



ORDINANCE NO. 933

**AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW  
MUNICIPAL CODE SID MUNICIPAL CODE BEING ORDINANCE  
NO.513 OF THE VILLAGE OF MACKINAW TO PROVIDE  
AMENDMENTS RELATING TO KEEPING OF CHICKENS  
WITHIN VILLAGE LIMITS**

Published in pamphlet form by authority of the Village President and  
Board of Trustees of the Village of Mackinaw

MAY 8, 2017

STATE OF ILLINOIS            )  
COUNTY OF TAZEWELL    ) SS  
VILLAGE OF MACKINAW    )

**CERTIFICATE OF ORDINANCE**

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the **8TH day of MAY 2017**, insofar as same relates to the adoption of **Ordinance No. 933**, entitled:

**AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE NO. 513 OF THE VILLAGE OF MACKINAW TO PROVIDE AMENDMENTS RELATING TO KEEPING OF CHICKENS WITHIN VILLAGE LIMITS**

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of **Ordinance No.933**, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on **MAY 8, 2017** and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by six members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this 18TH DAY OF MAY, 2017.



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Village Clerk

ORDINANCE NO. 933

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE  
SAID MUNICIPAL CODE BEING ORDINANCE NO. 513 OF THE VILLAGE OF  
MACKINAW TO PROVIDE AMENDMENTS RELATING TO KEEPING OF CHICKENS  
WITHIN VILLAGE LIMITS

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE  
OF MACKINAW:

SECTION 1: §90.13 of the Village Code of the Village of Mackinaw is hereby  
amended by inserting a new subparagraph (C) which shall be as follows:

**§90.13 LIVESTOCK**

(C) On a tract of property located within the Village limits containing less than 3.14 acres it shall be permissible to keep up to six (6) hens if a permit is issued pursuant to the provisions of Section 90.14 hereinafter.

SECTION 2: Chapter 90 of the Village Code of the Village of Mackinaw is hereby amended by inserting a new §90.14 which shall be as follows:

**§90.14 PERMIT FOR BACKYARD HENS**

- (A) It shall be unlawful any person to possess a hen on a tract of land within the Village limits of the Village of Mackinaw containing less than 3.14 acres unless such person has been issued a license pursuant to the provisions of this Section.
- (B) The following requirements shall be satisfied by an applicant as prerequisite to the consideration of the issuance of a license.
- (1) No license may be issued to allow more than six (6) hens on any one contiguous tract of property of less than 3.14 acres within the Village limits.
  - (2) No permit shall be issued to allow roosters on any property within the Village limits.
  - (3) Licenses may only be granted to persons who reside on parcels with a single-family dwelling, and which parcel is zoned in the R1 Residential District.
  - (4) No permit shall be issued to any individual unless the location of the chicken coop for which the permit is sought is at least five (5) feet from all property lines and at least seventy-five (75) feet from any neighboring dwelling.
  - (5) A chicken coop must be located in the rear of the residential structure. Chicken coops are not allowed in the side or front yards.

- (6) The chicken coop for which a permit is sought must be built to provide ventilation, shade, protection from precipitation, protection from cold weather and to be secure from predators, wild birds and rodents. Openings in windows and doors must be covered by wire, mesh or screens to deter predators. Access doors must be sized and placed for ease of cleaning. The enclosed run, if any, must be attached to the coop or must surround the coop. The sides of the run must be made of fencing or wire mesh that discourage predators. The run must be enclosed on all sides including the top or roof plane.
  - (7) The chicken coop for which a permit is sought shall provide a minimum of four (4) square feet of floor area per hen. The run shall provide a minimum of eight (8) square feet of floor area per hen.
  - (8) No license shall be issued unless there is a fence enclosing the entire backyard of the property for which a permit is sought.
  - (9) A license application must be signed by the legal record owner of the property and signed by the occupant of the property.
- (C) The following provisions shall apply to the care of hens in any location for which a permit has been issued pursuant to the provisions of this Section:
- (1) Hens shall be kept in a designated coop or run unless the owner of the property for which the permit is sought is physically present, and in such instance hens may be allowed to run at large within the confines of the fenced backyard of the permitted property. No hens shall run at large outside of any fenced area within the Village.
  - (2) No permit shall be issued to permit hens to be present in any parcels within the corporate limits of the Village of Mackinaw for which there is in force a subdivision restrictive covenant which would prohibit hens. At the time of the adoption of this Ordinance the restrictive covenants of Eastwood Park Subdivision and the subdivision covenants of Myers Court Subdivision prohibit hens from being located on property within those subdivisions.
  - (3) Hens must be kept in chicken coops and feed must be stored in a fully enclosed rodent proof container.
  - (4) The run, if any, shall be kept in clean, dry and sanitary condition at all times. Manure, uneaten and discarded feed, feathers and other waste must be removed regularly and at a minimum of once per week.
  - (5) Odors from hens, manure or related substances shall not be detectable from property lines.
  - (6) Manure must be stored and disposed of. Manure may be composted, all manure not composted must be removed from the property regularly at a minimum of once per

week.

(D) The following provisions shall apply to licenses issued pursuant to this Section:

- (1) All licenses issued pursuant to this Section shall be valid for one (1) year from the date of issuance.
- (2) If at any time a licensee is found to be in violation of the standards outlined in this Section, the Chief of Police or the Village's Code Enforcement Officer or such other individual or entity designated by the Village Board of the Village of Mackinaw may bring charges for the revocation of the permit issued pursuant to this Section. A hearing shall be held before the Village President at which hearing the permittee shall be given notice and an opportunity to be heard. After such hearing, the Village President shall determine whether the permit issued pursuant to this Section shall be revoked. In addition to and not in lieu thereof an ordinance violation citation may issue for violation of any provision of this Section.
- (3) Licenses issued pursuant to this Section are nontransferable.
- (4) Hens, coops and runs not maintained in accordance with the provisions of this Section shall be deemed a public nuisance.

(E) For the purpose of this Chapter the following terms and phrases shall have the following definitions:

- (1) *HEN*: The female of the species *Gallus gallus domesticus*.
- (2) *ROOSTER*: The male of the species *Gallus gallus domesticus*.
- (3) *COOP*: A structure that is designed to house hens which is enclosed on all sides with a roof, door and windows.
- (4) *RUN*: An outdoor area that is enclosed on all vertical sides by fencing. The run must be attached to or must surround a chicken coop with a doorway or hatch that allows access to the space by chickens.


SECTION 3: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

SECTION 4: This Ordinance shall take effect 10 days after publication thereof as provided by law.

SECTION 5: Ordinance No. 513 of the Village of Mackinaw, as amended by this Ordinance, shall remain in full force and effect and all previous amendments to Ordinance No. 513 shall remain in force and effect except as modified by this Ordinance.

PASSED in due form on a roll call vote by the Board of Trustees of the Village of Mackinaw at a duly held meeting on the 8<sup>th</sup> day of May, 2017.

APPROVED:

  
\_\_\_\_\_  
President of the Board of Trustees of  
The Village of Mackinaw

ATTEST:

  
\_\_\_\_\_  
Village Clerk

AYES:	<u>4</u>
NAYS:	<u>2</u>
ABSENT:	<u>0</u>