

## ORDINANCE NO. 2023 - O - 1

AN ORDINANCE TO AMEND CHAPTER 13, DOGS AND OTHER ANIMALS, 13.12, LIVESTOCK AND POULTRY OF THE PALESTINE VILLAGE CODE.

BE IT ORDAINED by the Board of Trustees of the Village of Palestine, Crawford County, Illinois that CHAPTER 13, DOGS AND OTHER ANIMALS, Section 13.12, LIVESTOCK AND POULTRY, of the Palestine Village Code be, and it is amended to be, in its entirety, as follows:

### **An Ordinance Prohibiting Keeping or Raising Livestock and Poultry**

#### I. Definitions:

Chicken: A female gendered domesticated fowl (hen) of the subspecies *Gallus gallus domesticus*.

Rooster: A male gender of the subspecies *Gallus gallus domesticus*.

Coop: An enclosure or structure consisting of four walls, a roof and floor with adequate ventilation and appropriate access and egress, designed in such a way as to provide safe and healthy living conditions to house chickens.

Run: An area enclosed by fence in which poultry are allowed to move about while foraging for food.

#### II. LIVESTOCK

A. It shall be unlawful for any person to keep or raise any cattle, hogs, sheep, horses, chickens, ducks, geese, turkeys or other livestock within the corporate limits of the Village, except for as provided in section III.

#### III. PERMITS

A. No person shall keep or raise any chickens within the Village without first obtaining a permit from the Village. Permits shall be non-expiring. There is an application fee of \$50.00 and a deposit of \$200.00 to obtain a permit. The permit allows the approved applicant to keep or raise chickens within the Village limits pursuant to the regulation set forth in Section IV.

B. Application for a permit shall be made on a form supplied by the Village Clerk and shall contain the following information:

1. Name, address, and phone number of applicant.
2. A photograph of the proposed Coop and run.
3. Such other information as the Village of Palestine may require.

C. After an application is submitted, the Chief of Police of the Village of Palestine, or his or her designee, shall inspect the property and coop to insure it is compliance with the requirements of this Ordinance. No permit will be issued if the coop and property do not pass inspections.

D. The Village of Palestine may suspend or revoke a permit granted hereunder upon finding the permit holder has violated any of the provisions of this Ordinance or other Village Ordinance relating to the care and upkeep of their property.

E. The Palestine Police Department has the authority to enter upon the property of any permit holder to determine their compliance with this Ordinance.

#### IV. Allowances and Restrictions

A. Any person keeping or raising chickens while possessing a valid Village of Palestine Permit shall abide by the following regulations:

1. A limit of (8) chickens per residential property.
2. Chicken coops shall meet the following requirements:
  - a. Constructed in such a way as to be impenetrable by vermin or other predators so as to provide adequate protection for the chicken and their eggs.
  - b. Kept clean, dry, odor-free, and sanitary condition
  - c. Must provide a minimum of four (4) square feet per chicken.
3. Chickens shall be concealed from the street view and kept in the coop or run at all times.
4. The coop and run shall be located in the rear yard of the property and set back at least 30 feet from any neighboring occupied residential structure.

5. Odor from chickens or any substance related to chicken keeping or raising shall not be permitted to be perceptible beyond the boundaries of the property on which chickens are housed.
6. Chickens shall be kept inside of their coop after sundown.
7. Chickens shall be provided with access to feed and clean water at all times. The feed and water shall be rendered unavailable to rodents, other birds, vermin and other predators.
8. Roosters are prohibited from being kept or raised within the Village of Palestine limits.
9. No person shall allow chickens to produce noise loud enough to disturb the peace of persons of reasonable sensitivity.
10. No person shall slaughter any chickens in the Village of Palestine limits, except for humane reasons.

V. Violations

*A. Any person who violates any provision of this Ordinance shall be subject to a fine of not less than \$250.00, plus the cost of prosecution. In addition, any person who is a permit holder violating the provisions of this ordinance shall be subject to the revocation of their permit.*

VI. This ordinance shall replace Village of Palestine Ordinance #2010-0-01 pertaining to Dogs and Other Animals, Chapter 13, Section 13-12 "Livestock"

VII. This ordinance shall be effective upon its passage and approval and the Village Clerk is directed to publish this ordinance in pamphlet form.

Passed by the Board of Trustees of the Village of Palestine, Illinois, pursuant to a roll call vote and approved by the Village President, this 2<sup>nd</sup> day of February, 2023.

James R. By  
President of the Board of Trustees

Harvey Myers  
Attest: Village Clerk

AYES: 5

NAYS: 1

ABSENT: \_\_\_\_\_