

To: Michael G. Bartholomew, MCP, LEED-AP, City Manager
Michael McMahon, Community and Economic Development Director

From: Lauren Pruss, Economic Development Coordinator 

Subject: Potential Text Amendment to Allow the Keeping of Chickens (Citywide)

Issue: The keeping of chickens as a household pet is currently prohibited by the municipal code. Alderman Rodd recently requested that the issue be brought for discussion at an upcoming Council meeting.

Analysis: The municipal code regulates the keeping of animals and restricts the keeping of fowl throughout the City, except for educational purposes. Specifically, the code states:

“6-1-1: ANIMALS RESTRICTED WITHIN CITY:

A. Fowl: It shall be unlawful and it is hereby declared to be a nuisance to raise, maintain or have upon any property within the city any chickens, ducks, geese, guinea hens, pigeons or other similar fowl; provided, however, that it is not unlawful to keep, for educational purposes, up to six (6) chicken hens on any property located within the city that is greater than fifteen (15) acres and is listed on the national register of historic places.”

In recent years, there has been a growing trend in keeping chickens for personal production and consumption of eggs. Several area municipalities provide regulations for the keeping of chickens in residential neighborhoods (see attached survey). In order to permit the keeping of chickens in the City, the Council will need to direct staff to amend the text of Title 6, and in addition, amend the text of the Zoning Ordinance to provide additional regulations for chicken coops and other related accessory structures.

Recommendation: For information only.

Attachments:

Attachment 1: Area Chicken Regulations
Attachment 2: Letter from Resident

Oak Parkⁱ

- Oak park residents can keep two chickens (roosters seem to be allowed) on their property
- No permits are required and no other regulations are in place

Elginⁱⁱ

- Once a license is allocated residents will work with community development staff to make sure your property meets the minimum requirements. You will also be required to submit plans for your coop, build and obtain a final coop inspection prior to being issued a chicken license.
- There is a \$65 permit application fee and a one-time \$30 license fee, both paid at the time that the permit and license are issued. If electricity is to be used in the chicken coop for any reason an electrical permit and inspection are required. An electrical permit application fee is \$65.
- A valid chicken license must be issued prior to purchasing chicken
- A building permit must be obtained prior to constructing a chicken coop or enclosure and final building inspection approval is required prior to obtaining a chicken license
- Baby chicks can be kept indoors until they are fully-feathered (up to 8 weeks)
- Maximum of four chickens
- Roosters prohibited
- Slaughtering of chickens prohibited
- Chickens must always be contained within a coop or enclosure
- Chicken tractors (screened mobile pens) are permitted
- Chicken coops must be at least 25 feet from your neighbors and not visible from the street
- Coops can be up to 50 square feet, chicken runs or enclosures can be up to 100 square feet
- A very brief backyard chicken pilot program report is available here: <http://cityofelgin.org/DocumentCenter/View/57045>

West Dundeeⁱⁱⁱ

- Coop and coop enclosures must be sized properly for the number of chickens to be maintained. Coop and coop enclosure areas must be a minimum of forty (40) square feet but shall not exceed a maximum of one hundred (100) square feet.
- Coops must be set back a minimum of ten feet (10') from the property line with a minimum of fifteen feet (15') from the nearest adjacent neighboring habitable building
- All licensed chickens must be maintained in the coop or the coop enclosures from sundown to sunup. During daytime hours animals may roam in fenced yard with owner supervision
- All waste must be disposed of in a sanitary manner
- For chickens and other similarly sized poultry less than fifteen (15) pounds in weight the maximum total number of animals permitted are four (4) per zoning lot. The annual license fee shall be twenty five dollars (\$25) for up to four (4) animals. Chickens and similarly sized poultry are prohibited in R-5 medium density multiple-family districts. Roosters are prohibited in all districts.

