

**VILLAGE OF FAIRGROVE
ORDINANCE NO. 75**

An ordinance to permit the keeping of chickens; and to prescribe penalties for violations thereof.

THE VILLAGE OF FAIRGROVE ORDAINS:

Section 1. Keeping of Chickens.

Notwithstanding other regulations contained within the Village's Zoning Ordinance, chickens may be owned, kept and possessed within the Village as a permitted accessory use, subject to the following regulations:

A. Permits.

1. Any person who keeps chickens shall first obtain a permit. An application shall be submitted to the Village and a fee paid as shall be established, and from time to time be amended, by resolution of the Village Council.
2. Permits shall expire and become invalid upon the expiration of a period of 12 months. Any person wishing to continue to house chickens shall obtain a new permit on or before the expiration date of the previous permit.
3. No permit shall be issued to any person who has been judicially determined to have violated any of the provisions of this ordinance without obtaining the affirmative vote of the Village Council.
4. Permits are non-transferable and do not run with the land. Permits shall provide a limited license to conduct the activity as an accessory use, but no vested zoning rights shall arise from the issuance of a permit.
5. Permits do not grant any right or authority to conduct commercial activities. Accordingly, the sale of eggs or the slaughtering of chickens at the permitted site shall not be allowed and shall result in the revocation of any existing permit.

B. Restrictions.

1. No more than 6 female chickens (hens) may be kept.
2. No male chickens (roosters) may be kept.
3. Chickens must be provided a enclosed covered shelter which shall be located in the "rear yard" as that term is defined in the Village Zoning Ordinance.

4. All shelters for the keeping of hens shall be constructed, repaired and maintained to prevent rats, mice or other rodents from being harbored underneath, within or within the walls of the shelter.

5. The shelter shall be maintained in a sanitary manner, free from offensive odors.

6. All feed and other items associated with the keeping of chickens shall be stored and secured in such a manner as to prevent access by mice, rats and other rodents.

7. No person shall be permitted to slaughter chickens upon the property where chickens are kept.

8. Shelters housing chickens must be kept a minimum of 10 feet from any property line and minimum of 30 feet from any neighboring residential or commercial building.

9. Chickens must be confined to the boundaries of the property on which they are kept and must not be allowed to roam, fly or encroach upon neighboring parcels.

10. If you are a renter or un recorded Land Contract holder you must have written permission from landlord.

11. Draw a site plan for your chicken coop and yard with measurements listed. Include all of this in your site plan:

- a. All property lines
- b. All existing buildings or structures on your property
- c. Fences
- d. Chicken coop
- e. Fenced or covered chicken yard area

Be sure to follow the placement and size requirements:

- a. Coop and yard use less than 50% of rear yard
- b. Coop must be under 6 feet tall
- c. Coop must be less than 6 square feet per chicken
- d. Only one coop for keeping chickens
- e. Coop and yard must be 10 feet away from all property lines

Section 2. Violations; penalties.

Any person found responsible for violating this ordinance shall be responsible for a municipal civil infraction subject to the fines, penalties and consequences specified in Ordinance No. 72. Notwithstanding any other penalty imposed hereunder, violations of this ordinance shall result in revocation of any permit.

Section 3. Effective Date.

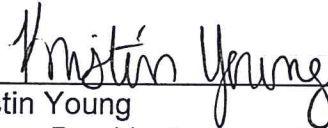
This Ordinance shall become effective upon publication.

At a regular meeting of the Fairgrove Village Council held on 9/5, 2023, adoption of the foregoing ordinance was moved by Harrison and supported by Sebert.

Voting for: Sebert/Harrison/Young
Voting against: None Absent Phelps

The President declared the ordinance adopted.


Cristi Smith
Village Clerk/Treasurer


Kristin Young
Village President

CERTIFICATION

The foregoing is a true copy of Ordinance No. 75 which was enacted by the Fairgrove Village Council at a regular meeting held on 9/5, 2023.


Cristi Smith, Village Clerk/Treasurer

Published 9/13/2023