

CITY OF LELAND GROVE

ORDINANCE NO. 461

ORDINANCE REGULATING FOWL

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
CITY OF LELAND GROVE, SANGAMON COUNTY, ILLINOIS
THIS 23 DAY OF JANUARY, 2024**

ORDINANCE NO. 461

ORDINANCE REGULATING FOWL

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LELAND GROVE, SANGAMON COUNTY, ILLINOIS:

WHEREAS, the Mayor and the City Council of the City of Leland Grove have determined that an Ordinance regarding fowl and/or birds is necessary and advisable; and,

WHEREAS, the Mayor and the City Council of the City of Leland Grove have determined that an Ordinance regulating fowl and/or birds within the City should be adopted for the good of the public; and,

WHEREAS, the Mayor and the City of Leland Grove have previously adopted Ordinances related to nuisance animals, animal feces, slaughtering animals, and other matters. Those Ordinances remain in full force and effect unless modified herein.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Leland Grove, Sangamon County, Illinois, as follows:

Section I. Prohibition of Fowl and/or Birds at Large.

1. It shall be unlawful and a nuisance for any person to suffer or permit any fowl and/or birds to run at large other than on the grounds or premises of their owners and must be kept as set forth below. Authorized officers and employees of the City may impound fowl and/or birds found at large in violation of this Section.

Section II. Standards for Keeping Fowl.

1. Fowl and/or birds shall be kept in a coop, run, or fenced in yard at all times.
2. Fowl and/or birds enclosures shall be erected or maintained in the rear

yard and behind the principal structure of the licensee's lot.

3. Construction plans/site plans of a coop or run must be approved by Leland Grove Planning and Zoning Office prior to construction.

4. Fowl and/or birds shall be provided with adequate open space in the form of an enclosed run or coop. The run must be attached to the coop and be covered on all sides (including the top).

5. Any coop shall provide a minimum of 4 square feet of floor area per animal. Any run shall provide the minimum of 8 square feet of floor area per animal.

6. The coop and/or run shall be kept in a clean, dry, and sanitary condition at all times.

7. Manure, uneaten and discarded feed, feathers, and other waste must be removed at a minimum once per week.

8. All feed and other items associated with the keeping of fowl and/or birds shall be protected from or to prevent rats, mice, or other rodents from gaining access to or coming into contact with the feed.

9. Nuisances. No license to keep fowl and/or birds shall permit:

A. Noxious or offensive odors from fowl-keeping, including but not limited to the odor of the fowl and/or bird itself or their manure, to be perceptible at or be on the boundary of the licensee's property;

B. Offensive noise from fowl and/or birds that disturbs the peace at any time; or

C. Any other public or private nuisance resulting from the permitted

activity whether by litter, droppings, feathers, waste, or attraction of pests or rodents.

Section III. State Registration.

1. To the extent required by state law, the licensee's premises upon which fowl and/or birds are kept shall be registered with the Illinois Department of Agriculture, and proof of registration shall be current and maintained on the owner's site.

2. Accessory Building. All fowl and/or bird enclosures must be considered an accessory building under the Leland Grove Zoning Code and therefore are subject to the provisions as outlined within Section 9-3-13 of the Zoning Code..

3. Licenses to Keep Fowl and/or Birds.

A. No person shall possess fowl and/or birds unless a license has been issued as set forth in this Section.

B. The number of fowl and/or birds allowed shall be a maximum of six animals per property.

C. Roosters are prohibited within the City.

D. The City may deny a license to any person who (1) owes money to the City or (2) has, in the last five (5) years prior to application for a license under this Section, been convicted or pled guilty to any violation of City Ordinances related to animals, noise, property maintenance, or zoning.

5. All licenses pursuant to this Section shall be valid for one (1) year from the date of issuance. Licenses may be renewed with payment of a new fee and after inspection so long as the Licensee has been in compliance during the previous year.

6. Any modifications to an already licensed coop and/or run must be submitted for approval prior to modifications being completed.

7. Licenses are non-transferrable.

Section IV. Costs.

1. An initial coop license shall cost \$75.00 and is valid for one (1) year from the date of issue. Each year thereafter, the Licensee must renew the license. The renewal fee is \$75.00. As part of the renewal process, a site inspection shall be completed prior to the issuance of the license. If a Licensee sells or otherwise transfers her/his property, any new property owner or tenant must apply for a new license pursuant to this Section.

Section V. Penalties.

1. In addition to the general penalty previously set forth, the owner of fowl and/or birds is subject to the following additional penalties:
 - A. A person found to be keeping fowl and/or birds without a coop license will have seven (7) days from notification to achieve compliance with these standards.
 - B. A licensee found to be in violation of the standards outlined in this Section will have seven (7) days from notification to achieve compliance. If compliance is not achieved, the license will be revoked. The licensee may apply for a new license, subject to site inspection. If the licensee is found to be in compliance after inspection, a new license may be issued.
 - C. If the licensee is found to be in violation of these standards three or more times, the license may be immediately and permanently revoked.
 - D. If there have been three (3) documented violations within any 12-month period, the license may be revoked.

E. Keeping fowls and/or birds after permission has been revoked shall result in a Class C Violation. The fine for a Class C violation is a minimum of \$100.00 and a maximum fine of \$250.00 per each day there is found to be a violation. If the keeping of fowl and/or birds after the permission presents an immediate risk to health and safety, the violation will be upgraded to a Class A violation and will result in a minimum fine of \$500.00 and a maximum fine of \$750.00 per day.

PASSED this ____ day of _____, 2024, pursuant to roll call vote by the City Council of the City of Leland Grove, Sangamon County, Illinois.

AYES: _____
NAYS: _____
ABSENT: _____
PRESENT: _____

CITY CLERK

APPROVED this _____ day of _____, 2024.

MAYOR

ATTEST:

CITY CLERK

Published in pamphlet form this _____ day of _____, 2024.

CITY CLERK

STATE OF ILLINOIS)
)ss CERTIFICATION
COUNTY OF SANGAMON)

I, _____, City Clerk of the City of Leland Grove, Sangamon County, Illinois, do hereby certify that the attached copy of Ordinance No. _____ is a true and correct copy of an Ordinance passed by the Mayor and City Council of the City of Leland Grove at a regular meeting of said City Council held on the ___ day of _____, 2024, all as the original of the same remains in the official records of my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Leland Grove this ___ day of _____, 2024.

City Clerk

(SEAL)

STATE OF ILLINOIS)
)ss
COUNTY OF SANGAMON)

PUBLICATION CERTIFICATE

I, _____, certify that I am City Clerk of the City of Leland Grove, Sangamon County, Illinois.

I further certify that on the ____ day of _____, 2024, the Mayor and City Council of the City of Leland Grove, Illinois, passed and approved Ordinance No. _____ entitled:

ORDINANCE REGULATING FOWL

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the City Hall commencing on the ____ day of _____, 2024, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the Office of the City Clerk.

Dated at City of Leland Grove, Illinois, this ____ day of _____, 2024.

City Clerk

(SEAL)