Deerfield^{iv}

- A maximum of four (4) fowl shall be permitted on any property. Roosters are prohibited
- Fowl shall be confined at all times to a coop
- Coops and enclosures shall be maintained in a clean and sanitary conditions at all times
- Owners must keep IL Dept. of Agriculture Livestock Premises Registration on-site
- Feed for fowl shall be kept in containers that are rodent-proof
- Fowl shall be kept, housed and maintained so as not to cause a public or private nuisance

- Coops shall provide at least (6) six square feet of living space for each fowl
- Fowl shall be kept in a safe and humane manner
- The keeping of fowl is not permitted except on a zoning lot containing one single-family detached dwelling unit
- No coop may exceed eight (8) feet in height, must only be located in rear yard as defined by the Village of Deerfield Zoning Ordinance, and must be set back a minimum of ten (10) feet from all neighboring property lines
- A non-refundable twenty-five (\$25) dollar license fee is required to keep fowl

Evanston^v

- Deals with chicken coop odors and noises in regards to nuisances
- Keeping chicken or hen coops, stables, privies in filthy condition: To keep, or suffer to be kept, in a foul, offensive, nauseous or filthy condition any chicken or hen coop, cow house, stable, cellar, vault, drain, pool, privy, sewer or sink, upon any premises belonging to or occupied by any person or any railroad car, building, yard, grounds or premises belonging to or occupied by said person.

Brookfield^{vi}

- Code of Ordinances, Chapter 10 – Animals, Article III – Care and Control, Division 2 – Livestock and Other Farm Creatures
- Section 10-78
 - (a) It shall be unlawful for any person to keep, harbor, possess or maintain upon any lot within the village more than three female chickens (hens)
 - (b) It shall be unlawful for any person to compost chicken waste or bedding upon any lot within the village.
 - (c) It shall be unlawful for any person to use any accessory structure to harbor chickens which does not conform to the requirements of this Code, including, but not limited to, village building and zoning regulations.
- Section 10-79
 - It shall be unlawful for any person to permit any cattle, swine, sheep, goats, geese, ducks, turkeys, chickens or other fowl owned by him or in his custody or control to run at large within the village, and any so found shall be impounded by the police chief, and the owner or person having possession of such animal or fowl and allowing the same to run at large shall be guilty of a violation of this section.

Lombard^{vii}

- (A) Except as provided in § 90.06 of this Chapter, it shall be unlawful for any person to keep any dangerous or vicious animal, or animal listed in § 90.04(B), in any place other than a properly maintained zoological park, circus, scientific or educational institution, research laboratory or veterinary hospital, or as licensed to do so by the State or Federal government.
- (B) Except as provided in § 90.07 of this Chapter, it shall be unlawful for any person to keep or allow to be kept within the Village any farm animals, including, but not limited to, sheep, cattle, goats, horses, ducks, geese, **chickens**, roosters or other fowl, pigeons (except for carrier/racing pigeons) swine (including pot-bellied pigs), or similar animals.

Western Springs^{viii}

- Pet and outdoor chicken shelters are permitted on residential lots

- No person shall harbor any rooster
- No person shall keep or harbor more than four (4) chickens on any residential lot
- Chickens must be kept in a shelter, are not permitted to run at large in the village, may be allowed outside in a fenced area in the presence of their owners, and no outdoor slaughtering of poultry in outdoor areas within residential lots
- Chicken shelter only allowed in a rear lot, with ten feet side and five feet rear yard setbacks
- Shelters shall be sanitary, weatherproofed, have adequate ventilation, with a maximum height of eight feet (8')
- In order to get a permit
 - Building application
 - Plat of survey marked with the location and dimensions
 - Must provide a predator protection system
 - Pay a permit fee, which is 1.75% of the cost of construction, with a minimum \$50 permit fee

County Ordinances Regarding Backyard Chickens

Lake County^{ix}

- Must meet the requirements of the county's Unified Development Ordinance (UDO)
- Permit for backyard chickens use is \$25
- Maximum number of hens allowed
 - 6 with minimum lot sizes of 10,000 square feet
 - 8 with minimum lot sizes of 20,000 square feet
 - 10 with minimum lot sizes of 40,000 square feet
 - 12 with minimum lot sizes of 80,000
 - No limit, if AG exempt with minimum lot sizes of 200,000 or more
- Chicken coop has a maximum height of 8 feet, a minimum of 3 feet per hen
- Chicken coops and yards may not be located between the dwelling and any improved road right of way or access easement
- Minimum 30 feet setback to fixed structures
- Roosters not allowed on properties less than 200,000 square feet

Will County^x

- Chickens (not roosters) allowed by right in the R-1, R-2, R-2A, R-3 and R-4 districts
- The minimum lot area required for keeping of chickens is 12,500 square feet in all of the above districts
- In the R-2A, R-3 and R-4 districts, the number of chickens is limited to 1 per 2,500 square feet of lot area
- Special use permit is \$650

