

ORDINANCE 17-3

BE IT ORDAINED BY THE VILLAGE OF CAPRON VILLAGE BOARD OF:

SECTION 1. A new Chapter 5-1-2 of the Municipal Code of the Village of Capron is hereby amended by striking out certain language and adding new language as follows:

~~5-1-3: CERTAIN ANIMALS AND ANIMAL HOUSES PROHIBITED; EXCEPTIONS~~

~~5-1-1 Definitions PETS: Dogs, cats, gerbils...~~

~~5-1-2 A: General Requirements: Only "pets", as defined in...~~

For the purpose of this section only, the following definitions apply:

“chicken” shall mean a female gendered domesticated fowl (hen) of the subspecies Gallus gallus domesticus.

“rooster” shall mean the male gender of the subspecies Gallus gallus domesticus. “coop” shall mean an enclosure or a cage consisting of four (4) walls, a roof and a 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

Except as otherwise specifically permitted or prohibited by this Municipal Code, chickens shall only be allowed to be kept as pets or for purposes of producing a limited, non-commercial amount of eggs under the following conditions:

- (a) A maximum of six (6) chickens following the restrictions outlined in this section may be kept. A minimum of 2 must be kept for the health and viability of the animal.
- (b) Permit: A permit shall be required to keep chickens; a onetime application fee of \$35.00 nonrefundable shall be due prior to issuance of permit. With a reoccurring \$35.00 fee due yearly on January 1st following the next consecutive year.
- (c) Chickens are prohibited at properties other than single family residences (R1 Zoning)
- (d) No slaughtering of chickens is allowed at any time within Village limits.
- (e) 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.
- (f) Odors from chickens, chicken manure or other substances related to chicken keeping shall not be permitted to be perceptible beyond the boundaries of the property on which chickens are kept.
- (g) Disposal of waste and deceased chickens must be accomplished in a sanitary and timely manner
- (h) Any stored manure shall be contained in a fully enclosed bin or structure. No more than three (3) cubic feet of manure may be stored on any residential property. All other manure not used for composting or fertilizing shall be removed.
- (i) All chicken enclosures, coops, and surrounding areas shall be kept free of trash and accumulated droppings. Uneaten feed must be removed in a timely manner.
- (j) Roosters shall not be permitted to be kept on properties zoned as residential.
- (k) Chickens running at large outside of its owners property is prohibited. Hens may be allowed to run within the confines of a permanently fenced area or specially constructed “chicken run” while in the presence of its owners or keeper.

- (l) No chicken shall be allowed to cause a “nuisance”. As used herein, a nuisance shall constitute noise of objectionable level. Noise must persist for at least ten minutes in order to constitute a nuisance and be heard by three separate residents living in close proximity to the source of the nuisance at the same time. The complaint must be given to the Village in writing and must be signed and attested to by the persons issuing complaint. Any nuisance hereunder shall be subject to penalties under section 4-4-6 of the Village Code.
- (m) All permits shall require a waiver of all claims and grievances against the Village and its officials from any resulting death or injury to any chicken whether or not confined in accordance with these regulations.
- (n) Coop requirements will be dictated by Village Officials and/or the representative from the Backyard Homestead Committee in adherence with the “Chicken Coop Requirement Guide” available at the Village Hall.

SECTION 2. This ordinance shall be in full force and effect immediately after its passage and publication.