

Effective Date: December 17, 2010

11/04/10

85-O-10

AN ORDINANCE

**Amending Various Sections of Title 9, "Public Safety,"
Chapter 4, "Dogs, Cats, Animals, and Fowl,"
of the City Code of the City of Evanston**

WHEREAS, The City of Evanston currently permits and regulates the keeping of hens pursuant to Ordinance 23-O-10 approved as amended on September 27, 2010;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:**

SECTION 1: That Title 9, "Public Safety," Chapter 4, "Dogs, Cats, Animals, and Fowl," Section 5, "Certain Animals Prohibited" of the Evanston City Code of 1979, as amended, is hereby further amended to read as follows:

9-4-5: CERTAIN ANIMALS PROHIBITED:

A. It shall be unlawful, and is hereby declared a nuisance for any person to keep or allow to be kept any animal of the species of horse, mule, swine, sheep, goat, cattle, poultry (with the exception of hens as herein provided), skunks, or poisonous reptiles within the corporation limits of the City of Evanston.

B. Hens shall mean the female of the species *Gallus Gallus Domesticas*.

C. It shall be unlawful to keep roosters within City limits.

1. The number of hens allowed shall be no less than two (2), and no more than six (6).

2. Any structures housing hens shall be termed an "Accessory Structure" as defined in Title 6, Chapter 18, Section 3 of the Evanston City Code, and shall abide by all requirements set forth in Title 6, Chapter 4, Section 6-2, "General Provisions for Accessory Uses and Structures," and Title 5, Chapter 1, "Property Maintenance Code" of the Evanston City Code.

3. Applicants shall register with the Illinois Department of Agriculture Livestock Premises Registration, and must have proof of registration on site.

4. Care for hens shall follow the provisions set forth in this Chapter.

5. Hens shall be kept in such a way so as not to cause a nuisance as defined in Title 1, Chapter 3, Section 2, and enumerated in Title 8, Chapter 4, Section 1 of the Evanston City Code and shall be kept in conformance with the following requirements:

a. Hen yards and coops shall be constructed and maintained to reasonably prevent the collection of standing water; and shall be cleaned of hen droppings, uneaten or discarded feed, feathers, and other waste with such frequency as is necessary to ensure the hen yard and coop do not become nuisances as defined in Title 8, Chapter 4, Section 1 of the Evanston City Code.

b. Hens shall be kept in an enclosure which shall be maintained in such a manner so as to protect the hens from predators and trespassers.

c. Hen coops shall be built and kept in such a manner so as to allow for easy ingress and egress for the hens and shall offer protection from weather elements including cold temperatures.

d. Hen coops and yards shall be large enough to provide at least four (4) feet per hen.

6. Licenses for coops must be obtained and shall meet the rules of this Chapter where applicable.

a. Prior to a license being granted to an applicant, the applicant must show proof of notice to all adjacent landowners except landowners that are municipalities or utilities.

b. A license shall not be granted unless the applicant has obtained all necessary building permits and can show proof that a hen yard and coop that comply with this section have been erected.

c. Coop licenses shall not run with the land.

d. Applications shall be submitted to the City of Evanston Public Health Director who shall have the authority to enforce this ordinance.

e. An applicant who lives in an apartment or condominium building is not eligible to receive a coop license.

f. No more than twenty (20) valid coop licenses shall be active within the City of Evanston at any given time for the first calendar year that this ordinance is in effect.

7. No person shall slaughter any hen, or any other animal, within City limits. Nothing in this ordinance is to be interpreted as prohibiting any establishment that is licensed to slaughter, from slaughtering for food purposes

any animals which are specifically raised for food purposes.

8. Any person found to be in violation of this Ordinance shall be fined not less than \$50.00 nor more than \$750.00 for each offense. In the event that an owner is adjudged to have three (3) violations of this Ordinance, the owner's coop license shall be revoked. Each day an owner is not compliant with this ordinance shall constitute a separate offense.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: That this Ordinance 85-O-10 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: November 8, 2010


Adopted: November 22, 2010

Approved:

December 3, 2010


Elizabeth B. Tisdahl, Mayor

Attest:


Rodney Greene, City Clerk

Approved as to form:


W. Grant Farrar, Corporation Counsel