ⁱ <http://www.oak-park.us/our-community/new-resident-information>

ⁱⁱ <http://www.cityofelgin.org/index.aspx?NID=1879>

ⁱⁱⁱ [http://www.wdunee.org/apps/vwide/WDWeb.nsf/B6EFA36C580C7E5A86257BF3005C1390/\\$file/ORD13-18_Beekeeping-Final.pdf](http://www.wdunee.org/apps/vwide/WDWeb.nsf/B6EFA36C580C7E5A86257BF3005C1390/$file/ORD13-18_Beekeeping-Final.pdf)

^{iv} <http://www.deerfield.il.us/DocumentCenter/View/528>

^v <http://www.cityofevanston.org/assets/23-O-10%20Hen%20ordinance%20w%20%20floor%20amendments.pdf>

vi

https://library.municode.com/il/brookfield/codes/code_of_ordinances?nodeId=COOR_CH10AN_ARTIADEN_S10-23PE

vii

https://library.municode.com/il/lombard/codes/code_of_ordinances?nodeId=TITIXGERE_CH90AN_ARTIPR_S90.04_KECEANPR

viii <https://www.wsprings.com/DocumentCenter/View/1122>

ix <https://www.lakecountyil.gov/DocumentCenter/View/2716>

x

[http://library.amlegal.com/nxt/gateway.dll/Illinois/willcounty_il/willcountyillinoiscodeofordinances?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:willcounty_il](http://library.amlegal.com/nxt/gateway.dll/Illinois/willcounty_il/willcountyillinoiscodeofordinances?f=templates$fn=default.htm$3.0$vid=amlegal:willcounty_il)

July 12, 2017

RECEIVED

JUL 13 2017

To whom it may concern,

BUILDING DEPT.

I am under the impression that the City of Des Plaines is considering allowing zoning for residential chicken coops. I am so pleased to hear that this will be a possibility in our town. As long as the coops and chickens are cared for responsibly, as any resident who takes on this hobby should be well informed on chicken care and coop maintenance. I have been a professional in the animal care field for the past 13 years. I am currently an animal keeper at Brookfield Zoo, where I actually care for chickens daily in my department. I have family members with their own backyard coops and they are very happy with all of the benefits chickens can provide. Many townships in this area currently allow chicken coops and I believe that ours should too. Those residents considering the hobby should do their research just as any responsible pet owner should be well-informed on the needs of their dog, cat, hamster, snake, etc.

Coops should be serviced daily - cleaned and fresh food and water provided. Chickens should be fed with hanging feeders to avoid attracting rodents, and their food should be stored in airtight containers. Chickens eat during the day and sleep at night, so food can also be removed overnight as well. These basic measures would prevent any concerns about chicken food attracting rodents. Improperly serviced chicken coops would not attract pests anymore than leaving your garbage

cans open, leaving dog or cat food outside, throwing food items outside for native wildlife, etc.

Chickens should also be provided with a balanced diet and proper veterinary care. There are several exotic animal hospitals in the area.

There are many benefits to backyard chickens - they obviously provide fresh eggs, but their waste is also a great natural garden fertilizer, they are very sweet animals that make excellent pets, and the act of zoning a township for chickens is a great message that Des Plaines supports small-scale, sustainable efforts made by its residents. I'm sure eggs will also benefit surrounding neighbors because there are always some to share from happy, healthy, producing chickens. By getting eggs from your own or your neighbors' chickens, you avoid supporting the factory farming industry, where chickens are kept in inhumane living conditions where they cannot exhibit natural social behaviors they normally would, cannot be outside, and live in very crowded enclosures where they can barely move around. If I choose to eat eggs, I would love to have the option to provide my own chickens with a happy, healthy life. Eggs laid by pasture-raised chickens are also proven to be more nutritious than factory-raised chickens. Chickens can get a lot of fruit and veggie scraps from your own kitchen, so they also work as natural composters. They eat any insects that cross their path. They are social animals, so it is suggested that a minimum of 6 are housed together.

Thank you for hearing me out! I would be happy to help in any other way, and let me know if you need more information.

Giana Galeno
852 Alfini Dr.
Des Plaines
Gianagaleno@gmail.com