

ORDINANCE NO. 1265

AN ORDINANCE

**VILLAGE OF NORTH BARRINGTON
ZONING ORDINANCE**

WHEREAS, the issue of allowing female chickens (hens), and bees in unincorporated residential areas of Lake County, Illinois has been carefully studied by staff and officials of the County and the County now allows such female chickens and bees under limited conditions; and

WHEREAS, the question of allowing such female chickens and bees was referred to the Plan Commission of this Village which carefully investigated and studied such issue, drafted language relative thereto and held a public hearing on a draft amendment to the text of the Village Zoning Ordinance, said having been held after due notice given pursuant to law and Village Ordinance and being in all respects pursuant to law:

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF NORTH BARRINGTON, LAKE COUNTY, AS FOLLOWS:

Section 1. The Corporate Authorities find the statements in the above preambles to the Ordinance to be accurate and correct and the said preambles are incorporated in the Ordaining portion of this Ordinance in full.

Section 2. Section 10-4-4C of the Zoning Ordinance which now provides:

C. Chickens, Ducks, Geese and Similar Fowl: Chickens, ducks, geese and similar fowl are not permitted as an accessory use except where raised or maintained as pets of children under the age of eighteen (18) years. No more than two (2) such fowl shall be permitted for each acre of land, with the total not to exceed six (6) fowl. Suitable restraints, such as fencing or shelters, shall be provided to assure the fowl remain on their home tracts.

Is hereby amended to provide:

Chickens

Subject to the following conditions and limitations, the keeping of hens (the female of the chicken species *Gallus gallus domesticus*) as an accessory use shall be permitted on residential lots of 40,000 square feet or greater.

1. Number of Hens

No more than six (6) hens shall be permitted on any residential lot of 40,000 square feet or greater.

2. Chicken Coops and Yards

a. Chicken Coop

Hens shall be kept in a secure enclosed outdoor coop, an accessory structure used for the purpose of keeping live chickens, so as to offer protection from weather elements and from predators and trespassers.

Coops shall provide at least three (3) square feet per hen and allow the hens ingress and egress to an enclosed chicken yard. Coops shall not exceed eight (8) feet in height.

Coops shall be covered with uniform materials and shall be maintained intact with all parts secure. Any repairs shall maintain consistency with the original structure in appearance and condition. The coop shall be replaced, removed or repaired in the event of significant deterioration or unsightliness.

b. Chicken Yard

Coops shall be connected with an enclosed chicken yard which shall be fenced. Hens shall not be allowed to roam outside of the fenced yard unless attended. Hens shall be returned to the secured chicken coop each night.

Chicken yards constructed with wire mesh fencing materials shall retain a flat, uniform plane in a well-maintained, safe condition.

3. Location and Setbacks

a. Street Setbacks

Chicken coops and yards shall not be located between the principal building and any improved alley or easement used for ingress or egress or any road right-of-way. In the case of an unimproved right-of-way, this provision may be modified by the Building and Zoning Officer in consultation with the appropriate local roadway authority.

b. Setback to Structures

In addition to setback requirements for accessory structures, chicken coops shall be located a minimum of thirty (30) feet from dwellings, non-residential buildings, patios, porches, gazebos, decks or swimming pools, but may be within thirty (30) feet from storage structures such as garages and sheds on an adjoining parcel.

4. Prohibitions and Management Practices

a. Roosters

The keeping of roosters shall not be allowed.

b. Odors

Chicken coops and yards must be cleaned on a regular basis so as to remain free from undue accumulated waste, and no significant odors shall be detectable on adjacent properties.

c. Feed

All feed for hens shall, except when placed for consumption by the hens, be kept in containers with tightly fitted lids that are rodent-proof.

d. Slaughter

No outdoor slaughter of chickens shall be allowed.

5. Property Assessment

Nothing herein is intended to affect the assessed value of real property, it not being the intention of the Village that the maintenance of hens shall be utilized to claim an agricultural classification for real estate assessment purposes.

Note: Per the Illinois Department of Agriculture, those wishing to keep hens on their premises shall complete a Livestock Premises Registration.

Section 3. Section 10-4-5 of the Zoning Ordinance is hereby re-numbered as Section 10-4-6.

Section 4. A new Section 10-4-5 is hereby added to the zoning ordinance, as follows: .

10-4-5 Beekeeping and Apiaries

The keeping of honey bees, of the European species *Apis mellifera*, except for *Apis mellifera scutellata* Lepeletier, shall be permitted on lots of 40,000 square feet or greater, as an accessory use subject to the following conditions and limitations.

A. Number of Beehives

Two (2) full beehives ("hives") and two (2) "nucleus hives" shall be permitted on residential lots of 40,000 square feet or greater and one (1) additional beehive and one (1) additional nucleus hive shall be permitted for each additional 10,000 square feet of

property. There shall be no limit on the number of hives permitted on parcels with an area of 200,000 square feet or more. Nucleus hives, consisting of five or fewer frames, are kept for the purposes of queen and pest management.

B. Location and Setbacks

1. Setbacks to property lines

Hives and related structures that form the apiary shall be located a minimum of thirty (30) feet from any adjoining improved alley, easement for purposes of ingress or egress, or road right-of-way and a minimum of ten (10) feet from all other property lines, provided that hives shall not be located in any front yards. In the case of an unimproved right of way, this provision may be modified by the Building and Zoning Officer in consultation with the appropriate local roadway authority.

2. Setback to Structures

Hives shall be located a minimum of thirty (30) feet from dwellings, non-residential buildings, patios, porches, gazebos, decks, swimming pools, or permanently affixed play equipment, on an adjacent property but may be within thirty (30) feet of storage structures such as garages and sheds.

3. Signage

A sign, identifying the presence of beehives on the property shall be posted so as to be reasonably visible within close proximity of the apiary.

C. Management Practices

1. Water Supply

A supply of water shall be continuously available and located within the parcel. Water supply shall be designed to allow bees to access water. Water requirement shall be in effect from April 1 through November 20, or any and all days on which the temperature exceeds 55 degrees for 3 consecutive days.

2. Requeening

In any instance in which a hive exhibits unusually aggressive characteristics, as verified by an Illinois Apiary Inspector, the property owner shall destroy, move to another parcel or requeen the hive within fourteen (14) days of said verification.

3. Moveable Combs

All honey bees shall be kept in hives with removable combs, which shall be kept in good repair and usable condition.


Section 5. This Ordinance shall be in full force and effect upon its passage, approval and publication pursuant to law. This Ordinance shall be published in pamphlet form.

Passed this 22nd day of April, 2015 by roll call vote:

	<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstain</u>
Trustee Jackie Andrew	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Trustee Edmond P. Boland	<u> </u>	<u>X</u>	<u> </u>	<u> </u>
Trustee Martin Pais	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Trustee Janice Sauer	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Trustee Todd Smith	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Trustee Lawrence Jay Weiner	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
President Albert R. Pino	<u>X</u>	<u> </u>	<u> </u>	<u> </u>



APPROVED THIS 22ND DAY OF APRIL 2015.



Albert R. Pino, Village President

ATTEST: 

Kathy Nelander, Village Clerk